

Calendar No. 102111TH CONGRESS
1ST SESSION**S. 1432****[Report No. 111-43]**

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

IN THE SENATE OF THE UNITED STATES

JULY 9, 2009

Mr. DURBIN, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 2010, and for other pur-
6 poses, namely:

1 TITLE I
2 DEPARTMENT OF THE TREASURY
3 DEPARTMENTAL OFFICES
4 SALARIES AND EXPENSES
5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses of the Departmental Offices
7 including operation and maintenance of the Treasury
8 Building and Annex; hire of passenger motor vehicles;
9 maintenance, repairs, and improvements of, and purchase
10 of commercial insurance policies for, real properties leased
11 or owned overseas, when necessary for the performance
12 of official business, \$305,712,000, of which not to exceed
13 \$22,383,000 is for executive direction program activities;
14 not to exceed \$47,249,000 is for economic policies and
15 programs activities, including \$1,000,000 that shall be
16 transferred to the National Academy of Sciences for a
17 study on the long-term economic effects of the aging popu-
18 lation in the United States, to remain available until Sep-
19 tember 30, 2011, and \$1,500,000 that shall be transferred
20 to the National Academy of Sciences for a carbon audit
21 of the tax code as authorized in section 117 of the Energy
22 Improvement and Extension Act of 2008 (Public Law
23 110–343), to remain available until September 30, 2011;
24 not to exceed \$48,580,000 is for financial policies and pro-
25 grams activities; not to exceed \$64,611,000 is for ter-

1 rorism and financial intelligence activities; not to exceed
2 \$22,779,000 is for Treasury-wide management policies
3 and programs activities; and not to exceed \$100,110,000
4 is for administration programs activities: *Provided*, That
5 the Secretary of the Treasury is authorized to transfer
6 funds appropriated for any program activity of the De-
7 partmental Offices to any other program activity of the
8 Departmental Offices upon notification to the House and
9 Senate Committees on Appropriations: *Provided further*,
10 That no appropriation for any program activity shall be
11 increased or decreased by more than 5 percent by all such
12 transfers: *Provided further*, That any change in funding
13 greater than 5 percent shall be submitted for approval to
14 the House and Senate Committees on Appropriations:
15 *Provided further*, That of the amount appropriated under
16 this heading, not to exceed \$3,000,000, to remain avail-
17 able until September 30, 2011, is for information tech-
18 nology modernization requirements; not to exceed
19 \$200,000 is for official reception and representation ex-
20 penses; and not to exceed \$258,000 is for unforeseen
21 emergencies of a confidential nature, to be allocated and
22 expended under the direction of the Secretary of the
23 Treasury and to be accounted for solely on his certificate:
24 *Provided further*, That of the amount appropriated under
25 this heading, \$6,787,000, to remain available until Sep-

1 tember 30, 2011, is for the Treasury-wide Financial State-
 2 ment Audit and Internal Control Program, of which such
 3 amounts as may be necessary may be transferred to ac-
 4 counts of the Department's offices and bureaus to conduct
 5 audits: *Provided further*, That this transfer authority shall
 6 be in addition to any other provided in this Act: *Provided*
 7 *further*, That of the amount appropriated under this head-
 8 ing, \$500,000, to remain available until September 30,
 9 2011, is for secure space requirements: *Provided further*,
 10 That of the amount appropriated under this heading,
 11 \$3,400,000, to remain available until September 30, 2012,
 12 is to develop and implement programs within the Office
 13 of Critical Infrastructure Protection and Compliance Pol-
 14 icy, including entering into cooperative agreements: *Pro-*
 15 *vided further*, That of the amount appropriated under this
 16 heading, \$3,000,000, to remain available until September
 17 30, 2012, is for modernizing the Office of Debt Manage-
 18 ment's information technology.

19 DEPARTMENT-WIDE SYSTEMS AND CAPITAL

20 INVESTMENTS PROGRAMS

21 (INCLUDING TRANSFER OF FUNDS)

22 For development and acquisition of automatic data
 23 processing equipment, software, and services for the De-
 24 partment of the Treasury, \$9,544,000, to remain available
 25 until September 30, 2012: *Provided*, That \$4,544,000 is

1 for repairs to the Treasury Annex Building: *Provided fur-*
2 *ther*, That these funds shall be transferred to accounts and
3 in amounts as necessary to satisfy the requirements of the
4 Department's offices, bureaus, and other organizations:
5 *Provided further*, That this transfer authority shall be in
6 addition to any other transfer authority provided in this
7 Act: *Provided further*, That none of the funds appropriated
8 under this heading shall be used to support or supplement
9 "Internal Revenue Service, Operations Support" or "In-
10 ternal Revenue Service, Business Systems Moderniza-
11 tion".

12 OFFICE OF INSPECTOR GENERAL

13 SALARIES AND EXPENSES

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

1 TREASURY INSPECTOR GENERAL FOR TAX

2 ADMINISTRATION

3 SALARIES AND EXPENSES

4 For necessary expenses of the Treasury Inspector
5 General for Tax Administration in carrying out the In-
6 spector General Act of 1978, including purchase (not to
7 exceed 150 for replacement only for police-type use) and
8 hire of passenger motor vehicles (31 U.S.C. 1343(b));
9 services authorized by 5 U.S.C. 3109, at such rates as
10 may be determined by the Inspector General for Tax Ad-
11 ministration; \$152,000,000, of which not to exceed
12 \$6,000,000 shall be available for official travel expenses;
13 of which not to exceed \$500,000 shall be available for un-
14 foreseen emergencies of a confidential nature, to be allo-
15 cated and expended under the direction of the Inspector
16 General for Tax Administration; and of which not to ex-
17 ceed \$1,500 shall be available for official reception and
18 representation expenses.

19 FINANCIAL CRIMES ENFORCEMENT NETWORK

20 SALARIES AND EXPENSES

21 For necessary expenses of the Financial Crimes En-
22 forcement Network, including hire of passenger motor ve-
23 hicles; travel and training expenses of non-Federal and
24 foreign government personnel to attend meetings including
25 for course development and training concerned with do-

1 mestic and foreign financial intelligence activities, law en-
2 forcement, and financial regulation; not to exceed \$14,000
3 for official reception and representation expenses; and for
4 assistance to Federal law enforcement agencies, with or
5 without reimbursement, \$104,260,000, of which not to ex-
6 ceed \$26,085,000 shall remain available until September
7 30, 2012; and of which \$9,316,000 shall remain available
8 until September 30, 2011: *Provided*, That funds appro-
9 priated in this account may be used to procure personal
10 services contracts.

11 TREASURY FORFEITURE FUND

12 (RESCISSION)

13 Of the unobligated balances available under this
14 heading, \$50,000,000 are rescinded.

15 FINANCIAL MANAGEMENT SERVICE

16 SALARIES AND EXPENSES

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

1 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU
2 SALARIES AND EXPENSES

3 For necessary expenses of carrying out section 1111
4 of the Homeland Security Act of 2002, including hire of
5 passenger motor vehicles, \$103,000,000; of which not to
6 exceed \$6,000 shall be available for official reception and
7 representation expenses; not to exceed \$50,000 shall be
8 available for cooperative research and development pro-
9 grams for laboratory services; and provision of laboratory
10 assistance to State and local agencies with or without re-
11 imbursement: *Provided*, That of the amount appropriated
12 under this heading, \$2,000,000, to remain available until
13 September 30, 2011, is for information technology man-
14 agement.

15 UNITED STATES MINT

16 UNITED STATES MINT PUBLIC ENTERPRISE FUND

17 Pursuant to section 5136 of title 31, United States
18 Code, the United States Mint is provided funding through
19 the United States Mint Public Enterprise Fund for costs
20 associated with the production of circulating coins, numis-
21 matic coins, and protective services, including both oper-
22 ating expenses and capital investments. The aggregate
23 amount of new liabilities and obligations incurred during
24 fiscal year 2010 under such section 5136 for circulating

1 coinage and protective service capital investments of the
 2 United States Mint shall not exceed \$26,700,000.

3 BUREAU OF THE PUBLIC DEBT

4 ADMINISTERING THE PUBLIC DEBT

5 For necessary expenses connected with any public-
 6 debt issues of the United States, \$192,244,000, of which
 7 not to exceed \$2,500 shall be available for official recep-
 8 tion and representation expenses, and of which not to ex-
 9 ceed \$2,000,000 shall remain available until September
 10 30, 2012, for systems modernization: *Provided*, That the
 11 sum appropriated herein from the general fund for fiscal
 12 year 2010 shall be reduced by not more than \$10,000,000
 13 as definitive security issue fees and Legacy Treasury Di-
 14 rect Investor Account Maintenance fees are collected, so
 15 as to result in a final fiscal year 2010 appropriation from
 16 the general fund estimated at \$182,244,000. In addition,
 17 \$90,000 to be derived from the Oil Spill Liability Trust
 18 Fund to reimburse the Bureau for administrative and per-
 19 sonnel expenses for financial management of the Fund,
 20 as authorized by section 1012 of Public Law 101–380.

21 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

22 FUND PROGRAM ACCOUNT

23 To carry out the Community Development Banking
 24 and Financial Institutions Act of 1994 (Public Law 103–
 25 325), including services authorized by 5 U.S.C. 3109, but

1 at rates for individuals not to exceed the per diem rate
2 equivalent to the rate for ES-3, notwithstanding section
3 4707(d) and 4707(e) of title 12, United States Code,
4 \$166,750,000, to remain available until September 30,
5 2011, of which \$12,000,000 shall be for financial assist-
6 ance, technical assistance, training and outreach pro-
7 grams, designed to benefit Native American, Native Ha-
8 waiian, and Alaskan Native communities and provided pri-
9 marily through qualified community development lender
10 organizations with experience and expertise in community
11 development banking and lending in Indian country, Na-
12 tive American organizations, tribes and tribal organiza-
13 tions and other suitable providers, \$3,150,000 shall be for
14 an additional pilot project grant to an eligible organization
15 located in the State of Hawaii for financial education and
16 pre-home ownership counseling as authorized in section
17 1132(d) of division A of the Housing and Economic Re-
18 covery Act of 2008 (Public Law 110-289), and up to
19 \$18,000,000 may be used for administrative expenses, in-
20 cluding administration of the New Markets Tax Credit.

21 For an additional amount to be transferred to the
22 “Capital Magnet Fund”, as authorized by section 1339
23 of the Federal Housing Enterprises Financial Safety and
24 Soundness Act of 1992 (12 U.S.C. 1301 et seq.), as
25 amended by section 1331 of the Housing and Economic

1 Recovery Act of 2008 (Public Law 110–289), to support
2 financing for affordable housing and economic develop-
3 ment projects, \$80,000,000, to remain available until Sep-
4 tember 30, 2011: *Provided*, That, for fiscal year 2010, sec-
5 tion 1339(h)(3) of the Federal Housing Enterprises Fi-
6 nancial Safety and Soundness Act of 1992, as amended
7 by section 1331 of the Housing and Economic Recovery
8 Act of 2008 (Public Law 110–289), shall be applied by
9 substituting the term “at least 10 times the grant amount
10 or such other amount (including none) that the Secretary
11 may require” for “at least 10 times the grant amount”.

12 INTERNAL REVENUE SERVICE

13 TAXPAYER SERVICES

14 For necessary expenses of the Internal Revenue Serv-
15 ice to provide taxpayer services, including pre-filing assist-
16 ance and education, filing and account services, taxpayer
17 advocacy services, and other services as authorized by 5
18 U.S.C. 3109, at such rates as may be determined by the
19 Commissioner, \$2,275,830,000, of which not less than
20 \$6,100,000 shall be for the Tax Counseling for the Elderly
21 Program, of which not less than \$9,500,000 shall be avail-
22 able for low-income taxpayer clinic grants, of which not
23 less than \$12,000,000, to remain available until Sep-
24 tember 30, 2011, shall be available for a Community Vol-
25 unteer Income Tax Assistance matching grants dem-

1 onstration program for tax return preparation assistance,
2 and of which not less than \$205,954,000 shall be available
3 for operating expenses of the Taxpayer Advocate Service.

4 ENFORCEMENT

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses for tax enforcement activities
7 of the Internal Revenue Service to determine and collect
8 owed taxes, to provide legal and litigation support, to con-
9 duct criminal investigations, to enforce criminal statutes
10 related to violations of internal revenue laws and other fi-
11 nancial crimes, to purchase (for police-type use, not to ex-
12 ceed 850) and hire passenger motor vehicles (31 U.S.C.
13 1343(b)), and to provide other services as authorized by
14 5 U.S.C. 3109, at such rates as may be determined by
15 the Commissioner, \$5,504,000,000, of which not less than
16 \$59,206,000 shall be for the Interagency Crime and Drug
17 Enforcement program and of which not to exceed
18 \$126,500 shall be for official reception and representation
19 expenses associated with hosting the Leeds Castle Meeting
20 in the United States during 2010: *Provided*, That up to
21 \$10,000,000 may be transferred as necessary from this
22 account to the Internal Revenue Service, “Operations
23 Support” appropriations solely for the purposes of the
24 Interagency Crime and Drug Enforcement program: *Pro-*

1 *vided further*, That this transfer authority shall be in addi-
2 tion to any other transfer authority provided in this Act.

3 OPERATIONS SUPPORT

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

22 BUSINESS SYSTEMS MODERNIZATION

23 For necessary expenses of the Internal Revenue Serv-
24 ice's business systems modernization program,
25 \$274,119,000, to remain available until September 30,

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

1 HEALTH INSURANCE TAX CREDIT ADMINISTRATION

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

5 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

6 SERVICE

7 (INCLUDING TRANSFER OF FUNDS)

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

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

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

22 SEC. 104. Funds made available by this or any other
23 Act to the Internal Revenue Service shall be available for
24 improved facilities and increased staffing to provide suffi-
25 cient and effective 1–800 help line service for taxpayers.

1 The Commissioner shall continue to make the improve-
2 ment of the Internal Revenue Service 1–800 help line serv-
3 ice a priority and allocate resources necessary to increase
4 phone lines and staff to improve the Internal Revenue
5 Service 1–800 help line service.

6 SEC. 105. Of the funds made available by this Act
7 to the Internal Revenue Service, not less than
8 \$7,100,000,000 shall be available only for tax enforce-
9 ment. In addition, of the funds made available by this Act
10 to the Internal Revenue Service, and subject to the same
11 terms and conditions, \$890,000,000 shall be available for
12 enhanced tax law enforcement.

13 SEC. 106. None of the funds made available in this
14 Act may be used to enter into, renew, extend, administer,
15 implement, enforce, or provide oversight of any qualified
16 tax collection contract (as defined in section 6306 of the
17 Internal Revenue Code of 1986).

18 ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE
19 TREASURY
20 (INCLUDING TRANSFERS OF FUNDS)

21 SEC. 107. Appropriations to the Department of the
22 Treasury in this Act shall be available for uniforms or al-
23 lowances therefor, as authorized by law (5 U.S.C. 5901),
24 including maintenance, repairs, and cleaning; purchase of
25 insurance for official motor vehicles operated in foreign

1 countries; purchase of motor vehicles without regard to the
2 general purchase price limitations for vehicles purchased
3 and used overseas for the current fiscal year; entering into
4 contracts with the Department of State for the furnishing
5 of health and medical services to employees and their de-
6 pendants serving in foreign countries; and services author-
7 ized by 5 U.S.C. 3109.

8 SEC. 108. Not to exceed 2 percent of any appropria-
9 tions in this Act made available to the Departmental Of-
10 fices—Salaries and Expenses, Office of Inspector General,
11 Financial Management Service, Alcohol and Tobacco Tax
12 and Trade Bureau, Financial Crimes Enforcement Net-
13 work, and Bureau of the Public Debt, may be transferred
14 between such appropriations upon the advance approval
15 of the Committees on Appropriations: *Provided*, That no
16 transfer may increase or decrease any such appropriation
17 by more than 2 percent.

18 SEC. 109. Not to exceed 2 percent of any appropria-
19 tion made available in this Act to the Internal Revenue
20 Service may be transferred to the Treasury Inspector Gen-
21 eral for Tax Administration's appropriation upon the ad-
22 vance approval of the Committees on Appropriations: *Pro-*
23 *vided*, That no transfer may increase or decrease any such
24 appropriation by more than 2 percent.

1 SEC. 110. Of the funds available for the purchase of
2 law enforcement vehicles, no funds may be obligated until
3 the Secretary of the Treasury certifies that the purchase
4 by the respective Treasury bureau is consistent with de-
5 partmental vehicle management principles: *Provided*, That
6 the Secretary may delegate this authority to the Assistant
7 Secretary for Management.

8 SEC. 111. None of the funds appropriated in this Act
9 or otherwise available to the Department of the Treasury
10 or the Bureau of Engraving and Printing may be used
11 to redesign the \$1 Federal Reserve note.

12 SEC. 112. The Secretary of the Treasury may trans-
13 fer funds from Financial Management Service, Salaries
14 and Expenses to the Debt Collection Fund as necessary
15 to cover the costs of debt collection: *Provided*, That such
16 amounts shall be reimbursed to such salaries and expenses
17 account from debt collections received in the Debt Collec-
18 tion Fund.

19 SEC. 113. Section 122(g)(1) of Public Law 105–119
20 (5 U.S.C. 3104 note) is further amended by striking “11
21 years” and inserting “12 years”.

22 SEC. 114. None of the funds appropriated or other-
23 wise made available by this or any other Act may be used
24 by the United States Mint to construct or operate any mu-
25 seum without the explicit approval of the Committees on

1 Appropriations of the House of Representatives and the
2 Senate, the House Committee on Financial Services, and
3 the Senate Committee on Banking, Housing, and Urban
4 Affairs.

5 SEC. 115. None of the funds appropriated or other-
6 wise made available by this or any other Act or source
7 to the Department of the Treasury, the Bureau of Engrav-
8 ing and Printing, and the United States Mint, individually
9 or collectively, may be used to consolidate any or all func-
10 tions of the Bureau of Engraving and Printing and the
11 United States Mint without the explicit approval of the
12 House Committee on Financial Services; the Senate Com-
13 mittee on Banking, Housing, and Urban Affairs; the
14 House Committee on Appropriations; and the Senate
15 Committee on Appropriations.

16 SEC. 116. Funds appropriated by this Act, or made
17 available by the transfer of funds in this Act, for the De-
18 partment of the Treasury's intelligence or intelligence re-
19 lated activities are deemed to be specifically authorized by
20 the Congress for purposes of section 504 of the National
21 Security Act of 1947 (50 U.S.C. 414) during fiscal year
22 2010 until the enactment of the Intelligence Authorization
23 Act for Fiscal Year 2010.

24 SEC. 117. Not to exceed \$5,000 shall be made avail-
25 able from the Bureau of Engraving and Printing's Indus-

1 trial Revolving Fund for necessary official reception and
2 representation expenses.

3 This title may be cited as the “Department of the
4 Treasury Appropriations Act, 2010”.

5 TITLE II
6 EXECUTIVE OFFICE OF THE PRESIDENT AND
7 FUNDS APPROPRIATED TO THE PRESIDENT
8 COMPENSATION OF THE PRESIDENT

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

16 THE WHITE HOUSE
17 SALARIES AND EXPENSES

18 For necessary expenses for the White House as au-
19 thorized by law, including not to exceed \$3,850,000 for
20 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;
21 subsistence expenses as authorized by 3 U.S.C. 105, which
22 shall be expended and accounted for as provided in that
23 section; hire of passenger motor vehicles, newspapers,
24 periodicals, teletype news service, and travel (not to exceed
25 \$100,000 to be expended and accounted for as provided

1 by 3 U.S.C. 103); and not to exceed \$19,000 for official
2 entertainment expenses, to be available for allocation with-
3 in the Executive Office of the President; and for necessary
4 expenses of the Office of Policy Development, including
5 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107,
6 \$59,319,000, of which \$1,400,000 shall be for the Office
7 of National AIDS Policy.

8 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

9 OPERATING EXPENSES

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

16 REIMBURSABLE EXPENSES

17 For the reimbursable expenses of the Executive Resi-
18 dence at the White House, such sums as may be nec-
19 essary: *Provided*, That all reimbursable operating expenses
20 of the Executive Residence shall be made in accordance
21 with the provisions of this paragraph: *Provided further*,
22 That, notwithstanding any other provision of law, such
23 amount for reimbursable operating expenses shall be the
24 exclusive authority of the Executive Residence to incur ob-
25 ligations and to receive offsetting collections, for such ex-

1 penses: *Provided further*, That the Executive Residence
2 shall require each person sponsoring a reimbursable polit-
3 ical event to pay in advance an amount equal to the esti-
4 mated cost of the event, and all such advance payments
5 shall be credited to this account and remain available until
6 expended: *Provided further*, That the Executive Residence
7 shall require the national committee of the political party
8 of the President to maintain on deposit \$25,000, to be
9 separately accounted for and available for expenses relat-
10 ing to reimbursable political events sponsored by such
11 committee during such fiscal year: *Provided further*, That
12 the Executive Residence shall ensure that a written notice
13 of any amount owed for a reimbursable operating expense
14 under this paragraph is submitted to the person owing
15 such amount within 60 days after such expense is in-
16 curred, and that such amount is collected within 30 days
17 after the submission of such notice: *Provided further*, That
18 the Executive Residence shall charge interest and assess
19 penalties and other charges on any such amount that is
20 not reimbursed within such 30 days, in accordance with
21 the interest and penalty provisions applicable to an out-
22 standing debt on a United States Government claim under
23 section 3717 of title 31, United States Code: *Provided fur-*
24 *ther*, That each such amount that is reimbursed, and any
25 accompanying interest and charges, shall be deposited in

1 the Treasury as miscellaneous receipts: *Provided further*,
2 That the Executive Residence shall prepare and submit
3 to the Committees on Appropriations, by not later than
4 90 days after the end of the fiscal year covered by this
5 Act, a report setting forth the reimbursable operating ex-
6 penses of the Executive Residence during the preceding
7 fiscal year, including the total amount of such expenses,
8 the amount of such total that consists of reimbursable offi-
9 cial and ceremonial events, the amount of such total that
10 consists of reimbursable political events, and the portion
11 of each such amount that has been reimbursed as of the
12 date of the report: *Provided further*, That the Executive
13 Residence shall maintain a system for the tracking of ex-
14 penses related to reimbursable events within the Executive
15 Residence that includes a standard for the classification
16 of any such expense as political or nonpolitical: *Provided*
17 *further*, That no provision of this paragraph may be con-
18 strued to exempt the Executive Residence from any other
19 applicable requirement of subchapter I or II of chapter
20 37 of title 31, United States Code.

21 WHITE HOUSE REPAIR AND RESTORATION

22 For the repair, alteration, and improvement of the
23 Executive Residence at the White House, \$2,500,000, to
24 remain available until expended, for required maintenance,

1 safety and health issues, and continued preventative main-
2 tenance.

3 COUNCIL OF ECONOMIC ADVISERS

4 SALARIES AND EXPENSES

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

8 NATIONAL SECURITY COUNCIL

9 SALARIES AND EXPENSES

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

13 OFFICE OF ADMINISTRATION

14 SALARIES AND EXPENSES

15 For necessary expenses of the Office of Administra-
16 tion, including services as authorized by 5 U.S.C. 3109
17 and 3 U.S.C. 107, and hire of passenger motor vehicles,
18 \$115,280,000, of which \$16,786,000 shall remain avail-
19 able until expended for continued modernization of the in-
20 formation technology infrastructure within the Executive
21 Office of the President.

22 OFFICE OF MANAGEMENT AND BUDGET

23 SALARIES AND EXPENSES

24 For necessary expenses of the Office of Management
25 and Budget, including hire of passenger motor vehicles

1 and services as authorized by 5 U.S.C. 3109 and to carry
2 out the provisions of chapter 35 of title 44, United States
3 Code, \$92,687,000, of which not to exceed \$3,000 shall
4 be available for official representation expenses: *Provided*,
5 That none of the funds appropriated in this Act for the
6 Office of Management and Budget may be used for the
7 purpose of reviewing any agricultural marketing orders or
8 any activities or regulations under the provisions of the
9 Agricultural Marketing Agreement Act of 1937 (7 U.S.C.
10 601 et seq.): *Provided further*, That none of the funds
11 made available for the Office of Management and Budget
12 by this Act may be expended for the altering of the tran-
13 script of actual testimony of witnesses, except for testi-
14 mony of officials of the Office of Management and Budget,
15 before the Committees on Appropriations or their sub-
16 committees: *Provided further*, That none of the funds pro-
17 vided in this or prior Acts shall be used, directly or indi-
18 rectly, by the Office of Management and Budget, for eval-
19 uating or determining if water resource project or study
20 reports submitted by the Chief of Engineers acting
21 through the Secretary of the Army are in compliance with
22 all applicable laws, regulations, and requirements relevant
23 to the Civil Works water resource planning process: *Pro-*
24 *vided further*, That the Office of Management and Budget
25 shall have not more than 60 days in which to perform

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

13 OFFICE OF NATIONAL DRUG CONTROL POLICY

14 SALARIES AND EXPENSES

15 For necessary expenses of the Office of National
16 Drug Control Policy; for research activities pursuant to
17 the Office of National Drug Control Policy Reauthoriza-
18 tion Act of 2006 (Public Law 109–469); not to exceed
19 \$10,000 for official reception and representation expenses;
20 and for participation in joint projects or in the provision
21 of services on matters of mutual interest with nonprofit,
22 research, or public organizations or agencies, with or with-
23 out reimbursement, \$28,575,000; of which \$1,300,000
24 shall remain available until expended for policy research
25 and evaluation: *Provided*, That the Office is authorized to

1 accept, hold, administer, and utilize gifts, both real and
2 personal, public and private, without fiscal year limitation,
3 for the purpose of aiding or facilitating the work of the
4 Office.

5 COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER
6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses for the Counterdrug Tech-
8 nology Assessment Center for research activities pursuant
9 to the Office of National Drug Control Policy Reauthor-
10 ization Act of 2006 (Public Law 109–469), \$1,000,000,
11 which shall remain available until expended for counter-
12 narcotics research and development projects: *Provided*,
13 That such amount shall be available for transfer to other
14 Federal departments or agencies: *Provided further*, That
15 the Office of National Drug Control Policy shall submit
16 for approval by the Committees on Appropriations of the
17 House of Representatives and the Senate, a detailed
18 spending plan for the use of these funds no later than
19 90 days after enactment of this Act.

20 FEDERAL DRUG CONTROL PROGRAMS
21 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM
22 (INCLUDING TRANSFERS OF FUNDS)

23 For necessary expenses of the Office of National
24 Drug Control Policy’s High Intensity Drug Trafficking
25 Areas Program, \$234,000,000, to remain available until

1 September 30, 2011, for drug control activities consistent
2 with the approved strategy for each of the designated
3 High Intensity Drug Trafficking Areas, of which no less
4 than 51 percent shall be transferred to State and local
5 entities for drug control activities, which shall be obligated
6 within 120 days after enactment of this Act: *Provided*,
7 That up to 49 percent may be transferred to Federal
8 agencies and departments at a rate to be determined by
9 the Director, of which up to \$2,700,000 may be used for
10 auditing services and associated activities, and up to
11 \$500,000 of the \$2,700,000 shall be used to ensure the
12 continued operation and maintenance of the Performance
13 Management System: *Provided further*, That, notwith-
14 standing the requirements of Public Law 106–58, any un-
15 expended funds obligated prior to fiscal year 2008 for pro-
16 grams addressing the treatment or prevention of drug use
17 as part of the approved strategy for a designated High
18 Intensity Drug Trafficking Area may be used for other
19 approved activities of that High Intensity Drug Traf-
20 ficking Area: *Provided further*, That the Office of National
21 Drug Control Policy (ONDCP) shall notify the Commit-
22 tees on Appropriations of the House of Representatives
23 and the Senate of the initial High-Intensity Drug Traf-
24 ficking Area (HIDTA) allocation funding within 45 days
25 after the enactment of this Act: *Provided further*, That

1 ONDCP shall submit recommendations for approval to the
2 Committees on Appropriations for use of discretionary
3 HIDTA funding, according to a framework proposed joint-
4 ly by the HIDTA Directors and ONDCP, within 90 days
5 after the enactment of this Act.

6 OTHER FEDERAL DRUG CONTROL PROGRAMS

7 (INCLUDING TRANSFER OF FUNDS)

8 For activities to support a national anti-drug cam-
9 paign for youth, and for other purposes, authorized by the
10 Office of National Drug Control Policy Reauthorization
11 Act of 2006 (Public Law 109–469), \$174,750,000, to re-
12 main available until expended, of which the amounts are
13 available as follows: \$70,000,000 to support a national
14 media campaign, of which \$8,000,000 shall be designated
15 for methamphetamine prevention messages: *Provided*,
16 That the Office of National Drug Control Policy shall
17 maintain funding for non-advertising services for the
18 media campaign at no less than the fiscal year 2003 ratio
19 of service funding to total funds and should continue the
20 corporate outreach program; \$90,750,000 to continue a
21 program of matching grants to drug-free communities, of
22 which \$2,000,000 shall be made available as directed by
23 section 4 of Public Law 107–82, as amended by Public
24 Law 109–469 (21 U.S.C. 1521 note); \$1,000,000 for the
25 National Drug Court Institute; \$9,600,000 for the United

1 States Anti-Doping Agency for anti-doping activities;
2 \$1,900,000 for the United States membership dues to the
3 World Anti-Doping Agency; \$1,250,000 for the National
4 Alliance for Model State Drug Laws; and \$250,000 for
5 evaluations and research related to National Drug Control
6 Program performance measures: *Provided further*, That
7 such funds may be transferred to other Federal depart-
8 ments and agencies to carry out such activities: *Provided*
9 *further*, That of the amounts appropriated for a national
10 media campaign, not to exceed 10 percent shall be for ad-
11 ministration, advertising production, research and testing,
12 labor, and related costs of the national media campaign.

13 UNANTICIPATED NEEDS

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

20 PARTNERSHIP FUND FOR PROGRAM INTEGRITY

21 INNOVATION

22 (INCLUDING TRANSFER OF FUNDS)

23 For the Partnership Fund for Program Integrity In-
24 novation, \$40,000,000, to remain available until Sep-
25 tember 30, 2012: *Provided*, That these funds shall be

1 transferred by the Director of the Office of Management
2 and Budget to appropriate agencies to carry out Partner-
3 ship Fund for Program Integrity Innovation pilot projects:
4 *Provided further*, That such transfers shall be contingent
5 upon the Director of the Office of Management and Budg-
6 et determining, in consultation with an interagency council
7 consisting of representatives of appropriate Federal agen-
8 cies, States, and other stakeholders, that the pilot projects
9 address programs that have a substantial state role in eli-
10 gibility determination or administration; in aggregate,
11 save at least as much money as they cost; demonstrate
12 the potential to streamline administration or strengthen
13 program integrity; and do not achieve savings primarily
14 by reducing the participation of eligible beneficiaries: *Pro-*
15 *vided further*, That the funds may be used for grants, con-
16 tracts, and cooperative agreements as well as for the ad-
17 ministrative costs of carrying out the pilot projects.

18 SPECIAL ASSISTANCE TO THE PRESIDENT

19 SALARIES AND EXPENSES

20 For necessary expenses to enable the Vice President
21 to provide assistance to the President in connection with
22 specially assigned functions; services as authorized by 5
23 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
24 penses as authorized by 3 U.S.C. 106, which shall be ex-

1 pended and accounted for as provided in that section; and
 2 hire of passenger motor vehicles, \$4,604,000.

3 OFFICIAL RESIDENCE OF THE VICE PRESIDENT

4 OPERATING EXPENSES

5 (INCLUDING TRANSFER OF FUNDS)

6 For the care, operation, refurnishing, improvement,
 7 and to the extent not otherwise provided for, heating and
 8 lighting, including electric power and fixtures, of the offi-
 9 cial residence of the Vice President; the hire of passenger
 10 motor vehicles; and not to exceed \$90,000 for official en-
 11 tertainment expenses of the Vice President, to be ac-
 12 counted for solely on his certificate, \$330,000: *Provided,*
 13 That advances or repayments or transfers from this ap-
 14 propriation may be made to any department or agency for
 15 expenses of carrying out such activities.

16 ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF
 17 THE PRESIDENT AND FUNDS APPROPRIATED TO
 18 THE PRESIDENT

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 201. From funds made available in this Act
 21 under the headings “The White House”, “Executive Resi-
 22 dence at the White House”, “White House Repair and
 23 Restoration”, “Council of Economic Advisers”, “National
 24 Security Council”, “Office of Administration”, “Special
 25 Assistance to the President”, and “Official Residence of

1 the Vice President”, the Director of the Office of Manage-
2 ment and Budget (or such other officer as the President
3 may designate in writing), may, 15 days after giving no-
4 tice to the House and Senate Committees on Appropria-
5 tions, transfer not to exceed 10 percent of any such appro-
6 priation to any other such appropriation, to be merged
7 with and available for the same time and for the same
8 purposes as the appropriation to which transferred: *Pro-*
9 *vided*, That the amount of an appropriation shall not be
10 increased by more than 50 percent by such transfers: *Pro-*
11 *vided further*, That no amount shall be transferred from
12 “Special Assistance to the President” or “Official Resi-
13 dence of the Vice President” without the approval of the
14 Vice President.

15 SEC. 202. The President shall submit to the Commit-
16 tees on Appropriations not later than 60 days after the
17 date of the enactment of this Act, and prior to the initial
18 obligation of funds appropriated under the heading “Of-
19 fice of National Drug Control Policy”, a detailed narrative
20 and financial plan on the proposed uses of all funds under
21 the heading by program, project, and activity, for which
22 the obligation of funds is anticipated: *Provided*, That up
23 to 20 percent of funds appropriated under this heading
24 may be obligated before the submission of the report sub-
25 ject to prior approval of the Committees on Appropria-

1 tions: *Provided further*, That the report shall be updated
2 and submitted to the Committees on Appropriations every
3 6 months and shall include information detailing how the
4 estimates and assumptions contained in previous reports
5 have changed: *Provided further*, That any new projects
6 and changes in funding of ongoing projects shall be sub-
7 ject to the prior approval of the Committees on Appropria-
8 tions.

9 SEC. 203. Not to exceed 2 percent of any appropria-
10 tions in this Act made available to the Office of National
11 Drug Control Policy may be transferred between appro-
12 priated programs upon the advance approval of the Com-
13 mittees on Appropriations: *Provided*, That no transfer
14 may increase or decrease any such appropriation by more
15 than 3 percent.

16 SEC. 204. Not to exceed \$1,000,000 of any appropria-
17 tions in this Act made available to the Office of Na-
18 tional Drug Control Policy may be reprogrammed within
19 a program, project, or activity upon the advance approval
20 of the Committees on Appropriations.

21 This title may be cited as the “Executive Office of
22 the President Appropriations Act, 2010”.

1 TITLE III
2 THE JUDICIARY
3 SUPREME COURT OF THE UNITED STATES
4 SALARIES AND EXPENSES

5 For expenses necessary for the operation of the Su-
6 preme Court, as required by law, excluding care of the
7 building and grounds, including purchase or hire, driving,
8 maintenance, and operation of an automobile for the Chief
9 Justice, not to exceed \$10,000 for the purpose of trans-
10 porting Associate Justices, and hire of passenger motor
11 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
12 to exceed \$10,000 for official reception and representation
13 expenses; and for miscellaneous expenses, to be expended
14 as the Chief Justice may approve, \$74,081,000, of which
15 \$2,000,000 shall remain available until expended.

16 CARE OF THE BUILDING AND GROUNDS

17 For such expenditures as may be necessary to enable
18 the Architect of the Capitol to carry out the duties im-
19 posed upon the Architect by the Act approved May 7,
20 1934 (40 U.S.C. 13a–13b), \$14,525,000, which shall re-
21 main available until expended.

1 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
2 CIRCUIT

3 SALARIES AND EXPENSES

4 For salaries of the chief judge, judges, and other offi-
5 cers and employees, and for necessary expenses of the
6 court, as authorized by law, \$32,300,000.

7 UNITED STATES COURT OF INTERNATIONAL TRADE

8 SALARIES AND EXPENSES

9 For salaries of the chief judge and eight judges, sala-
10 ries of the officers and employees of the court, services,
11 and necessary expenses of the court, as authorized by law,
12 \$21,374,000.

13 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

14 JUDICIAL SERVICES

15 SALARIES AND EXPENSES

16 For the salaries of circuit and district judges (includ-
17 ing judges of the territorial courts of the United States),
18 justices and judges retired from office or from regular ac-
19 tive service, judges of the United States Court of Federal
20 Claims, bankruptcy judges, magistrate judges, and all
21 other officers and employees of the Federal Judiciary not
22 otherwise specifically provided for, and necessary expenses
23 of the courts, as authorized by law, \$5,076,845,000 (in-
24 cluding the purchase of firearms and ammunition); of
25 which not to exceed \$27,817,000 shall remain available

1 until expended for space alteration projects and for fur-
2 niture and furnishings related to new space alteration and
3 construction projects.

4 In addition, for expenses of the United States Court
5 of Federal Claims associated with processing cases under
6 the National Childhood Vaccine Injury Act of 1986 (Pub-
7 lic Law 99-660), not to exceed \$5,428,000, to be appro-
8 priated from the Vaccine Injury Compensation Trust
9 Fund.

10 DEFENDER SERVICES

11 For the operation of Federal Defender organizations;
12 the compensation and reimbursement of expenses of attor-
13 neys appointed to represent persons under section 3006A
14 of title 18, United States Code, and also under section
15 3599 of title 18, United States Code, in cases in which
16 a defendant is charged with a crime that may be punish-
17 able by death; the compensation and reimbursement of ex-
18 penses of persons furnishing investigative, expert, and
19 other services under section 3006A(e) of title 18, United
20 States Code, and also under section 3599(f) and (g)(2)
21 of title 18, United States Code, in cases in which a defend-
22 ant is charged with a crime that may be punishable by
23 death; the compensation (in accordance with the maxi-
24 mums under section 3006A of title 18, United States
25 Code) and reimbursement of expenses of attorneys ap-

1 pointed to assist the court in criminal cases where the de-
2 fendant has waived representation by counsel; the com-
3 pensation and reimbursement of travel expenses of guard-
4 ians ad litem acting on behalf of financially eligible minor
5 or incompetent offenders in connection with transfers
6 from the United States to foreign countries with which
7 the United States has a treaty for the execution of penal
8 sentences; the compensation and reimbursement of ex-
9 penses of attorneys appointed to represent jurors in civil
10 actions for the protection of their employment, as author-
11 ized by 28 U.S.C. 1875(d); the compensation and reim-
12 bursement of expenses of attorneys appointed under 18
13 U.S.C. 983(b)(1) in connection with certain judicial civil
14 forfeiture proceedings; and for necessary training and gen-
15 eral administrative expenses, \$975,504,000, to remain
16 available until expended.

17 FEES OF JURORS AND COMMISSIONERS

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

1 daily equivalent of the highest rate payable under section
2 5332 of title 5, United States Code.

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(1), \$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, De-
19 fender Services” and “Courts of Appeals, District Courts,
20 and Other Judicial Services, Fees of Jurors and Commis-
21 sioners”, shall be increased by more than 10 percent by
22 any such transfers: *Provided*, That any transfer pursuant
23 to this section shall be treated as a reprogramming of
24 funds under sections 604 and 608 of this Act and shall

1 not be available for obligation or expenditure except in
2 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 for applica-
20 tion of reprogramming and transfer authorities for the
21 current fiscal year.

22 SEC. 305. Section 3314(a) of title 40, United States
23 Code, is amended by substituting “Federal” for “execu-
24 tive” each place it appears.

1 SEC. 306. In accordance with 28 U.S.C. 561–569,
2 and notwithstanding any other provision of law, the
3 United States Marshals Service shall provide, for such
4 courthouses as its Director may designate in consultation
5 with the Director of the Administrative Office of the
6 United States Courts, for purposes of a pilot program, the
7 security services that 40 U.S.C. 1315 authorizes the De-
8 partment of Homeland Security to provide, except for the
9 services specified in 40 U.S.C. 1315(b)(2)(E). For build-
10 ing-specific security services at these courthouses, the Di-
11 rector of the Administrative Office of the United States
12 Courts shall reimburse the United States Marshals Service
13 rather than the Department of Homeland Security.

14 SEC. 307. Pursuant to section 140 of Public Law 97–
15 92, and from funds appropriated in this Act, Justices and
16 judges of the United States are authorized during fiscal
17 year 2010, to receive a salary adjustment in accordance
18 with 28 U.S.C. 461.

19 This title may be cited as the “Judiciary Appropria-
20 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, \$15,350,000, 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, of
19 which \$15,000,000 is for the costs of providing public
20 safety at events related to the presence of the national
21 capital in the District of Columbia, for the costs of pro-
22 viding support requested by the Director of the United
23 States Secret Service Division in carrying out their protec-
24 tive duties under the direction of the Secretary of Home-
25 land Security, and for the costs of providing support to

1 respond to immediate and specific terrorist threats or at-
2 tacks in the District of Columbia or surrounding jurisdic-
3 tions; and of which \$350,000 is for the District of Colum-
4 bia National Guard retention and college access program.

5 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

6 COURTS

7 For salaries and expenses for the District of Colum-
8 bia Courts, \$258,517,000 to be allocated as follows: for
9 the District of Columbia Court of Appeals, \$12,014,000,
10 of which not to exceed \$2,500 is for official reception and
11 representation expenses; for the District of Columbia Su-
12 perior Court, \$110,836,000, of which not to exceed \$2,500
13 is for official reception and representation expenses; for
14 the District of Columbia Court System, \$60,147,000, of
15 which not to exceed \$2,500 is for official reception and
16 representation expenses; and \$75,520,000, to remain
17 available until September 30, 2011, for capital improve-
18 ments for District of Columbia courthouse facilities, in-
19 cluding structural improvements to the District of Colum-
20 bia cell block at the Moultrie Courthouse: *Provided*, That
21 funds made available for capital improvements shall be ex-
22 pended consistent with the General Services Administra-
23 tion (GSA) master plan study and building evaluation re-
24 port: *Provided further*, That notwithstanding any other
25 provision of law, all amounts under this heading shall be

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

21 DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

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

1 ceedings in the Family Court of the Superior Court of the
2 District of Columbia under chapter 23 of title 16, D.C.
3 Official Code, or pursuant to contractual agreements to
4 provide guardian ad litem representation, training, tech-
5 nical assistance, and such other services as are necessary
6 to improve the quality of guardian ad litem representation,
7 payments for counsel appointed in adoption proceedings
8 under chapter 3 of title 16, D.C. Code, and payments for
9 counsel authorized under section 21–2060, D.C. Official
10 Code (relating to representation provided under the Dis-
11 trict of Columbia Guardianship, Protective Proceedings,
12 and Durable Power of Attorney Act of 1986),
13 \$55,000,000, to remain available until expended: *Pro-*
14 *vided*, That funds provided under this heading shall be ad-
15 ministered by the Joint Committee on Judicial Adminis-
16 tration in the District of Columbia: *Provided further*, That
17 notwithstanding any other provision of law, this appro-
18 priation shall be apportioned quarterly by the Office of
19 Management and Budget and obligated and expended in
20 the same manner as funds appropriated for expenses of
21 other Federal agencies, with payroll and financial services
22 to be provided on a contractual basis with the General
23 Services Administration (GSA), and such services shall in-
24 clude the preparation of monthly financial reports, copies
25 of which shall be submitted directly by GSA to the Presi-

1 dent and to the Committees on Appropriations of the
2 House of Representatives and the Senate, the Committee
3 on Oversight and Government Reform of the House of
4 Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate.

6 FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

9 For salaries and expenses, including the transfer and
10 hire of motor vehicles, of the Court Services and Offender
11 Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, \$212,408,000, of
12 which not to exceed \$2,000 is for official reception and
13 representation expenses related to Community Supervision
14 and Pretrial Services Agency programs; of which not to
15 exceed \$25,000 is for dues and assessments relating to
16 the implementation of the Court Services and Offender
17 Supervision Agency Interstate Supervision Act of 2002;
18 of which \$153,856,000 shall be for necessary expenses of
19 Community Supervision and Sex Offender Registration, to
20 include expenses relating to the supervision of adults subject to protection orders or the provision of services for
21 or related to such persons; of which \$58,552,000 shall be
22 available to the Pretrial Services Agency: *Provided*, That

1 notwithstanding any other provision of law, all amounts
2 under this heading shall be apportioned quarterly by the
3 Office of Management and Budget and obligated and ex-
4 pended in the same manner as funds appropriated for sal-
5 aries and expenses of other Federal agencies: *Provided fur-*
6 *ther*, That not less than \$2,000,000 shall be available for
7 re-entrant housing in the District of Columbia: *Provided*
8 *further*, That the Director is authorized to accept and use
9 gifts in the form of in-kind contributions of space and hos-
10 pitality to support offender and defendant programs, and
11 equipment and vocational training services to educate and
12 train offenders and defendants: *Provided further*, That the
13 Director shall keep accurate and detailed records of the
14 acceptance and use of any gift or donation under the pre-
15 vious proviso, and shall make such records available for
16 audit and public inspection: *Provided further*, That the
17 Court Services and Offender Supervision Agency Director
18 is authorized to accept and use reimbursement from the
19 District of Columbia Government for space and services
20 provided on a cost reimbursable basis.

21 FEDERAL PAYMENT TO THE PUBLIC DEFENDER SERVICE

22 FOR THE DISTRICT OF COLUMBIA

23 For salaries and expenses, including the transfer and
24 hire of motor vehicles, of the District of Columbia Public
25 Defender Service, as authorized by the National Capital

1 Revitalization and Self-Government Improvement Act of
2 1997, \$37,316,000: *Provided*, That notwithstanding any
3 other provision of law, all amounts under this heading
4 shall be apportioned quarterly by the Office of Manage-
5 ment and Budget and obligated and expended in the same
6 manner as funds appropriated for salaries and expenses
7 of Federal agencies.

8 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
9 WATER AND SEWER AUTHORITY

10 For a Federal payment to the District of Columbia
11 Water and Sewer Authority, \$20,000,000, to remain avail-
12 able until expended, to continue implementation of the
13 Combined Sewer Overflow Long-Term Plan: *Provided*,
14 That the District of Columbia Water and Sewer Authority
15 provides a 100 percent match for this payment.

16 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE
17 COORDINATING COUNCIL

18 For a Federal payment to the Criminal Justice Co-
19 ordinating Council, \$1,774,000, to remain available until
20 expended, to support initiatives related to the coordination
21 of Federal and local criminal justice resources in the Dis-
22 trict of Columbia.

23 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

24 For a Federal payment to the Commission on Judi-
25 cial Disabilities and Tenure, \$295,000, and to the Judicial

1 Nomination Commission, \$205,000, to remain available
2 until September 30, 2011.

3 FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF
4 FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA
5 (INCLUDING TRANSFER OF FUNDS)

6 For a Federal payment to the Office of the Chief Fi-
7 nancial Officer of the District of Columbia, \$1,000,000,
8 for transfer to the Children's National Medical Center:
9 *Provided*, That each entity that receives funding under
10 this heading shall submit a detailed budget and com-
11 prehensive description to the Office of the Chief Financial
12 Officer of the District of Columbia (CFO) and to the Com-
13 mittees on Appropriations of the House of Representatives
14 and the Senate no later than June 1, 2010 on the activi-
15 ties to be carried out with such funds.

16 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

17 For a Federal payment for a school improvement pro-
18 gram in the District of Columbia, \$75,400,000, to be allo-
19 cated as follows: for the District of Columbia Public
20 Schools, \$42,200,000 to improve public school education
21 in the District of Columbia; for the State Education Of-
22 fice, \$20,000,000 to expand quality public charter schools
23 in the District of Columbia, to remain available until ex-
24 pended; for the Secretary of the Department of Education,
25 \$13,200,000 to provide opportunity scholarships for stu-

1 dents in the District of Columbia in accordance with title
2 III of division C of the District of Columbia Appropria-
3 tions Act, 2004 (Public Law 108–199; 118 Stat. 126),
4 of which not more than \$1,000,000 may be used for pro-
5 gram oversight and administration, and of which not more
6 than \$1,000,000 may be used to administer testing of stu-
7 dents to determine and compare academic performance of
8 the schools enrolling students participating in the oppor-
9 tunity scholarship program: *Provided*, That notwith-
10 standing the second proviso under this heading in Public
11 Law 111–8, funds provided herein may only be used to
12 provide opportunity scholarships to students who received
13 scholarships in the 2009–2010 school year: *Provided fur-*
14 *ther*, That funds available under this heading for oppor-
15 tunity scholarships, including from prior-year appropria-
16 tions acts, may be made available only for scholarships
17 to students who received scholarships in the 2009–2010
18 school year: *Provided further*, That none of the funds pro-
19 vided in this Act or any other Act for opportunity scholar-
20 ships may be used by an eligible student to enroll in a
21 participating school under the DC School Choice Incentive
22 Act of 2003 unless (1) the participating school has and
23 maintains a valid certificate of occupancy issued by the
24 District of Columbia; and (2) the core subject matter
25 teachers of the eligible student hold 4-year bachelor’s de-

1 grees; *Provided further*, That the Secretary of Education
2 shall submit a report to Congress not later than June 15,
3 2010 detailing the academic rigor and quality of each par-
4 ticipating school and that for the purposes of submitting
5 the report the Secretary shall administer to eligible stu-
6 dents participating in the program the same tests of aca-
7 demic performance as those administered to students en-
8 rolled in the District of Columbia Public Schools in the
9 2009–2010 school year and the Secretary shall utilize the
10 performance of scholarship recipients on that test as well
11 as other metrics of academic quality considered appro-
12 priate by the Secretary to assess the academic rigor and
13 quality of participating schools and include in this report
14 comparative data on District of Columbia Public Schools
15 and Public Charter Schools; *Provided further*, That use of
16 any funds in this Act or any other Act for opportunity
17 scholarships after school year 2009–2010 shall only be
18 available to eligible students attending schools that Sec-
19 retary of Education determines to be of superior academic
20 rigor and quality to the District of Columbia Public
21 Schools and that the Secretary of Education shall use the
22 information in the report to Congress to determine the
23 academic rigor and quality of participating schools.

1 FEDERAL PAYMENT FOR CONSOLIDATED LABORATORY
2 FACILITY

3 For a Federal payment to the District of Columbia,
4 \$15,000,000, to remain available until September 30,
5 2011, for costs associated with the construction of a con-
6 solidated bioterrorism and forensics laboratory: *Provided*,
7 That the District of Columbia provides a 100 percent
8 match for this payment.

9 DISTRICT OF COLUMBIA
10 LOCAL OPERATING BUDGET

11 The following amounts are appropriated for the Dis-
12 trict of Columbia for the current fiscal year out of the
13 General Fund of the District of Columbia (“General
14 Fund”), except as otherwise specifically provided: *Pro-*
15 *vided*, That notwithstanding any other provision of law,
16 except as provided in section 450A of the District of Co-
17 lumbia Home Rule Act, approved November 2, 2000 (114
18 Stat. 2440; D.C. Official Code, section 1–204.50a) and
19 provisions of the Budget Request Act, the total amount
20 appropriated in this Act for operating expenses for the
21 District of Columbia for fiscal year 2010 under this head-
22 ing shall not exceed the lesser of the sum of the total reve-
23 nues of the District of Columbia for such fiscal year or
24 \$8,858,278,000 (of which \$5,721,742,000 shall be from
25 local funds, (including \$313,789,000 from dedicated

1 taxes), \$2,575,447,000 shall be from Federal grant funds,
2 \$556,429,000 shall be from other funds, and \$4,660,000
3 shall be from private funds), in addition, \$164,124,000
4 from funds previously appropriated in this Act as Federal
5 payments which does not include funds appropriated
6 under the American Recovery and Reinvestment Act of
7 2009, approved February 17, 2009 (123 Stat. 115; 26
8 U.S.C. section 1, note): *Provided further*, That of the local
9 funds, such amounts as may be necessary may be derived
10 from the District's General Fund balance: *Provided fur-*
11 *ther*, That of these funds the District's intradistrict au-
12 thority shall be \$712,697,000: in addition for capital con-
13 struction projects, an increase of \$2,963,810,000, of
14 which \$2,373,879,000 shall be from local funds,
15 \$54,893,000 from the District of Columbia Highway
16 Trust fund, \$212,854,000 from the Local Street Mainte-
17 nance fund, \$322,184,000 from Federal grant funds, and
18 a rescission of \$1,833,594,000 from local funds and a re-
19 scission of \$91,327,000 from Local Street Maintenance
20 funds appropriated under this heading in prior fiscal years
21 for a net amount of \$1,038,889,000, to remain available
22 until expended: *Provided further*, That the amounts pro-
23 vided under this heading are to be available, allocated and
24 expended as proposed under Title III of the Budget Sup-
25 port Act at the rate set forth under "District of Columbia

1 Funds Division of Expenses” of the Fiscal Year 2010 Pro-
2 posed Budget and Financial Plan submitted to the Con-
3 gress of the United States by the District of Columbia
4 during 2009: *Provided further*, That this amount may be
5 increased by proceeds of one-time transactions, which are
6 expended for emergency or unanticipated operating or
7 capital needs: *Provided further*, That such increases shall
8 be approved by enactment of local District law and shall
9 comply with all reserve requirements contained in the Dis-
10 trict of Columbia Home Rule Act approved December 24,
11 1973 (87 Stat. 777; D.C. Official Code § 1–201.01 et
12 seq.), as amended by this Act: *Provided further*, That the
13 Chief Financial Officer of the District of Columbia shall
14 take such steps as are necessary to assure that the Dis-
15 trict of Columbia meets these requirements, including the
16 apportioning by the Chief Financial Officer of the appro-
17 priations and funds made available to the District during
18 fiscal year 2010, except that the Chief Financial Officer
19 may not reprogram for operating expenses any funds de-
20 rived from bonds, notes, or other obligations issued for
21 capital projects.

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

1 TITLE V
2 INDEPENDENT AGENCIES
3 ADMINISTRATIVE CONFERENCE OF THE UNITED STATES
4 SALARIES AND EXPENSES

5 For necessary expenses of the Administrative Con-
6 ference of the United States, authorized by 5 U.S.C. 591
7 et seq., \$1,500,000, to remain available until September
8 30, 2011, of which not to exceed \$1,000 is for official re-
9 ception and representation expenses.

10 CHRISTOPHER COLUMBUS FELLOWSHIP FOUNDATION
11 SALARIES AND EXPENSES

12 For payment to the Christopher Columbus Fellow-
13 ship Foundation, established by section 423 of Public Law
14 102–281, \$1,000,000, to remain available until expended.

15 COMMODITY FUTURES TRADING COMMISSION
16 SALARIES AND EXPENSES

17 For necessary expenses to carry out the provisions
18 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
19 cluding the purchase and hire of passenger motor vehicles,
20 and the rental of space (to include multiple year leases)
21 in the District of Columbia and elsewhere, \$177,000,000,
22 including not to exceed \$3,000 for official reception and
23 representation expenses, and not to exceed \$25,000 for the
24 expenses for consultations and meetings hosted by the

1 Commission with foreign governmental and other regu-
2 latory officials.

3 CONSUMER PRODUCT SAFETY COMMISSION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Consumer Product
6 Safety Commission, including hire of passenger motor ve-
7 hicles, services as authorized by 5 U.S.C. 3109, but at
8 rates for individuals not to exceed the per diem rate equiv-
9 alent to the maximum rate payable under 5 U.S.C. 5376,
10 purchase of nominal awards to recognize non-Federal offi-
11 cials' contributions to Commission activities, and not to
12 exceed \$2,000 for official reception and representation ex-
13 penses, \$115,000,000, of which \$2,000,000 shall remain
14 available for obligation until September 30, 2011 to imple-
15 ment the Virginia Graeme Baker Pool and Spa Safety Act
16 grant program as provided by section 1405 of Public Law
17 110–140 (15 U.S.C. 8004).

18 ELECTION ASSISTANCE COMMISSION

19 SALARIES AND EXPENSES

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses to carry out the Help Amer-
22 ica Vote Act of 2002, \$16,530,000, of which \$3,250,000
23 shall be transferred to the National Institute of Standards
24 and Technology for election reform activities authorized
25 under the Help America Vote Act of 2002.

1 collections are received during fiscal year 2010 so as to
2 result in a final fiscal year 2010 appropriation estimated
3 at \$0: *Provided further*, That any offsetting collections re-
4 ceived in excess of \$335,794,000 in fiscal year 2010 shall
5 not be available for obligation: *Provided further*, That re-
6 maining offsetting collections from prior years collected in
7 excess of the amount specified for collection in each such
8 year and otherwise becoming available on October 1, 2009,
9 shall not be available for obligation: *Provided further*, That
10 notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from
11 the use of a competitive bidding system that may be re-
12 tained and made available for obligation shall not exceed
13 \$85,000,000 for fiscal year 2010: *Provided further*, That
14 the Inspector General of the Federal Communications
15 Commission shall examine whether, and to what extent,
16 the National Exchange Carrier Association, Inc. is acting
17 in compliance with the Communications Act of 1934, as
18 amended, and the regulations promulgated thereunder,
19 and whether, and to what extent, the FCC has delegated
20 authority to National Exchange Carrier Association, Inc.
21 consistent with the Communications Act of 1934, as
22 amended: *Provided further*, That the Federal Communica-
23 tions Commission Inspector General shall submit a report
24 to Congress not later than July 1, 2010, setting forth the
25 conclusions of such examination.

1 ADMINISTRATIVE PROVISIONS—FEDERAL

2 COMMUNICATIONS COMMISSION

3 SEC. 501. Section 302 of the Universal Service
4 Antideficiency Temporary Suspension Act is amended by
5 striking “December 31, 2009”, each place it appears and
6 inserting “December 31, 2010”.

7 SEC. 502. None of the funds appropriated by this Act
8 may be used by the Federal Communications Commission
9 to modify, amend, or change its rules or regulations for
10 universal service support payments to implement the Feb-
11 ruary 27, 2004 recommendations of the Federal-State
12 Joint Board on Universal Service regarding single connec-
13 tion or primary line restrictions on universal service sup-
14 port payments.

15 FEDERAL DEPOSIT INSURANCE CORPORATION

16 OFFICE OF INSPECTOR GENERAL

17 For necessary expenses of the Office of Inspector
18 General in carrying out the provisions of the Inspector
19 General Act of 1978, \$37,942,000, to be derived from the
20 Deposit Insurance Fund and the FSLIC Resolution Fund.

21 FEDERAL ELECTION COMMISSION

22 SALARIES AND EXPENSES

23 For necessary expenses to carry out the provisions
24 of the Federal Election Campaign Act of 1971,

1 \$67,000,000, of which not to exceed \$5,000 shall be avail-
2 able for reception and representation expenses.

3 FEDERAL LABOR RELATIONS AUTHORITY

4 SALARIES AND EXPENSES

5 For necessary expenses to carry out functions of the
6 Federal Labor Relations Authority, pursuant to Reorga-
7 nization Plan Numbered 2 of 1978, and the Civil Service
8 Reform Act of 1978, including services authorized by 5
9 U.S.C. 3109, and including hire of experts and consult-
10 ants, hire of passenger motor vehicles, and rental of con-
11 ference rooms in the District of Columbia and elsewhere,
12 \$24,773,000: *Provided*, That public members of the Fed-
13 eral Service Impasses Panel may be paid travel expenses
14 and per diem in lieu of subsistence as authorized by law
15 (5 U.S.C. 5703) for persons employed intermittently in
16 the Government service, and compensation as authorized
17 by 5 U.S.C. 3109: *Provided further*, That notwithstanding
18 31 U.S.C. 3302, funds received from fees charged to non-
19 Federal participants at labor-management relations con-
20 ferences shall be credited to and merged with this account,
21 to be available without further appropriation for the costs
22 of carrying out these conferences.

1 FEDERAL TRADE COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Trade Com-
4 mission, including uniforms or allowances therefor, as au-
5 thorized by 5 U.S.C. 5901–5902; services as authorized
6 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
7 not to exceed \$2,000 for official reception and representa-
8 tion expenses, \$289,300,000, to remain available until ex-
9 pended: *Provided*, That not to exceed \$300,000 shall be
10 available for use to contract with a person or persons for
11 collection services in accordance with the terms of 31
12 U.S.C. 3718: *Provided further*, That, notwithstanding any
13 other provision of law, not to exceed \$102,000,000 of off-
14 setting collections derived from fees collected for
15 premerger notification filings under the Hart-Scott-Ro-
16 dino Antitrust Improvements Act of 1976 (15 U.S.C.
17 18a), regardless of the year of collection, shall be retained
18 and used for necessary expenses in this appropriation:
19 *Provided further*, That, notwithstanding any other provi-
20 sion of law, not to exceed \$21,000,000 in offsetting collec-
21 tions derived from fees sufficient to implement and enforce
22 the Telemarketing Sales Rule, promulgated under the
23 Telemarketing and Consumer Fraud and Abuse Preven-
24 tion Act (15 U.S.C. 6101 et seq.), shall be credited to this
25 account, and be retained and used for necessary expenses

1 in this appropriation: *Provided further*, That the sum here-
2 in appropriated from the general fund shall be reduced
3 as such offsetting collections are received during fiscal
4 year 2010, so as to result in a final fiscal year 2010 appro-
5 priation from the general fund estimated at not more than
6 \$166,300,000: *Provided further*, That none of the funds
7 made available to the Federal Trade Commission may be
8 used to implement subsection (e)(2)(B) of section 43 of
9 the Federal Deposit Insurance Act (12 U.S.C. 1831t).

10 GENERAL SERVICES ADMINISTRATION

11 REAL PROPERTY ACTIVITIES

12 FEDERAL BUILDINGS FUND

13 LIMITATIONS ON AVAILABILITY OF REVENUE

14 For an additional amount to be deposited in the Fed-
15 eral Buildings Fund, \$482,900,000. Amounts in the
16 Fund, including revenues and collections deposited into
17 the Fund, shall be available for necessary expenses of real
18 property management and related activities not otherwise
19 provided for, including operation, maintenance, and pro-
20 tection of federally owned and leased buildings; rental of
21 buildings in the District of Columbia; restoration of leased
22 premises; moving governmental agencies (including space
23 adjustments and telecommunications relocation expenses)
24 in connection with the assignment, allocation, and transfer
25 of space; contractual services incident to cleaning or serv-

1 icing buildings, and moving; repair and alteration of feder-
2 ally owned buildings including grounds, approaches and
3 appurtenances; care and safeguarding of sites; mainte-
4 nance, preservation, demolition, and equipment; acquisi-
5 tion of buildings and sites by purchase, condemnation, or
6 as otherwise authorized by law; acquisition of options to
7 purchase buildings and sites; conversion and extension of
8 federally owned buildings; preliminary planning and de-
9 sign of projects by contract or otherwise; construction of
10 new buildings (including equipment for such buildings);
11 and payment of principal, interest, and any other obliga-
12 tions for public buildings acquired by installment purchase
13 and purchase contract; in the aggregate amount of
14 \$8,488,585,000, of which: (1) \$734,037,000 shall remain
15 available until expended for construction (including funds
16 for sites and expenses and associated design and construc-
17 tion services) of additional projects at the following loca-
18 tions:

19 New Construction:

20 California:

21 Calexico, Calexico West, Land Port of
22 Entry, \$9,437,000.

23 Colorado:

24 Lakewood, Denver Federal Center Re-
25 mediation, \$9,962,000.

1 District of Columbia:

2 Southeast Federal Center Remedi-
3 ation, \$15,000,000.

4 Florida:

5 Miami, Federal Bureau of Investiga-
6 tion Field Office Consolidation,
7 \$190,675,000.

8 Georgia:

9 Savannah, United States Courthouse,
10 \$7,900,000.

11 Maine:

12 Madawaska, Land Port of Entry,
13 \$50,127,000.

14 Maryland:

15 White Oak, Food and Drug Adminis-
16 tration Consolidation, \$137,871,000.

17 Pennsylvania:

18 Lancaster, United States Courthouse,
19 \$6,500,000.

20 Texas:

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

23 San Antonio, United States Court-
24 house, \$4,000,000.

25 Utah:

1 Salt Lake City, United States Court-
2 house, \$211,000,000:

3 *Provided*, That each of the foregoing limits of costs on
4 new construction projects may be exceeded to the extent
5 that savings are affected in other such projects, but not
6 to exceed 10 percent of the amounts included in an ap-
7 proved prospectus, if required, unless advance approval is
8 obtained from the Committees on Appropriations of a
9 greater amount: *Provided further*, That all funds for direct
10 construction projects shall expire on September 30, 2011
11 and remain in the Federal Buildings Fund except for
12 funds for projects as to which funds for design or other
13 funds have been obligated in whole or in part prior to such
14 date: *Provided further*, That for fiscal year 2011 and
15 thereafter, the annual budget submission to Congress for
16 the General Services Administration shall include a de-
17 tailed 5-year plan for Federal building construction
18 projects with a yearly update of total projected future
19 funding needs: *Provided further*, That for fiscal year 2011
20 and thereafter, the annual budget submission to Congress
21 for the General Services Administration shall, in consulta-
22 tion with U.S. Customs and Border Patrol, include a de-
23 tailed 5-year plan for Federal land port-of-entry projects
24 with a yearly update of total projected future funding
25 needs; (2) \$453,776,000 shall remain available until ex-

1 pended for repairs and alterations, which includes associ-
2 ated design and construction services:

3 Repairs and Alterations:

4 District of Columbia:

5 East Wing Infrastructure Systems
6 Replacement, \$114,500,000.

7 Eisenhower Executive Office Building
8 Courtyard Replacement, \$10,000,000.

9 Eisenhower Executive Office Building
10 Roof Replacement, \$15,000,000.

11 New Executive Office Building,
12 \$30,276,000.

13 Special Emphasis Programs:

14 Fire and Life Safety Program,
15 \$20,000,000.

16 Energy and Water Retrofit and Con-
17 servation Measures, \$2,000,000.

18 Federal High-Performance Green
19 Buildings, \$2,000,000.

20 Basic Repairs and Alterations,
21 \$260,000,000:

22 *Provided further*, That funds made available in this or any
23 previous Act in the Federal Buildings Fund for Repairs
24 and Alterations shall, for prospectus projects, be limited
25 to the amount identified for each project, except each

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

1 prior Act for Basic Repairs and Alterations may be used
2 to pay claims against the Government arising from any
3 projects under the heading “Repairs and Alterations” or
4 used to fund authorized increases in prospectus projects;
5 (3) \$140,525,000 for installment acquisition payments in-
6 cluding payments on purchase contracts which shall re-
7 main available until expended; (4) \$4,829,871,000 for
8 rental of space which shall remain available until ex-
9 pended; and (5) \$2,330,376,000 for building operations
10 which shall remain available until expended: *Provided fur-*
11 *ther*, That funds available to the General Services Admin-
12 istration shall not be available for expenses of any con-
13 struction, repair, alteration and acquisition project for
14 which a prospectus, if required by the Public Buildings
15 Act of 1959, has not been submitted, except that nec-
16 essary funds may be expended for each project for re-
17 quired expenses for the development of a proposed pro-
18 spectus: *Provided further*, That funds available in the Fed-
19 eral Buildings Fund may be expended for emergency re-
20 pairs when advance approval is obtained from the Com-
21 mittees on Appropriations: *Provided further*, That
22 amounts necessary to provide reimbursable special services
23 to other agencies under section 210(f)(6) of the Federal
24 Property and Administrative Services Act of 1949 (40
25 U.S.C. 592(b)(2)) and amounts to provide such reimburs-

1 able fencing, lighting, guard booths, and other facilities
2 on private or other property not in Government ownership
3 or control as may be appropriate to enable the United
4 States Secret Service to perform its protective functions
5 pursuant to 18 U.S.C. 3056, shall be available from such
6 revenues and collections: *Provided further*, That revenues
7 and collections and any other sums accruing to this Fund
8 during fiscal year 2010, excluding reimbursements under
9 section 210(f)(6) of the Federal Property and Administra-
10 tive Services Act of 1949 (40 U.S.C. 592(b)(2)) in excess
11 of the aggregate new obligational authority authorized for
12 Real Property Activities of the Federal Buildings Fund
13 in this Act shall remain in the Fund and shall not be avail-
14 able for expenditure except as authorized in appropria-
15 tions 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; \$61,165,000.

1 OPERATING EXPENSES

2 For expenses authorized by law, not otherwise pro-
3 vided for, for Government-wide activities associated with
4 utilization and donation of surplus personal property; dis-
5 posal of real property; agency-wide policy direction, man-
6 agement, and communications; Civilian Board of Contract
7 Appeals; services as authorized by 5 U.S.C. 3109; and not
8 to exceed \$7,500 for official reception and representation
9 expenses, \$71,881,000.

10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector
12 General and service authorized by 5 U.S.C. 3109,
13 \$58,000,000: *Provided*, That not to exceed \$15,000 shall
14 be available for payment for information and detection of
15 fraud against the Government, including payment for re-
16 covery of stolen Government property: *Provided further*,
17 That not to exceed \$2,500 shall be available for awards
18 to employees of other Federal agencies and private citizens
19 in recognition of efforts and initiatives resulting in en-
20 hanced Office of Inspector General effectiveness.

21 ELECTRONIC GOVERNMENT FUND

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses in support of interagency
24 projects that enable the Federal Government to expand
25 its ability to conduct activities electronically, through the

1 cruising to this Fund during fiscal year 2010 in excess of
2 such amount shall remain in the Fund and shall not be
3 available for expenditure except as authorized in appro-
4 priations Acts.

5 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

6 ADMINISTRATION

7 (INCLUDING TRANSFERS OF FUNDS)

8 SEC. 510. Funds available to the General Services
9 Administration shall be available for the hire of passenger
10 motor vehicles.

11 SEC. 511. Funds in the Federal Buildings Fund
12 made available for fiscal year 2010 for Federal Buildings
13 Fund activities may be transferred between such activities
14 only to the extent necessary to meet program require-
15 ments: *Provided*, That any proposed transfers shall be ap-
16 proved in advance by the Committees on Appropriations.

17 SEC. 512. Except as otherwise provided in this title,
18 funds made available by this Act shall be used to transmit
19 a fiscal year 2011 request for United States Courthouse
20 construction only if the request: (1) meets the design guide
21 standards for construction as established and approved by
22 the General Services Administration, the Judicial Con-
23 ference of the United States, and the Office of Manage-
24 ment and Budget; (2) reflects the priorities of the Judicial
25 Conference of the United States as set out in its approved

1 5-year construction plan; and (3) includes a standardized
2 courtroom utilization study of each facility to be con-
3 structed, replaced, or expanded.

4 SEC. 513. None of the funds provided in this Act may
5 be used to increase the amount of occupiable square feet,
6 provide cleaning services, security enhancements, or any
7 other service usually provided through the Federal Build-
8 ings Fund, to any agency that does not pay the rate per
9 square foot assessment for space and services as deter-
10 mined by the General Services Administration in compli-
11 ance with the Public Buildings Amendments Act of 1972
12 (Public Law 92–313).

13 SEC. 514. From funds made available under the
14 heading “Federal Buildings Fund, Limitations on Avail-
15 ability of Revenue”, claims against the Government of less
16 than \$250,000 arising from direct construction projects
17 and acquisition of buildings may be liquidated from sav-
18 ings effected in other construction projects with prior noti-
19 fication to the Committees on Appropriations.

20 SEC. 515. In any case in which the Committee of
21 Transportation and Infrastructure of the House of Rep-
22 resentatives and the Committee on Environment and Pub-
23 lic Works of the Senate adopt a resolution granting lease
24 authority pursuant to a prospectus transmitted to Con-
25 gress by the Administrator of the General Services Admin-

1 istration under section 3307 of title 40, United States
2 Code, the Administrator shall ensure that the delineated
3 area of procurement is identical to the delineated area in-
4 cluded in the prospectus for all lease agreements, except
5 that, if the Administrator determines that the delineated
6 area of the procurement should not be identical to the de-
7 lineated area included in the prospectus, the Adminis-
8 trator shall provide an explanatory statement to each of
9 such committees and the House and Senate Committees
10 on Appropriations prior to exercising any lease authority
11 provided in the resolution.

12 SEC. 516. In furtherance of the emergency manage-
13 ment policy set forth in the Robert T. Stafford Disaster
14 Relief and Emergency Assistance Act, the Administrator
15 of the General Services Administration may provide for
16 the use of the Federal supply schedules of the General
17 Services Administration by relief and disaster organiza-
18 tions as described in section 309 of that Act. Purchases
19 under this authority shall be limited to use in preparation
20 for, response to, and recovery from hazards as defined in
21 section 602 of that Act.

22 HARRY S TRUMAN SCHOLARSHIP FOUNDATION
23 SALARIES AND EXPENSES

24 For payment to the Harry S Truman Scholarship
25 Foundation Trust Fund, established by section 10 of Pub-

1 lie Law 93-642, \$660,000, to remain available until ex-
2 pended.

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 \$3,850,000, 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 \$3,000,000, to remain available until expended.

1 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
2 OPERATING EXPENSES

3 For necessary expenses in connection with the admin-
4 istration of the National Archives and Records Adminis-
5 tration (including the Information Security Oversight Of-
6 fice) and archived Federal records and related activities,
7 as provided by law, and for expenses necessary for the re-
8 view and declassification of documents and the activities
9 of the Public Interest Declassification Board, and for the
10 hire of passenger motor vehicles, and for uniforms or al-
11 lowances therefor, as authorized by law (5 U.S.C. 5901
12 et seq.), including maintenance, repairs, and cleaning,
13 \$339,770,000.

14 OFFICE OF THE INSPECTOR GENERAL

15 For necessary expenses of the Office of Inspector
16 General in carrying out the provisions of the Inspector
17 General Reform Act of 2008, Public Law 110–409, 122
18 Stat. 4302–16 (2008), and the Inspector General Act of
19 1978, as amended, 5 U.S.C. Appendix, and for the hire
20 of passenger motor vehicles, \$4,100,000.

21 ELECTRONIC RECORDS ARCHIVES

22 For necessary expenses in connection with the devel-
23 opment of the electronic records archives, to include all
24 direct project costs associated with research, analysis, de-
25 sign, development, and program management,

1 \$85,500,000, of which \$61,757,000 shall remain available
2 until September 30, 2011: *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, \$12,000,000, 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.

1 OFFICE OF GOVERNMENT ETHICS
2 SALARIES AND EXPENSES

3 For necessary expenses to carry out functions of the
4 Office of Government Ethics pursuant to the Ethics in
5 Government Act of 1978, and the Ethics Reform Act of
6 1989, including services as authorized by 5 U.S.C. 3109,
7 rental of conference rooms in the District of Columbia and
8 elsewhere, hire of passenger motor vehicles, and not to ex-
9 ceed \$1,500 for official reception and representation ex-
10 penses, \$13,665,000.

11 OFFICE OF PERSONNEL MANAGEMENT
12 SALARIES AND EXPENSES
13 (INCLUDING TRANSFER OF TRUST FUNDS)

14 For necessary expenses to carry out functions of the
15 Office of Personnel Management pursuant to Reorganiza-
16 tion Plan Numbered 2 of 1978 and the Civil Service Re-
17 form Act of 1978, including services as authorized by 5
18 U.S.C. 3109; medical examinations performed for veterans
19 by private physicians on a fee basis; rental of conference
20 rooms in the District of Columbia and elsewhere; hire of
21 passenger motor vehicles; not to exceed \$2,500 for official
22 reception and representation expenses; advances for reim-
23 bursements to applicable funds of the Office of Personnel
24 Management and the Federal Bureau of Investigation for
25 expenses incurred under Executive Order No. 10422 of

1 January 9, 1953, as amended; and payment of per diem
2 and/or subsistence allowances to employees where Voting
3 Rights Act activities require an employee to remain over-
4 night at his or her post of duty, \$94,970,000, of which
5 \$5,908,000 shall be available for the Enterprise Human
6 Resources Integration project; \$1,364,000 shall be avail-
7 able for the Human Resources Line of Business project;
8 and in addition \$112,738,000 for administrative expenses,
9 to be transferred from the appropriate trust funds of the
10 Office of Personnel Management without regard to other
11 statutes, including direct procurement of printed mate-
12 rials, for the retirement and insurance programs, of which
13 not more than \$9,300,000 shall be available for the cost
14 of implementing the new integrated financial system and
15 not more than \$4,000,000 shall be available for auto-
16 mating the retirement recordkeeping systems: *Provided*,
17 That the provisions of this appropriation shall not affect
18 the authority to use applicable trust funds as provided by
19 sections 8348(a)(1)(B), and 9004(f)(2)(A) of title 5,
20 United States Code: *Provided further*, That no part of this
21 appropriation shall be available for salaries and expenses
22 of the Legal Examining Unit of the Office of Personnel
23 Management established pursuant to Executive Order No.
24 9358 of July 1, 1943, or any successor unit of like pur-
25 pose: *Provided further*, That the President's Commission

1 on White House Fellows, established by Executive Order
2 No. 11183 of October 3, 1964, may, during fiscal year
3 2010, accept donations of money, property, and personal
4 services: *Provided further*, That such donations, including
5 those from prior years, may be used for the development
6 of publicity materials to provide information about the
7 White House Fellows, except that no such donations shall
8 be accepted for travel or reimbursement of travel expenses,
9 or for the salaries of employees of such Commission: *Pro-*
10 *vided further*, That within the funds provided, the Office
11 of Personnel Management shall carry out the Intergovern-
12 mental Personnel Act Mobility Program, with special at-
13 tention to Federal agencies employing more than 2,000
14 nurses: *Provided further*, That funding may be allocated
15 to develop guidelines that provide Federal agencies direc-
16 tion in using their authority under the Intergovernmental
17 Personnel Act Mobility Program, according to the direc-
18 tives outlined in the accompanying report.

19 OFFICE OF INSPECTOR GENERAL

20 SALARIES AND EXPENSES

21 (INCLUDING TRANSFER OF TRUST FUNDS)

22 For necessary expenses of the Office of Inspector
23 General in carrying out the provisions of the Inspector
24 General Act of 1978, including services as authorized by
25 5 U.S.C. 3109, hire of passenger motor vehicles,

1 \$2,136,000, and in addition, not to exceed \$20,428,000
2 for administrative expenses to audit, investigate, and pro-
3 vide other oversight of the Office of Personnel Manage-
4 ment's retirement and insurance programs, to be trans-
5 ferred from the appropriate trust funds of the Office of
6 Personnel Management, as determined by the Inspector
7 General: *Provided*, That the Inspector General is author-
8 ized to rent conference rooms in the District of Columbia
9 and elsewhere.

10 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES

11 HEALTH BENEFITS

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

17 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE

18 LIFE INSURANCE

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

1 POSTAL REGULATORY COMMISSION
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the Postal Regulatory
5 Commission in carrying out the provisions of the Postal
6 Accountability and Enhancement Act (Public Law 109–
7 435), \$14,333,000, to be derived by transfer from the
8 Postal Service Fund and expended as authorized by sec-
9 tion 603(a) of such Act.

10 PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD
11 SALARIES AND EXPENSES

12 For necessary expenses of the Privacy and Civil Lib-
13 erties Oversight Board, as authorized by section 1061 of
14 the Intelligence Reform and Terrorism Prevention Act of
15 2004 (5 U.S.C. 601 note), as amended, \$1,500,000.

16 SECURITIES AND EXCHANGE COMMISSION
17 SALARIES AND EXPENSES

18 For necessary expenses for the Securities and Ex-
19 change Commission, including services as authorized by
20 5 U.S.C. 3109, the rental of space (to include multiple
21 year leases) in the District of Columbia and elsewhere, and
22 not to exceed \$3,500 for official reception and representa-
23 tion expenses, \$1,126,000,000, to remain available until
24 expended; of which not to exceed \$20,000 may be used
25 toward funding a permanent secretariat for the Inter-

1 national Organization of Securities Commissions; and of
2 which not to exceed \$100,000 shall be available for ex-
3 penses for consultations and meetings hosted by the Com-
4 mission with foreign governmental and other regulatory
5 officials, members of their delegations, appropriate rep-
6 resentatives and staff to exchange views concerning devel-
7 opments relating to securities matters, development and
8 implementation of cooperation agreements concerning se-
9 curities matters and provision of technical assistance for
10 the development of foreign securities markets, such ex-
11 penses to include necessary logistic and administrative ex-
12 penses and the expenses of Commission staff and foreign
13 invitees in attendance at such consultations and meetings
14 including: (1) such incidental expenses as meals taken in
15 the course of such attendance; (2) any travel and trans-
16 portation to or from such meetings; and (3) any other re-
17 lated lodging or subsistence: *Provided*, That fees and
18 charges authorized by sections 6(b) of the Securities Ex-
19 change Act of 1933 (15 U.S.C. 77f(b)), and 13(e), 14(g)
20 and 31 of the Securities Exchange Act of 1934 (15 U.S.C.
21 78m(e), 78n(g), and 78ee), shall be credited to this ac-
22 count as offsetting collections: *Provided further*, That not
23 to exceed \$1,115,780,000 of such offsetting collections
24 shall be available until expended for necessary expenses
25 of this account: *Provided further*, That \$10,220,000 shall

1 pended for or in connection with the induction of any per-
2 son into the Armed Forces of the United States.

3 SMALL BUSINESS ADMINISTRATION

4 SALARIES AND EXPENSES

5 For necessary expenses, not otherwise provided for,
6 of the Small Business Administration as authorized by
7 Public Law 108–447, including hire of passenger motor
8 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
9 not to exceed \$3,500 for official reception and representa-
10 tion expenses, \$444,000,000: *Provided*, That the Adminis-
11 trator is authorized to charge fees to cover the cost of pub-
12 lications developed by the Small Business Administration,
13 and certain loan program activities, including fees author-
14 ized by section 5(b) of the Small Business Act: *Provided*
15 *further*, That, notwithstanding 31 U.S.C. 3302, revenues
16 received from all such activities shall be credited to this
17 account, to remain available until expended, for carrying
18 out these purposes without further appropriations: *Pro-*
19 *vided further*, That \$114,400,000 shall be available to
20 fund grants for performance in fiscal year 2010 or fiscal
21 year 2011 as authorized by section 21 of the Small Busi-
22 ness Act, of which \$1,000,000 shall be for the Veterans
23 Assistance and Services Program authorized by section
24 21(n) of the Small Business Act, as added by section 107
25 of Public Law 110–186, and of which \$1,000,000 shall

1 be for the Small Business Energy Efficiency Program au-
2 thorized by section 1203(c) of Public Law 110–140: *Pro-*
3 *vided further*, That \$22,000,000 shall remain available
4 until September 30, 2011 for marketing, management,
5 and technical assistance under section 7(m) of the Small
6 Business Act (15 U.S.C. 636(m)(4)) by intermediaries
7 that make microloans under the microloan program: *Pro-*
8 *vided further*, That during fiscal year 2010, the applicable
9 percentage under section 7(m)(4)(A) of the Small Busi-
10 ness Act shall be 50 percent and section 7(m)(4)(B) of
11 the Small Business Act shall not apply: *Provided further*,
12 That \$11,690,500 shall be available for the Loan Mod-
13 ernization and Accounting System, to be available until
14 September 30, 2011: *Provided further*, That \$10,000,000,
15 to remain available until September 30, 2011, shall be for
16 expenses for the relocation of the headquarters of the
17 Small Business Administration: *Provided further*, That
18 notwithstanding section 7(e) of the Small Business Act,
19 up to \$10,000,000 shall be for financial assistance in the
20 form of grants or cooperative agreements to educational
21 institutions, nonprofit organizations, Federal, State, and
22 local departments and agencies (including Small Business
23 Development Centers operating pursuant to section 21 of
24 the Small Business Act, Women’s Business Centers oper-
25 ating pursuant to section 29 of the Small Business Act,

1 and SCORE chapters operating pursuant to section
2 8(b)(1)(B) of the Small Business Act) for the purpose of
3 providing management or technical assistance and other
4 services to small businesses: *Provided further*, That
5 \$2,000,000 shall be for the Federal and State Technology
6 Partnership Program under section 34 of the Small Busi-
7 ness Act (15 U.S.C. 657d).

8 OFFICE OF INSPECTOR GENERAL

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

12 SURETY BOND GUARANTEES REVOLVING FUND

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

17 BUSINESS LOANS PROGRAM ACCOUNT

18 (INCLUDING TRANSFERS OF FUNDS)

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

1 subject to section 502 of the Congressional Budget Act
2 of 1974, during fiscal year 2010 commitments to guar-
3 antee loans under section 503 of the Small Business In-
4 vestment Act of 1958 shall not exceed \$7,500,000,000:
5 *Provided further*, That during fiscal year 2010 commit-
6 ments for general business loans authorized under section
7 7(a) of the Small Business Act shall not exceed
8 \$17,500,000,000: *Provided further*, That during fiscal
9 year 2010 commitments to guarantee loans for debentures
10 under section 303(b) of the Small Business Investment
11 Act of 1958, shall not exceed \$3,000,000,000: *Provided*
12 *further*, That during fiscal year 2010, guarantees of trust
13 certificates authorized by section 5(g) of the Small Busi-
14 ness Act shall not exceed a principal amount of
15 \$12,000,000,000. In addition, for administrative expenses
16 to carry out the direct and guaranteed loan programs,
17 \$153,000,000, which may be transferred to and merged
18 with the appropriations for Salaries and Expenses.

19 DISASTER LOANS PROGRAM ACCOUNT

20 (INCLUDING TRANSFERS OF FUNDS)

21 For the cost of guaranteed loans, including the cost
22 of modifying such loans as defined in section 502 of the
23 Congressional Budget Act of 1974, \$1,690,000, to remain
24 available until expended, of which \$352,357 is for loan
25 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 loan program authorized by section 7(b) of the
5 Small Business Act and the guaranteed loan programs au-
6 thorized by section 42 of the Small Business Act and sec-
7 tion 12085 of Public Law 110–246, \$102,310,000, to be
8 available until expended, of which \$1,000,000 is for the
9 Office of Inspector General of the Small Business Admin-
10 istration for audits and reviews of disaster loans and the
11 disaster loan programs and shall be transferred to and
12 merged with the appropriations for the Office of Inspector
13 General; of which \$91,000,000 is for direct administrative
14 expenses of loan making and servicing to carry out the
15 direct loan program, which may be transferred to and
16 merged with the appropriations for Salaries and Expenses;
17 of which \$9,000,000 is for indirect administrative ex-
18 penses for the direct loan program, which may be trans-
19 ferred to and merged with the appropriations for Salaries
20 and Expenses, and of which \$1,310,000 is for administra-
21 tive expenses to carry out the guaranteed loan programs,
22 which may be transferred to and merged with the appro-
23 priations for Salaries and Expenses.

1 ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

2 ADMINISTRATION

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 520. Not to exceed 5 percent of any appropria-
5 tion made available for the current fiscal year for the
6 Small Business Administration in this Act may be trans-
7 ferred between such appropriations, but no such appro-
8 priation shall be increased by more than 10 percent by
9 any such transfers: *Provided*, That any transfer pursuant
10 to this paragraph shall be treated as a reprogramming of
11 funds under section 608 of this Act and shall not be avail-
12 able for obligation or expenditure except in compliance
13 with the procedures set forth in that section.

14 SEC. 521. All disaster loans issued in Alaska or
15 North Dakota shall be administered by the Small Business
16 Administration and shall not be sold during fiscal year
17 2010.

18 SEC. 522. For an additional amount under the head-
19 ing “Small Business Administration, Salaries and
20 Expenses”\$59,604,000, to remain available until Sep-
21 tember 30, 2011, shall be for initiatives related to small
22 business development and entrepreneurship, including pro-
23 grammatic and construction activities, of which \$200,000
24 shall be for the Alaska Manufacturing Extension Partner-
25 ship for the AMBIT Youth Entrepreneurship Curriculum,

1 Anchorage, Alaska; \$250,000 shall be for the Alcorn State
2 University for the Systems Research Institute, Mississippi;
3 \$120,000 shall be for the Amoskeag Business Incubator,
4 Manchester, New Hampshire; \$100,000 shall be for the
5 Bennett College for Women, The Center for Women's En-
6 trepreneurship, Greensboro, North Carolina; \$200,000
7 shall be for the Boise State University for a research, eco-
8 nomic development and entrepreneurial initiative, Idaho;
9 \$1,050,000 shall be for the Brewer Business and Com-
10 merce Park, Brewer, Maine; \$117,500 shall be for the
11 Center for Economic Growth, Watervliet Innovation Cen-
12 ter, Albany, New York; \$100,000 shall be for the Central
13 Connecticut State University, for a manufacturing work-
14 force initiative and technical assistance program, New
15 Britain, Connecticut; \$100,000 shall be for the Champlain
16 Valley Office of Economic Opportunity, Chittenden Emer-
17 gency Food Shelf's Community Kitchen Expansion
18 Project, Burlington, Vermont; \$117,500 shall be for the
19 City of Buffalo, Buffalo clean energy incubator, Buffalo,
20 New York; \$85,000 shall be for the City of Jal, renovation
21 of Burke Junior High School to house business ventures,
22 Jal, New Mexico; \$250,000 shall be for the City of Los
23 Angeles, Port of Los Angeles Technology Advancement
24 Program and Clean Technology Development Center, Los
25 Angeles, California; \$300,000 shall be for the City of

1 Providence, Department of Planning and Development,
2 Rhode Island Center for Life Sciences, research, develop-
3 ment and commercialization, Providence, Rhode Island;
4 \$200,000 shall be for the City of Salem, downtown revital-
5 ization “toolbox” program, Salem, Oregon; \$170,000 shall
6 be for the City of Santa Rosa, Ilfeld Warehouse business
7 incubator, Santa Rosa, New Mexico; \$100,000 shall be for
8 the College of Notre Dame of Maryland, for lab facilities,
9 Baltimore, Maryland; \$200,000 shall be for the Colorado
10 State University, Sustainable Biofuels Development Cen-
11 ter, Fort Collins, Colorado; \$100,000 shall be for the
12 Community College of Philadelphia, Northeast Regional
13 Center for small business education, growth, and training,
14 Philadelphia, Pennsylvania; \$100,000 shall be for the
15 Community Economic Development Fund Foundation,
16 Small Business Institute, for training and technical assist-
17 ance to stabilize small business operations, Meriden, Con-
18 necticut; \$250,000 shall be for the Community Links Ha-
19 waii for planning and development of Oahu Technology
20 and Innovation Park, Oahu, Hawaii; \$117,500 shall be for
21 the Community Service Society of New York, financial
22 education project, New York, New York; \$300,000 shall
23 be for the Council for Native Hawaiian Advancement, En-
24 trepreneurial Development and Government Procurement
25 Center, Honolulu, Hawaii; \$200,000 shall be for the Cuya-

1 hoga Community College, veterans outreach and business
2 development program, Cleveland, Ohio; \$175,000 shall be
3 for the Delaware Valley Industrial Resource Center
4 (DVIRC) for small business succession planning services,
5 Philadelphia, Pennsylvania; \$100,000 shall be for the De-
6 partment of Community Affairs, Division on Women, New
7 Jersey Women's Microbusiness Credit Program, for train-
8 ing and mentoring activities, Trenton, New Jersey;
9 \$200,000 shall be for the Detroit Renaissance, Detroit
10 Creative Corridor Center, Detroit, Michigan; \$200,000
11 shall be for the Eastern Washington University for accel-
12 erating economic development in rural and underserved
13 communities of the Inland Pacific Northwest, Spokane,
14 Washington; \$125,000 shall be for the Entrepreneurial
15 Development Center Program, College Park, Georgia;
16 \$220,000 shall be for the Fitzsimons Redevelopment Au-
17 thority, Colorado Drug, Device, and Diagnostic Develop-
18 ment Institute, Aurora, Colorado; \$200,000 shall be for
19 the Florida Institute of Technology, Florida Advanced
20 Combustion Center, Brevard County, Florida; \$137,500
21 shall be for the Great Falls Development Authority, to
22 support the administrative costs of the Central Montana
23 Growth Fund, Great Falls, Montana; \$117,500 shall be
24 for the Greater Syracuse Chamber of Commerce, Space
25 Alliance Technology Outreach Program (SATOP), Syra-

1 cuse, New York; \$80,000 shall be for the Hannah Grimes
2 Center, business incubator renovation and expansion,
3 Keene, New Hampshire; \$700,000 shall be for the
4 Haymarket Center for a workforce development initiative,
5 Chicago, Illinois; \$137,500 shall be for the HOPE Com-
6 munity Development Corporation for an economic develop-
7 ment initiative, Charleston, West Virginia; \$200,000 shall
8 be for the Illinois Eastern Community Colleges for the
9 Small Business Development Center, Olney, Illinois;
10 \$600,000 shall be for the Illinois Institute of Technology
11 for University Technology Park, Chicago, Illinois;
12 \$300,000 shall be for the Illinois State Library to expand
13 access to Illinois public libraries, Springfield, Illinois;
14 \$500,000 shall be for the Illinois State University for the
15 McLean County Business Incubator, Normal, Illinois;
16 \$500,000 shall be for the Jackson State University for
17 Economic and Community Development through Heritage
18 Tourism, Mississippi; \$400,000 shall be for the Kansas
19 World Trade Center for the Wichita EcoPartnership,
20 Wichita, Kansas; \$200,000 shall be for the Kelley Road
21 Business Park, Orono, Maine; \$213,333 shall be for the
22 Latin Chamber of Commerce, Hispanic Leadership Pro-
23 gram, Las Vegas, Nevada; \$200,000 shall be for the Law-
24 rence CommunityWorks, Union Crossing Mill Redevelop-
25 ment, Lawrence, Massachusetts; \$300,000 shall be for the

1 Leavenworth Technology and Research Park, Leaven-
2 worth, Kansas; \$975,700 shall be for the Loring Com-
3 merce Centre Infrastructure Development for the Loring
4 Development Authority, Limestone, Maine; \$137,500 shall
5 be for the Louisiana Office of Social Entrepreneurship for
6 administrative costs of a business planning initiative,
7 Baton Rouge, Louisiana; \$200,000 shall be for the Lu-
8 theran Social Service of Minnesota, Credit Counseling Ca-
9 pacity Building, St. Paul, Minnesota; \$137,500 shall be
10 for the McNeese State University, Southwest Louisiana
11 Entrepreneurial and Economic Development Center
12 (SEED), Lake Charles, Louisiana; \$250,000 shall be for
13 the Minot State University-Bottineau, Entrepreneurial
14 Center for Horticulture, Bottineau, North Dakota;
15 \$250,000 shall be for the Mississippi Biotechnology Asso-
16 ciation for Capacity Building for the Mississippi Bio-
17 technology Industry, Ridgeland, Mississippi; \$500,000
18 shall be for the Mississippi State University for the Entre-
19 preneurship Center to Develop New Entity Creation
20 (ECDEC), Mississippi; \$850,000 shall be for the Mis-
21 sissippi Technology Alliance for the Center for Innovation
22 and Entrepreneurship, Mississippi; \$1,000,000 shall be
23 for the Missouri Chamber Education Foundation to de-
24 velop a small business technology, training and outreach
25 center, Jefferson City, Missouri; \$137,500 shall be for the

1 Montana Technology Venture Center, for expansion and
2 operations of the TechRanch next step program, Boze-
3 man, Montana; \$275,000 shall be for the Nebraska Com-
4 munity Foundation, HomeTown Competitiveness, Lincoln,
5 Nebraska; \$200,000 shall be for the Neighborhood Devel-
6 opment Center, Midtown Global Market business technical
7 assistance, St. Paul, Minnesota; \$213,333 shall be for the
8 Nevada Center for Entrepreneurship and Technology
9 (NCET), small business and entrepreneurship develop-
10 ment, Nevada; \$213,334 shall be for the Nevada Small
11 Business Development Center, for Imagine 2012, an His-
12 panic business development initiative, Reno, Nevada;
13 \$250,000 shall be for the North Carolina Rural Economic
14 Development Center for a Rural Business Finance Pro-
15 gram, Raleigh, North Carolina; \$100,000 shall be for the
16 North Carolina School of the Arts/Winston-Salem State
17 University, The Center for Design Innovation, Winston-
18 Salem, North Carolina; \$200,000 shall be for the North-
19 ern Virginia Community College for retraining displaced
20 workers in Geographic Information Systems, Richmond,
21 Virginia; \$100,000 shall be for the Northwest Pennsyl-
22 vania Incubator Association for an incubator project, Erie
23 County, Pennsylvania; \$750,000 shall be for the
24 Pellissippi Research Centre on the Oak Ridge Corridor,
25 Alcoa, Tennessee; \$300,000 shall be for the Phillips Coun-

1 ty Economic Development for a Entrepreneur Business
2 Enhancement Program (EBEP), Phillips County, Kansas;
3 \$50,000 shall be for the Pittsburgh Life Sciences Green-
4 house for the Tech Belt Biosciences Initiative, Pittsburgh,
5 Pennsylvania; \$300,000 shall be for the Port of Clarkston,
6 Asotin County Industrial Park infrastructure completion,
7 Asotin County, Washington; \$200,000 shall be for the
8 Portland Community College, sustainable careers for a
9 green economic recovery, Portland, Oregon; \$200,000
10 shall be for the Prospera (Gallatin Valley Development
11 Corporation), Accelerated Entrepreneur Program, Boze-
12 man, Montana; \$150,000 shall be for the Rhode Island
13 School of Design and Brown University, Partnership for
14 Sustainable Development/Rhode Island Center for Innova-
15 tion and Entrepreneurship (RI-CIE), for technical assist-
16 ance to small businesses on green product design and mar-
17 keting and on developing and commercializing innovative
18 products and services, Providence, Rhode Island;
19 \$150,000 shall be for the Rural Business Energizer Pro-
20 gram, Milbridge, Maine; \$200,000 shall be for the Rural
21 Enterprises of Oklahoma, Inc., for a Women and Vet-
22 eran's Business Resource Center at Seminole State Col-
23 lege, Durant, Oklahoma; \$271,050 shall be for the Rut-
24 gers, The State University of New Jersey, New Jersey
25 urban entrepreneurship development initiative, New

1 Brunswick, New Jersey; \$200,000 shall be for the Shaw-
2 nee Community College for the Small Business Develop-
3 ment Center, Ullin, Illinois; \$250,000 shall be for the
4 Souris Basin Regional Planning Center, North Dakota
5 REAP Zones, North Dakota; \$250,000 shall be for the
6 South Dakota Rural Enterprise, Dakota Rising for an en-
7 trepreneur development system, South Dakota; \$100,000
8 shall be for the Cuban American National Council (CNC)
9 New Jersey Regional Office, Latino financial education,
10 foreclosure prevention, and home ownership program,
11 Union City, New Jersey; \$250,000 shall be for the Univer-
12 sity of Mississippi for the Technology Commercialization
13 Initiative, Oxford, Mississippi; \$500,000 shall be for the
14 University of Southern Mississippi for the Early Stage
15 Entrepreneur and Commercialization Development, Hat-
16 tiesburg, Mississippi; \$400,000 shall be for the Uhlich
17 Children's Advantage Network for job training, placement
18 and retention services, Chicago, Illinois; \$250,000 shall be
19 for the University of Wisconsin-Milwaukee for business de-
20 velopment related to clean water technologies, Milwaukee,
21 Wisconsin; \$1,000,000 shall be for the University of Ala-
22 bama for a Business Development Research Project, Tus-
23 caloosa, Alabama; \$300,000 shall be for the University of
24 Alaska, Small Business Development Center, Ketchikan,
25 Alaska; \$225,000 shall be for the University of Arkansas

1 at Little Rock, Small Business Innovation Center, Little
2 Rock, Arkansas; \$225,000 shall be for the University of
3 Arkansas Technology Development Foundation, Arkansas
4 Research and Technology Park, Fayetteville, Arkansas;
5 \$200,000 shall be for the University of Connecticut for
6 the Avery Point Technology Center, Groton, Connecticut;
7 \$350,000 shall be for the University of Delaware, Dela-
8 ware Small Business and Technology Development Center,
9 Newark, Delaware; \$100,000 shall be for the University
10 of Maryland-Baltimore BioPark, Baltimore, Maryland;
11 \$250,000 shall be for the University of Northern Iowa for
12 MyEntreNet, a national rural entrepreneurship develop-
13 ment system, Iowa; \$850,000 shall be for the University
14 of Southern Maine for the Science Technology Research
15 Center, Portland, Maine; \$200,000 shall be for the Urban
16 League of Eastern Massachusetts, economic development
17 center expansion, Boston, Massachusetts; \$50,000 shall be
18 for the Urban League of Philadelphia Entrepreneurship
19 Center, Philadelphia, Pennsylvania; \$145,000 shall be for
20 the Valencia County IT program, upgrade and training,
21 Valencia County, New Mexico; \$50,000 shall be for the
22 Vermont Businesses for Social Responsibility, the 50 for
23 25 Demonstration Project, Burlington, Vermont; \$50,000
24 shall be for the Vermont Farms Association for an
25 agritourism best practices and standards project, Roch-

1 ester, Vermont; \$250,000 shall be for the Vermont Small
2 Business Development Center, technical assistance to
3 high-tech small businesses and emerging businesses, Ran-
4 dolph, Vermont; \$200,000 shall be for the Virginia's Cen-
5 ter for Innovative Technology, Mine safety technology and
6 communication improvements, Herndon, Virginia;
7 \$200,000 shall be for the Wayne State University for the
8 Law School's Small Business Clinic, Detroit, Michigan;
9 \$137,500 shall be for the West Virginia Northern Commu-
10 nity College, Center for Economic and Workforce Ad-
11 vancement, Weirton, West Virginia; \$400,000 shall be for
12 the Western Illinois University for the Small Business De-
13 velopment Center, Macomb, Illinois; \$1,100,000 shall be
14 for the Western Kentucky University Bowling Green Data
15 Center, Bowling Green, Kentucky; \$100,000 shall be for
16 the Women's Business Development Center, for entrepre-
17 neurial small business training and assistance, Stamford,
18 Connecticut; \$50,000 shall be for the World Trade Center
19 Institute Delaware, for the export assistance webinar se-
20 ries for business education, Wilmington, Delaware.

21 UNITED STATES POSTAL SERVICE

22 PAYMENT TO THE POSTAL SERVICE FUND

23 For payment to the Postal Service Fund for revenue
24 forgone on free and reduced rate mail, pursuant to sub-
25 sections (c) and (d) of section 2401 of title 39, United

1 States Code, \$118,328,000, of which \$89,328,000 shall
2 not be available for obligation until October 1, 2010: *Pro-*
3 *vided*, That mail for overseas voting and mail for the blind
4 shall continue to be free: *Provided further*, That 6-day de-
5 livery and rural delivery of mail shall continue at not less
6 than the 1983 level: *Provided further*, That none of the
7 funds made available to the Postal Service by this Act
8 shall be used to implement any rule, regulation, or policy
9 of charging any officer or employee of any State or local
10 child support enforcement agency, or any individual par-
11 ticipating in a State or local program of child support en-
12 forcement, a fee for information requested or provided
13 concerning an address of a postal customer: *Provided fur-*
14 *ther*, That none of the funds provided in this Act shall
15 be used to consolidate or close small rural and other small
16 post offices in fiscal year 2010.

17 OFFICE OF INSPECTOR GENERAL

18 SALARIES AND EXPENSES

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses of the Office of Inspector
21 General in carrying out the provisions of the Inspector
22 General Act of 1978, \$244,397,000, to be derived by
23 transfer from the Postal Service Fund and expended as
24 authorized by section 603(b)(3) of the Postal Account-
25 ability and Enhancement Act (Public Law 109–435).

1 UNITED STATES TAX COURT

2 SALARIES AND EXPENSES

3 For necessary expenses, including contract reporting
4 and other services as authorized by 5 U.S.C. 3109,
5 \$49,241,000: *Provided*, That travel expenses of the judges
6 shall be paid upon the written certificate of the judge.

7 TITLE VI

8 GENERAL PROVISIONS—THIS ACT

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

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

18 SEC. 603. The expenditure of any appropriation
19 under this Act for any consulting service through procure-
20 ment contract pursuant to section 3109 of title 5, United
21 States Code, shall be limited to those contracts where such
22 expenditures are a matter of public record and available
23 for public inspection, except where otherwise provided
24 under existing law, or under existing Executive order
25 issued pursuant to existing law.

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

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

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

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

21 SEC. 608. Except as otherwise provided in this Act,
22 none of the funds provided in this Act, provided by pre-
23 vious appropriations Acts to the agencies or entities fund-
24 ed in this Act that remain available for obligation or ex-
25 penditure in fiscal year 2010, or provided from any ac-

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

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

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

1 That these requests shall be made in compliance with re-
2 programming guidelines.

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

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

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

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

20 SEC. 612. For the purpose of resolving litigation and
21 implementing any settlement agreements regarding the
22 nonforeign area cost-of-living allowance program, the Of-
23 fice of Personnel Management may accept and utilize
24 (without regard to any restriction on unanticipated travel
25 expenses imposed in an Appropriations Act) funds made

1 available to the Office of Personnel Management pursuant
2 to court approval.

3 SEC. 613. In order to promote Government access to
4 commercial information technology, the restriction on pur-
5 chasing nondomestic articles, materials, and supplies set
6 forth in the Buy American Act (41 U.S.C. 10a et seq.),
7 shall not apply to the acquisition by the Federal Govern-
8 ment of information technology (as defined in section
9 11101 of title 40, United States Code), that is a commer-
10 cial item (as defined in section 4(12) of the Office of Fed-
11 eral Procurement Policy Act (41 U.S.C. 403(12))).

12 SEC. 614. Notwithstanding section 1353 of title 31,
13 United States Code, no officer or employee of any regu-
14 latory agency or commission funded by this Act may ac-
15 cept on behalf of that agency, nor may such agency or
16 commission accept, payment or reimbursement from a
17 non-Federal entity for travel, subsistence, or related ex-
18 penses for the purpose of enabling an officer or employee
19 to attend and participate in any meeting or similar func-
20 tion relating to the official duties of the officer or em-
21 ployee when the entity offering payment or reimbursement
22 is a person or entity subject to regulation by such agency
23 or commission, or represents a person or entity subject
24 to regulation by such agency or commission, unless the
25 person or entity is an organization described in section

1 this or any other Act for fiscal year 2010 shall obligate
2 or expend any such funds, unless such department, agen-
3 cy, or instrumentality has in place, and will continue to
4 administer in good faith, a written policy designed to en-
5 sure that all of its workplaces are free from the illegal
6 use, possession, or distribution of controlled substances
7 (as defined in the Controlled Substances Act (21 U.S.C.
8 802)) by the officers and employees of such department,
9 agency, or instrumentality.

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

1 may be exceeded by the incremental cost of clean alter-
2 native fuels vehicles acquired pursuant to Public Law
3 101–549 over the cost of comparable conventionally fueled
4 vehicles.

5 SEC. 703. Appropriations of the executive depart-
6 ments and independent establishments for the current fis-
7 cal year available for expenses of travel, or for the ex-
8 penses of the activity concerned, are hereby made available
9 for quarters allowances and cost-of-living allowances, in
10 accordance with 5 U.S.C. 5922–5924.

11 SEC. 704. Unless otherwise specified during the cur-
12 rent fiscal year, no part of any appropriation contained
13 in this or any other Act shall be used to pay the compensa-
14 tion of any officer or employee of the Government of the
15 United States (including any agency the majority of the
16 stock of which is owned by the Government of the United
17 States) whose post of duty is in the continental United
18 States unless such person: (1) is a citizen of the United
19 States; (2) is an alien who is lawfully admitted for perma-
20 nent residence, is admitted as a refugee under 8 U.S.C.
21 1157, or is granted asylum under 8 U.S.C. 1158; and,
22 has filed a declaration of intention to become a citizen;
23 or (3) is a person who owes allegiance to the United
24 States: *Provided*, That any payment made to any officer
25 or employee contrary to the provisions of this section shall

1 be recoverable in action by the Federal Government. This
2 section shall not apply to any person who is an officer
3 or employee of the Government of the United States on
4 the date of enactment of this Act, or to international
5 broadcasters employed by the Broadcasting Board of Gov-
6 ernors, or to temporary employment of translators, or to
7 temporary employment in the field service (not to exceed
8 60 days) as a result of emergencies: *Provided further*, That
9 this section does not apply to the employment as Wildland
10 firefighters for not more than 120 days of nonresident
11 aliens employed by the Department of the Interior or the
12 USDA Forest Service pursuant to an agreement with an-
13 other country.

14 SEC. 705. Appropriations available to any depart-
15 ment or agency during the current fiscal year for nec-
16 essary expenses, including maintenance or operating ex-
17 penses, shall also be available for payment to the General
18 Services Administration for charges for space and services
19 and those expenses of renovation and alteration of build-
20 ings and facilities which constitute public improvements
21 performed in accordance with the Public Buildings Act of
22 1959 (73 Stat. 479), the Public Buildings Amendments
23 of 1972 (86 Stat. 216), or other applicable law.

24 SEC. 706. In addition to funds provided in this or
25 any other Act, all Federal agencies are authorized to re-

1 ceive and use funds resulting from the sale of materials,
2 including Federal records disposed of pursuant to a
3 records schedule recovered through recycling or waste pre-
4 vention programs. Such funds shall be available until ex-
5 pended for the following purposes:

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

11 (2) Other Federal agency environmental man-
12 agement programs, including, but not limited to, the
13 development and implementation of hazardous waste
14 management and pollution prevention programs.

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

18 SEC. 707. Funds made available by this or any other
19 Act for administrative expenses in the current fiscal year
20 of the corporations and agencies subject to chapter 91 of
21 title 31, United States Code, shall be available, in addition
22 to objects for which such funds are otherwise available,
23 for rent in the District of Columbia; services in accordance
24 with 5 U.S.C. 3109; and the objects specified under this
25 head, all the provisions of which shall be applicable to the

1 expenditure of such funds unless otherwise specified in the
2 Act by which they are made available: *Provided*, That in
3 the event any functions budgeted as administrative ex-
4 penses are subsequently transferred to or paid from other
5 funds, the limitations on administrative expenses shall be
6 correspondingly reduced.

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

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

20 SEC. 710. (a) Notwithstanding any other provision
21 of law, and except as otherwise provided in this section,
22 no part of any of the funds appropriated for fiscal year
23 2010, by this or any other Act, may be used to pay any
24 prevailing rate employee described in section
25 5342(a)(2)(A) of title 5, United States Code—

1 (1) during the period from the date of expira-
2 tion of the limitation imposed by the comparable sec-
3 tion for previous fiscal years until the normal effec-
4 tive date of the applicable wage survey adjustment
5 that is to take effect in fiscal year 2010, in an
6 amount that exceeds the rate payable for the appli-
7 cable grade and step of the applicable wage schedule
8 in accordance with such section; and

9 (2) during the period consisting of the remain-
10 der of fiscal year 2010, in an amount that exceeds,
11 as a result of a wage survey adjustment, the rate
12 payable under paragraph (1) by more than the sum
13 of—

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

18 (B) the difference between the overall aver-
19 age percentage of the locality-based com-
20 parability payments taking effect in fiscal year
21 2010 under section 5304 of such title (whether
22 by adjustment or otherwise), and the overall av-
23 erage percentage of such payments which was
24 effective in the previous fiscal year under such
25 section.

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

9 (c) For the purposes of this section, the rates payable
10 to an employee who is covered by this section and who
11 is paid from a schedule not in existence on September 30,
12 2009, shall be determined under regulations prescribed by
13 the Office of Personnel Management.

14 (d) Notwithstanding any other provision of law, rates
15 of premium pay for employees subject to this section may
16 not be changed from the rates in effect on September 30,
17 2009, except to the extent determined by the Office of
18 Personnel Management to be consistent with the purpose
19 of this section.

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

22 (f) For the purpose of administering any provision
23 of law (including any rule or regulation that provides pre-
24 mium pay, retirement, life insurance, or any other em-
25 ployee benefit) that requires any deduction or contribu-

1 tion, or that imposes any requirement or limitation on the
2 basis of a rate of salary or basic pay, the rate of salary
3 or basic pay payable after the application of this section
4 shall be treated as the rate of salary or basic pay.

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

9 (h) The Office of Personnel Management may provide
10 for exceptions to the limitations imposed by this section
11 if the Office determines that such exceptions are necessary
12 to ensure the recruitment or retention of qualified employ-
13 ees.

14 SEC. 711. During the period in which the head of
15 any department or agency, or any other officer or civilian
16 employee of the Federal Government appointed by the
17 President of the United States, holds office, no funds may
18 be obligated or expended in excess of \$5,000 to furnish
19 or redecorate the office of such department head, agency
20 head, officer, or employee, or to purchase furniture or
21 make improvements for any such office, unless advance
22 notice of such furnishing or redecoration is expressly ap-
23 proved by the Committees on Appropriations of the House
24 of Representatives and the Senate. For the purposes of
25 this section, the term "office" shall include the entire suite

1 of offices assigned to the individual, as well as any other
2 space used primarily by the individual or the use of which
3 is directly controlled by the individual.

4 SEC. 712. Notwithstanding section 1346 of title 31,
5 United States Code, or section 708 of this Act, funds
6 made available for the current fiscal year by this or any
7 other Act shall be available for the interagency funding
8 of national security and emergency preparedness tele-
9 communications initiatives which benefit multiple Federal
10 departments, agencies, or entities, as provided by Execu-
11 tive Order No. 12472 (April 3, 1984).

12 SEC. 713. (a) None of the funds appropriated by this
13 or any other Act may be obligated or expended by any
14 Federal department, agency, or other instrumentality for
15 the salaries or expenses of any employee appointed to a
16 position of a confidential or policy-determining character
17 excepted from the competitive service pursuant to section
18 3302 of title 5, United States Code, without a certification
19 to the Office of Personnel Management from the head of
20 the Federal department, agency, or other instrumentality
21 employing the Schedule C appointee that the Schedule C
22 position was not created solely or primarily in order to
23 detail the employee to the White House.

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

4 (1) the Central Intelligence Agency;

5 (2) the National Security Agency;

6 (3) the Defense Intelligence Agency;

7 (4) the National Geospatial-Intelligence Agency;

8 (5) the offices within the Department of De-
9 fense for the collection of specialized national foreign
10 intelligence through reconnaissance programs;

11 (6) the Bureau of Intelligence and Research of
12 the Department of State;

13 (7) any agency, office, or unit of the Army,
14 Navy, Air Force, and Marine Corps, the Department
15 of Homeland Security, the Federal Bureau of Inves-
16 tigation and the Drug Enforcement Administration
17 of the Department of Justice, the Department of
18 Transportation, the Department of the Treasury,
19 and the Department of Energy performing intel-
20 ligence functions; and

21 (8) the Director of National Intelligence or the
22 Office of the Director of National Intelligence.

23 SEC. 714. No part of any appropriation contained in
24 this or any other Act shall be available for the payment

1 of the salary of any officer or employee of the Federal
2 Government, who—

3 (1) prohibits or prevents, or attempts or threat-
4 ens to prohibit or prevent, any other officer or em-
5 ployee of the Federal Government from having any
6 direct oral or written communication or contact with
7 any Member, committee, or subcommittee of the
8 Congress in connection with any matter pertaining
9 to the employment of such other officer or employee
10 or pertaining to the department or agency of such
11 other officer or employee in any way, irrespective of
12 whether such communication or contact is at the ini-
13 tiative of such other officer or employee or in re-
14 sponse to the request or inquiry of such Member,
15 committee, or subcommittee; or

16 (2) removes, suspends from duty without pay,
17 demotes, reduces in rank, seniority, status, pay, or
18 performance or efficiency rating, denies promotion
19 to, relocates, reassigns, transfers, disciplines, or dis-
20 criminates in regard to any employment right, enti-
21 tlement, or benefit, or any term or condition of em-
22 ployment of, any other officer or employee of the
23 Federal Government, or attempts or threatens to
24 commit any of the foregoing actions with respect to
25 such other officer or employee, by reason of any

1 communication or contact of such other officer or
2 employee with any Member, committee, or sub-
3 committee of the Congress as described in paragraph
4 (1).

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

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

11 (2) contains elements likely to induce high lev-
12 els of emotional response or psychological stress in
13 some participants;

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

17 (4) contains any methods or content associated
18 with religious or quasi-religious belief systems or
19 “new age” belief systems as defined in Equal Em-
20 ployment Opportunity Commission Notice N-
21 915.022, dated September 2, 1988; or

22 (5) is offensive to, or designed to change, par-
23 ticipants’ personal values or lifestyle outside the
24 workplace.

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

4 SEC. 716. No funds appropriated in this or any other
5 Act may be used to implement or enforce the agreements
6 in Standard Forms 312 and 4414 of the Government or
7 any other nondisclosure policy, form, or agreement if such
8 policy, form, or agreement does not contain the following
9 provisions: “These restrictions are consistent with and do
10 not supersede, conflict with, or otherwise alter the em-
11 ployee obligations, rights, or liabilities created by Execu-
12 tive Order No. 12958; section 7211 of title 5, United
13 States Code (governing disclosures to Congress); section
14 1034 of title 10, United States Code, as amended by the
15 Military Whistleblower Protection Act of 1989 (governing
16 disclosure to Congress by members of the military); sec-
17 tion 2302(b)(8) of title 5, United States Code, as amended
18 by the Whistleblower Protection Act (governing disclo-
19 sures of illegality, waste, fraud, abuse or public health or
20 safety threats); the Intelligence Identities Protection Act
21 of 1982 (50 U.S.C. 421 et seq.) (governing disclosures
22 that could expose confidential Government agents); and
23 the statutes which protect against disclosure that may
24 compromise the national security, including sections 641,
25 793, 794, 798, and 952 of title 18, United States Code,

1 and section 4(b) of the Subversive Activities Act of 1950
2 (50 U.S.C. 783(b)). The definitions, requirements, obliga-
3 tions, rights, sanctions, and liabilities created by said Ex-
4 ecutive order and listed statutes are incorporated into this
5 agreement and are controlling.”: *Provided*, That notwith-
6 standing the preceding paragraph, a nondisclosure policy
7 form or agreement that is to be executed by a person con-
8 nected with the conduct of an intelligence or intelligence-
9 related activity, other than an employee or officer of the
10 United States Government, may contain provisions appro-
11 priate to the particular activity for which such document
12 is to be used. Such form or agreement shall, at a min-
13 imum, require that the person will not disclose any classi-
14 fied information received in the course of such activity un-
15 less specifically authorized to do so by the United States
16 Government. Such nondisclosure forms shall also make it
17 clear that they do not bar disclosures to Congress, or to
18 an authorized official of an executive agency or the De-
19 partment of Justice, that are essential to reporting a sub-
20 stantial violation of law.

21 SEC. 717. No part of any funds appropriated in this
22 or any other Act shall be used by an agency of the execu-
23 tive branch, other than for normal and recognized execu-
24 tive-legislative relationships, for publicity or propaganda
25 purposes, and for the preparation, distribution or use of

1 any kit, pamphlet, booklet, publication, radio, television,
2 or film presentation designed to support or defeat legisla-
3 tion pending before the Congress, except in presentation
4 to the Congress itself.

5 SEC. 718. None of the funds appropriated by this or
6 any other Act may be used by an agency to provide a Fed-
7 eral employee's home address to any labor organization
8 except when the employee has authorized such disclosure
9 or when such disclosure has been ordered by a court of
10 competent jurisdiction.

11 SEC. 719. None of the funds made available in this
12 Act or any other Act may be used to provide any non-
13 public information such as mailing or telephone lists to
14 any person or any organization outside of the Federal
15 Government without the approval of the Committees on
16 Appropriations of the House of Representatives and the
17 Senate.

18 SEC. 720. No part of any appropriation contained in
19 this or any other Act shall be used directly or indirectly,
20 including by private contractor, for publicity or propa-
21 ganda purposes within the United States not heretofor au-
22 thorized by the Congress.

23 SEC. 721. (a) In this section, the term "agency"—
24 (1) means an Executive agency, as defined
25 under section 105 of title 5, United States Code;

1 reimburse “General Services Administration, Government-
2 wide Policy” with the approval of the Director of the Of-
3 fice of Management and Budget, funds made available for
4 the current fiscal year by this or any other Act, including
5 rebates from charge card and other contracts: *Provided*,
6 That these funds shall be administered by the Adminis-
7 trator of General Services to support Government-wide fi-
8 nancial, information technology, procurement, and other
9 management innovations, initiatives, and activities, as ap-
10 proved by the Director of the Office of Management and
11 Budget, in consultation with the appropriate interagency
12 groups designated by the Director (including the Presi-
13 dent’s Management Council for overall management im-
14 provement initiatives, the Chief Financial Officers Council
15 for financial management initiatives, the Chief Informa-
16 tion Officers Council for information technology initia-
17 tives, the Chief Human Capital Officers Council for
18 human capital initiatives, the Chief Acquisition Officers
19 Council for procurement initiatives, and the Performance
20 Improvement Council for performance improvement initia-
21 tives): *Provided further*, That the total funds transferred
22 or reimbursed shall not exceed \$17,000,000: *Provided fur-*
23 *ther*, That such transfers or reimbursements may only be
24 made after 15 days following notification of the Commit-

1 tees on Appropriations by the Director of the Office of
2 Management and Budget.

3 SEC. 724. Notwithstanding any other provision of
4 law, a woman may breastfeed her child at any location
5 in a Federal building or on Federal property, if the woman
6 and her child are otherwise authorized to be present at
7 the location.

8 SEC. 725. Notwithstanding section 1346 of title 31,
9 United States Code, or section 708 of this Act, funds
10 made available for the current fiscal year by this or any
11 other Act shall be available for the interagency funding
12 of specific projects, workshops, studies, and similar efforts
13 to carry out the purposes of the National Science and
14 Technology Council (authorized by Executive Order No.
15 12881), which benefit multiple Federal departments,
16 agencies, or entities: *Provided*, That the Office of Manage-
17 ment and Budget shall provide a report describing the
18 budget of and resources connected with the National
19 Science and Technology Council to the Committees on Ap-
20 propriations, the House Committee on Science and Tech-
21 nology, and the Senate Committee on Commerce, Science,
22 and Transportation 90 days after enactment of this Act.

23 SEC. 726. Any request for proposals, solicitation,
24 grant application, form, notification, press release, or
25 other publications involving the distribution of Federal

1 funds shall indicate the agency providing the funds, the
2 Catalog of Federal Domestic Assistance Number, as appli-
3 cable, and the amount provided: *Provided*, That this provi-
4 sion shall apply to direct payments, formula funds, and
5 grants received by a State receiving Federal funds.

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

10 (1) to collect, review, or create any aggregation
11 of data, derived from any means, that includes any
12 personally identifiable information relating to an in-
13 dividual's access to or use of any Federal Govern-
14 ment Internet site of the agency; or

15 (2) to enter into any agreement with a third
16 party (including another government agency) to col-
17 lect, review, or obtain any aggregation of data, de-
18 rived from any means, that includes any personally
19 identifiable information relating to an individual's
20 access to or use of any nongovernmental Internet
21 site.

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

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

1 (2) any voluntary submission of personally iden-
2 tifiable information;

3 (3) any action taken for law enforcement, regu-
4 latory, or supervisory purposes, in accordance with
5 applicable law; or

6 (4) any action described in subsection (a)(1)
7 that is a system security action taken by the oper-
8 ator of an Internet site and is necessarily incident
9 to providing the Internet site services or to pro-
10 tecting the rights or property of the provider of the
11 Internet site.

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

13 (1) The term “regulatory” means agency ac-
14 tions to implement, interpret or enforce authorities
15 provided in law.

16 (2) The term “supervisory” means examina-
17 tions of the agency’s supervised institutions, includ-
18 ing assessing safety and soundness, overall financial
19 condition, management practices and policies and
20 compliance with applicable standards as provided in
21 law.

22 SEC. 728. (a) None of the funds appropriated by this
23 Act may be used to enter into or renew a contract which
24 includes a provision providing prescription drug coverage,

1 except where the contract also includes a provision for con-
2 traceptive coverage.

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

5 (1) any of the following religious plans:

6 (A) Personal Care’s HMO; and

7 (B) OSF HealthPlans, Inc.; and

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

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

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

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

23 SEC. 730. Notwithstanding any other provision of
24 law, funds appropriated for official travel by Federal de-
25 partments and agencies may be used by such departments

1 and agencies, if consistent with Office of Management and
2 Budget Circular A-126 regarding official travel for Gov-
3 ernment personnel, to participate in the fractional aircraft
4 ownership pilot program.

5 SEC. 731. Notwithstanding any other provision of
6 law, none of the funds appropriated or made available
7 under this Act or any other appropriations Act may be
8 used to implement or enforce restrictions or limitations on
9 the Coast Guard Congressional Fellowship Program, or to
10 implement the proposed regulations of the Office of Per-
11 sonnel Management to add sections 300.311 through
12 300.316 to part 300 of title 5 of the Code of Federal Reg-
13 ulations, published in the Federal Register, volume 68,
14 number 174, on September 9, 2003 (relating to the detail
15 of executive branch employees to the legislative branch).

16 SEC. 732. Notwithstanding any other provision of
17 law, no executive branch agency shall purchase, construct,
18 and/or lease any additional facilities, except within or con-
19 tiguous to existing locations, to be used for the purpose
20 of conducting Federal law enforcement training without
21 the advance approval of the Committees on Appropria-
22 tions, except that the Federal Law Enforcement Training
23 Center is authorized to obtain the temporary use of addi-
24 tional facilities by lease, contract, or other agreement for

1 training which cannot be accommodated in existing Center
2 facilities.

3 SEC. 733. Notwithstanding section 1346 of title 31,
4 United States Code, and section 708 of this Act and any
5 other provision of law, the head of each appropriate execu-
6 tive department and agency shall transfer to or reimburse
7 the Federal Aviation Administration, upon the direction
8 of the Director of the Office of Management and Budget,
9 funds made available by this or any other Act for the pur-
10 poses described below, and shall submit budget requests
11 for such purposes. These funds shall be administered by
12 the Federal Aviation Administration, in consultation with
13 the appropriate interagency groups designated by the Di-
14 rector and shall be used to ensure the uninterrupted, con-
15 tinuous operation of the Midway Atoll Airfield by the Fed-
16 eral Aviation Administration pursuant to an operational
17 agreement with the Department of the Interior for the en-
18 tirety of fiscal year 2010 and any period thereafter that
19 precedes the enactment of the Financial Services and Gen-
20 eral Government Appropriations Act, 2011. The Director
21 of the Office of Management and Budget shall mandate
22 the necessary transfers after determining an equitable al-
23 location between the appropriate executive departments
24 and agencies of the responsibility for funding the contin-
25 uous operation of the Midway Atoll Airfield based on, but

1 not limited to, potential use, interest in maintaining avia-
2 tion safety, and applicability to governmental operations
3 and agency mission. The total funds transferred or reim-
4 bursed shall not exceed \$6,000,000 for any 12-month pe-
5 riod. Such sums shall be sufficient to ensure continued
6 operation of the airfield throughout the period cited above.
7 Funds shall be available for operation of the airfield or
8 airfield-related capital upgrades. The Director of the Of-
9 fice of Management and Budget shall notify the Commit-
10 tees on Appropriations of such transfers or reimburse-
11 ments within 15 days of this Act. Such transfers or reim-
12 bursements shall begin within 30 days of enactment of this
13 Act.

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

21 SEC. 735. (a) INVENTORY REQUIREMENT.—Not later
22 than June 30, 2010, and before the end of the third quar-
23 ter of the fiscal year annually thereafter, the head of each
24 executive agency subject to the Federal Activities Inven-
25 tory Reform Act of 1998 (Public Law 105-270; 31 U.S.C.

1 1501 note), other than the Department of Defense, shall
2 submit to the Office of Management and Budget an inven-
3 tory of the activities performed during the preceding fiscal
4 year pursuant to contracts for services for or on behalf
5 of such agency. The entry for an activity on an inventory
6 under this section shall include, for the fiscal year covered
7 by such entry, the following:

8 (1) The functions and missions performed by
9 the contractor.

10 (2) Information regarding the contractor, the
11 part of the executive agency administering the con-
12 tract, and the part of the agency whose require-
13 ments are being met through contractor performance
14 of the function.

15 (3) The funding source for the contract under
16 which the function is performed.

17 (4) The fiscal year for which the activity first
18 appeared on an inventory under this section.

19 (5) The number of full-time contractor employ-
20 ees (or its equivalent) compensated for the perform-
21 ance of the activity.

22 (6) A determination whether the contract pur-
23 suant to which the activity is performed is a per-
24 sonal services contract.

1 (7) A determination whether the contract has
2 been performed pursuant to a contract awarded on
3 a noncompetitive basis, either originally or upon a
4 subsequent renewal.

5 (8) A determination whether the contract has
6 been performed poorly, as determined by a con-
7 tracting officer, during the 5-year period preceding
8 the date of such determination, because of excessive
9 costs or inferior quality.

10 (b) FORM.—The inventory required under this sec-
11 tion shall be submitted in unclassified form, but may in-
12 clude a classified annex.

13 (c) PUBLICATION.—Not later than 30 days after the
14 date on which an inventory under subsection (a) is re-
15 quired to be submitted to the Office of Management and
16 Budget, the head of each executive agency shall—

17 (1) make the inventory available to the public;
18 and

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

21 (d) GOVERNMENT-WIDE INVENTORY REPORT.—Not
22 later than August 31, 2010, and 30 days after the end
23 of the third quarter of the fiscal year annually thereafter,
24 the Director of the Office of Management and Budget
25 shall prepare, submit to Congress, and make publicly

1 available on the Office of Management and Budget website
2 a report on the inventories submitted under subsection (a)
3 during that calendar year. The report shall—

4 (1) identify, in the case of each executive agen-
5 cy required to submit an inventory under subsection
6 (a), whether the agency has met such requirement;
7 and

8 (2) summarize the information submitted by
9 each such agency, including the information required
10 under paragraphs (1) through (8) of such subsection.

11 (e) REVIEW AND PLANNING REQUIREMENTS.—Not
12 later than 90 days after the date on which an inventory
13 is submitted under subsection (a), the head of each execu-
14 tive agency or an official designated by the agency head
15 shall—

16 (1) review the contracts and activities in the in-
17 ventory;

18 (2) ensure that—

19 (A) each contract on the list that is a per-
20 sonal services contract has been entered into,
21 and is being performed, in accordance with ap-
22 plicable laws and regulations;

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

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

5 (3) identify activities that should be considered
6 for conversion to—

7 (A) performance by Federal employees of
8 the executive agency because they are inher-
9 ently governmental functions or functions close-
10 ly associated with inherently governmental func-
11 tions or otherwise should be considered for spe-
12 cial consideration for conversion pursuant to
13 section 739(b) of the Federal Activities Inven-
14 tory Reform Act of 1998 (Public Law 105–270;
15 31 U.S.C. 501 note); or

16 (B) an acquisition approach that would
17 better enable the agency to efficiently utilize its
18 assets and achieve its public mission; and

19 (4) develop a plan to provide for appropriate
20 consideration of the conversion not later than 180
21 days after the date of the enactment of this Act,
22 which shall be included as an attachment to the next
23 required annual inventory.

24 (f) SUBMISSION OF CONTRACTOR INVENTORY BE-
25 FORE FEDERAL EMPLOYEE INVENTORY.—Notwith-

1 standing any other law, each executive agency shall submit
2 to the Office of Management and Budget the inventory
3 and guidance required under subsections (a) and (d) be-
4 fore submitting to the Office of Management and Budget
5 an inventory pursuant to the Federal Activities Inventory
6 Reform Act of 1998 (Public Law 105–270; 31 U.S.C.
7 1501 note), OMB Circular A–76, or any other related ad-
8 ministrative regulation, directive, or policy, or before hav-
9 ing the inventory published in the Federal Register.

10 (g) FUNDING PROHIBITION.—None of the funds ap-
11 propriated or otherwise made available by this or any
12 other Act may be used to begin, plan for, or announce
13 a study or public-private competition regarding the con-
14 version to contractor performance of any function per-
15 formed by Federal employees pursuant to Office of Man-
16 agement and Budget Circular A–76 or any other adminis-
17 trative regulation, directive or policy unless the inventory
18 outlined under subsection (a) and the planning require-
19 ments outlined under subsection (d) are first submitted
20 to the Office of Management and Budget.

21 (h) GUIDANCE AND INSTRUCTIONS.—

22 (1) IN GENERAL.—Not later than 180 days
23 after the date of the enactment of this Act, the Of-
24 fice of Management and Budget shall issue guid-
25 ance, with detailed implementation instructions, for

1 all agencies except the Department of Defense to
2 provide for periodic independent management re-
3 views of contracts for services.

4 (2) SCOPE.—The independent management re-
5 view guidance and instructions issued pursuant to
6 this subsection shall be designed to evaluate, at a
7 minimum—

8 (A) contract performance in terms of cost,
9 schedule, and requirements;

10 (B) the use of contracting mechanisms, in-
11 cluding competitive procedures, the contract
12 structure and type, the definition of contract re-
13 quirements, cost or pricing methods, the award
14 and negotiation of task orders, and manage-
15 ment and oversight mechanisms;

16 (C) the contractor's use, management, and
17 oversight of subcontractors;

18 (D) the staffing of contract management
19 and oversight functions; and

20 (E) the extent of any pass-throughs and
21 excessive pass-through charges (as that term is
22 defined in section 852(b)(3) of the John War-
23 ner National Defense Authorization Act for Fis-
24 cal Year 2007 (Public Law 109–364; 120 Stat.
25 2341)) by the contractor.

1 (3) ADDITIONAL SUBJECT OF REVIEW.—In ad-
2 dition to the matters required by paragraph (2), the
3 guidance and instructions issued pursuant to para-
4 graph (1) shall provide for procedures for the peri-
5 odic review of contracts under which one contractor
6 provides oversight for services performed by other
7 contractors. In particular, the procedures shall be
8 designed to evaluate, at a minimum—

9 (A) the extent of the agency’s reliance on
10 the contractor to perform acquisition functions
11 closely associated with inherently governmental
12 functions; and

13 (B) the financial interest of any prime con-
14 tractor performing acquisition functions de-
15 scribed in paragraph (1) in any contract or sub-
16 contract with regard to which the contractor
17 provided advice or recommendations to the
18 agency.

19 (4) ELEMENTS.—The guidance and instructions
20 issued pursuant to paragraph (1) shall address, at
21 a minimum—

22 (A) the contracts subject to independent
23 management reviews, including any applicable
24 thresholds and exceptions;

1 (B) the frequency with which independent
2 management reviews shall be conducted;

3 (C) the composition of teams designated to
4 perform independent management reviews;

5 (D) any phase-in requirements needed to
6 ensure that qualified staff are available to per-
7 form independent management reviews;

8 (E) procedures for tracking the implemen-
9 tation of recommendations made by inde-
10 pendent management review teams; and

11 (F) procedures for developing and dissemi-
12 nating lessons learned from independent man-
13 agement reviews.

14 (5) REPORTS.—

15 (A) REPORT ON GUIDANCE AND INSTRUC-
16 TION.—Not later than 270 days after the date
17 of the enactment of this Act, the Office of Man-
18 agement and Budget shall submit to the Com-
19 mittees on Appropriations of the Senate and
20 the House of Representatives a report setting
21 forth the guidance and instructions issued pur-
22 suant to this subsection.

23 (B) GAO REPORT ON IMPLEMENTATION.—
24 Not later than 2 years after the date of the en-
25 actment of this Act, the Comptroller General of

1 the United States shall submit to the Commit-
2 tees on Appropriations of the Senate and the
3 House of Representatives a report on the imple-
4 mentation of the guidance and instructions
5 issued pursuant to this subsection.

6 (i) SUMMARY REPORT.—

7 (1) IN GENERAL.—Not later than one year
8 after the date of the enactment of this Act, the
9 Comptroller General of the United States shall sub-
10 mit a report on reporting requirements to the Com-
11 mittee on Armed Services and the Committee on Ap-
12 propriations of the Senate and the Committee on
13 Appropriations of the House of Representatives.

14 (2) CONTENT.—The report required under
15 paragraph (1) shall include the following elements:

16 (A) A summary of the reports, guidelines
17 and regulations issued under—

18 (i) section 321 of the Duncan Hunter
19 National Defense Authorization Act for
20 Fiscal Year 2009 (Public Law 110–417;
21 31 U.S.C. 501 note);

22 (ii) sections 807 and 808 of the Na-
23 tional Defense Authorization Act for Fiscal
24 Year 2008 (Public Law 110–181);

1 (iii) sections 736, 747, and 752 of the
2 Financial Services and General Govern-
3 ment Appropriations Act, 2009 (division D
4 of Public Law 111–8);

5 (iv) reports, guidelines, and regula-
6 tions required under the March 4, 2009,
7 Presidential memorandum regarding Gov-
8 ernment contracting; and

9 (v) reports, guidelines, and regula-
10 tions required under this Act.

11 (B) An evaluation of executive agencies
12 that were required to take action in accordance
13 with reports, guidelines, and regulations de-
14 scribed under subparagraph (A) and their com-
15 pliance with such requirements.

16 (C) A description of the impact of reports,
17 guidelines, and regulations described in sub-
18 paragraph (A) on agency personnel policy, spe-
19 cifically as it relates to contracting for services
20 and the consideration of conversion of functions
21 to Federal employee or private contractor per-
22 formance.

23 (D) A description of similarities and dif-
24 ferences of the impact on, and responses to, the

1 reports, guidelines, and regulations described in
2 subparagraph (A).

3 (E) A description of impact of reports,
4 guidelines, and regulations described in sub-
5 paragraph (A) on agency budgets.

6 (F) A description of overall lessons and
7 best practices that the reports, guidelines, and
8 regulations described in subparagraph (A) for
9 government-wide personnel policy specifically as
10 it relates to contracting for services and the
11 consideration of conversion of functions to Fed-
12 eral employee or private contractor perform-
13 ance.

14 (G) An evaluation of the Office of Manage-
15 ment and Budget's efforts to synthesize reports,
16 guidelines, and regulations described under sub-
17 paragraph (A) into a consistent Federal per-
18 sonnel policy specifically as it relates to con-
19 tracting for services and the consideration of
20 conversion of functions to Federal employee or
21 private contractor performance.

22 (j) OFFICE OF MANAGEMENT AND BUDGET INPUT.—
23 Not later than 1 year after the date of the enactment of
24 this Act, the Director of the Office of Management and
25 Budget shall submit to the Committees on Appropriations

1 of the Senate and the House of Representatives a report
2 on the following issues:

3 (1) The impact of reports, guidelines, and regu-
4 lations described under subsection (h)(1)(A) on
5 agency personnel policy, specifically as it relates to
6 contracting for services and the consideration of con-
7 version of functions to Federal employee or private
8 contractor performance.

9 (2) The need for legislation to implement les-
10 sons findings or recommendations contained in re-
11 ports, guidelines, and regulations described under
12 subsection (h)(1)(A).

13 (k) DEFINITIONS.—In this section:

14 (1) FUNCTION CLOSELY ASSOCIATED WITH IN-
15 HERENTLY GOVERNMENTAL FUNCTIONS.—The term
16 “function closely associated with inherently govern-
17 mental functions” has the meaning given that term
18 in section 7.503(d) of the Federal Acquisition Regu-
19 lation.

20 (2) INHERENTLY GOVERNMENTAL FUNC-
21 TIONS.—The term “inherently governmental func-
22 tions” has the meaning given that term in subpart
23 7.5 of part 7 of the Federal Acquisition Regulation.

24 (3) PERSONAL SERVICES CONTRACT.—The
25 term “personal services contract” means a contract

1 under which, as a result of its terms or conditions
2 or the manner of its administration during perform-
3 ance, contractor personnel are subject to the rel-
4 atively continuous supervision and control of one or
5 more Government officers or employees, except that
6 the giving of an order for a specific article or serv-
7 ice, with the right to reject the finished product or
8 result, is not the type of supervision or control that
9 makes a contract a personal services contract.

10 (l) RULE OF CONSTRUCTION.—Nothing in this sec-
11 tion shall be construed to authorize the performance of
12 personal services by a contractor except as otherwise pro-
13 vided by law.

14 SEC. 736. (a) The adjustment in rates of basic pay
15 for employees under the statutory pay systems that takes
16 effect in fiscal year 2010 under sections 5303 and 5304
17 of title 5, United States Code, shall be an increase of 2.9
18 percent, and this adjustment shall apply to civilian em-
19 ployees in the Department of Homeland Security and shall
20 apply to civilian employees in the Department of Defense.
21 Such adjustment shall be effective as of the first day of
22 the first applicable pay period beginning on or after Janu-
23 ary 1, 2010.

24 (b) Notwithstanding section 710 of this Act, the ad-
25 justment in rates of basic pay for the statutory pay sys-

1 tems that take place in fiscal year 2010 under sections
2 5344 and 5348 of title 5, United States Code, shall be
3 no less than the percentage in subsection (a) as employees
4 in the same location whose rates of basic pay are adjusted
5 pursuant to the statutory pay systems under section 5303
6 and 5304 of title 5, United States Code. Prevailing rate
7 employees at locations where there are no employees whose
8 pay is increased pursuant to sections 5303 and 5304 of
9 title 5 and prevailing rate employees described in section
10 5343(a)(5) of title 5 shall be considered to be located in
11 the pay locality designated as “Rest of U.S.” pursuant
12 to section 5304 of title 5 for purposes of this subsection.

13 (c) Funds used to carry out this section shall be paid
14 from appropriations, which are made to each applicable
15 department or agency for salaries and expenses for fiscal
16 year 2010.

17 SEC. 737. Unless otherwise authorized by existing
18 law, none of the funds provided in this Act or any other
19 Act may be used by an executive branch agency to produce
20 any prepackaged news story intended for broadcast or dis-
21 tribution in the United States, unless the story includes
22 a clear notification within the text or audio of the pre-
23 packaged news story that the prepackaged news story was
24 prepared or funded by that executive branch agency.

1 SEC. 738. None of the funds made available in this
2 Act may be used in contravention of section 552a of title
3 5, United States Code (popularly known as the Privacy
4 Act) and regulations implementing that section.

5 SEC. 739. Each executive department and agency
6 shall evaluate the creditworthiness of an individual before
7 issuing the individual a government travel charge card.
8 Such evaluations for individually-billed travel charge cards
9 shall include an assessment of the individual's consumer
10 report from a consumer reporting agency as those terms
11 are defined in section 603 of the Fair Credit Reporting
12 Act (Public Law 91-508): *Provided*, That the department
13 or agency may not issue a government travel charge card
14 to an individual that either lacks a credit history or is
15 found to have an unsatisfactory credit history as a result
16 of this evaluation: *Provided further*, That this restriction
17 shall not preclude issuance of a restricted-use charge,
18 debit, or stored value card made in accordance with agency
19 procedures to: (1) an individual with an unsatisfactory
20 credit history where such card is used to pay travel ex-
21 penses and the agency determines there is no suitable al-
22 ternative payment mechanism available before issuing the
23 card; or (2) an individual who lacks a credit history. Each
24 executive department and agency shall establish guidelines
25 and procedures for disciplinary actions to be taken against

1 agency personnel for improper, fraudulent, or abusive use
2 of government charge cards, which shall include appro-
3 priate disciplinary actions for use of charge cards for pur-
4 poses, and at establishments, that are inconsistent with
5 the official business of the Department or agency or with
6 applicable standards of conduct.

7 SEC. 740. (a) IN GENERAL.—None of the funds ap-
8 propriated or otherwise made available by this or any
9 other Act may be used for any Federal Government con-
10 tract with any foreign incorporated entity which is treated
11 as an inverted domestic corporation under section 835(b)
12 of the Homeland Security Act of 2002 (6 U.S.C. 395(b))
13 or any subsidiary of such an entity.

14 (b) WAIVERS.—

15 (1) IN GENERAL.—Any Secretary shall waive
16 subsection (a) with respect to any Federal Govern-
17 ment contract under the authority of such Secretary
18 if the Secretary determines that the waiver is re-
19 quired in the interest of national security.

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

23 (c) EXCEPTION.—This section shall not apply to any
24 Federal Government contract entered into before the date

1 of the enactment of this Act, or to any task order issued
2 pursuant to such contract.

3 (d) CONSISTENCY WITH INTERNATIONAL AGREE-
4 MENTS.—The prohibition in subsection (a) shall not apply
5 to the extent that it is inconsistent with United States ob-
6 ligations under an international agreement.

7 SEC. 741. (a) Each executive department and agency
8 shall establish and maintain on the homepage of its
9 website, an obvious, direct link to the website of its respec-
10 tive Inspector General.

11 (b) Each Office of Inspector General shall: (1) post
12 on its website any public report or audit or portion of any
13 report or audit issued within one day of its release; (2)
14 provide a service on its website to allow an individual to
15 request automatic receipt of information relating to any
16 public report or audit or portion of that report or audit
17 and which permits electronic transmittal of the informa-
18 tion, or notice of the availability of the information with-
19 out further request; and (3) establish and maintain a di-
20 rect link on its website for individuals to anonymously re-
21 port waste, fraud and abuse.

22 SEC. 742. No later than 120 days after enactment
23 of this Act, the Office of Management and Budget shall
24 submit a status report on the pilot program, established
25 under section 748 of division D of Public Law 110–161,

1 to develop and implement an inventory to track the cost
2 and size (in contractor manpower equivalents) of service
3 contracts, particularly with respect to contracts that have
4 been performed poorly by a contractor because of excessive
5 costs or inferior quality, as determined by a contracting
6 officer within the last 5 years, involve inherently govern-
7 mental functions, or were undertaken without competition.

8 SEC. 743. None of the funds made available by this
9 or any other Act may be used to implement, administer,
10 enforce, or apply the rule entitled “Competitive Area”
11 published by the Office of Personnel Management in the
12 Federal Register on April 15, 2008 (73 Fed. Reg. 20180
13 et seq.).

14 SEC. 744. Section 748 of the Financial Services and
15 General Government Appropriations Act, 2009 (Public
16 Law 111–8, division D) is repealed.

17 SEC. 745. Not later than 120 days after enactment
18 of this Act, each executive department and agency shall
19 submit to the Director of the Office of Management and
20 Budget a report stating the total size of its workforce, dif-
21 ferentiated by number of civilian, military, and contract
22 workers as of December 31, 2009. Not later than 180 days
23 after enactment of this Act, the Director of the Office of
24 Management and Budget shall submit to the Committee
25 a comprehensive statement delineating the workforce data

1 by individual department and agency, as well as aggregate
2 totals of civilian, military, and contract workers.

3 SEC. 746. Except as expressly provided otherwise,
4 any reference to “this Act” contained in any title other
5 than title IV or VIII shall not apply to such title IV or
6 VIII.

7 TITLE VIII

8 GENERAL PROVISIONS—DISTRICT OF

9 COLUMBIA

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

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

23 SEC. 803. There are appropriated from the applicable
24 funds of the District of Columbia such sums as may be
25 necessary for making refunds and for the payment of legal

1 settlements or judgments that have been entered against
2 the District of Columbia government.

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

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

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

20 (1) creates new programs;

21 (2) eliminates a program, project, or responsi-
22 bility center;

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

1 (4) increases funds or personnel by any means
2 for any program, project, or responsibility center for
3 which funds have been denied or restricted;

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

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

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

13 unless the Committees on Appropriations of the House of
14 Representatives and the Senate are notified in writing 15
15 days in advance of the reprogramming.

16 (b) The District of Columbia Government is author-
17 ized to approve and execute reprogramming and transfer
18 requests of local funds under this title through November
19 1, 2010.

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

1 SEC. 807. None of the Federal funds provided in this
2 Act may be used by the District of Columbia to provide
3 for salaries, expenses, or other costs associated with the
4 offices of United States Senator or United States Rep-
5 resentative under section 4(d) of the District of Columbia
6 Statehood Constitutional Convention Initiatives of 1979
7 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

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

17 (1) an officer or employee of the Metropolitan
18 Police Department who resides in the District of Co-
19 lumbia or is otherwise designated by the Chief of the
20 Department;

21 (2) at the discretion of the Fire Chief, an offi-
22 cer or employee of the District of Columbia Fire and
23 Emergency Medical Services Department who re-
24 sides in the District of Columbia and is on call 24

1 hours a day or is otherwise designated by the Fire
2 Chief;

3 (3) at the discretion of the Director of the De-
4 partment of Corrections, an officer or employee of
5 the District of Columbia Department of Corrections
6 who resides in the District of Columbia and is on
7 call 24 hours a day or is otherwise designated by the
8 Director;

9 (4) the Mayor of the District of Columbia; and

10 (5) the Chairman of the Council of the District
11 of Columbia.

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

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

23 SEC. 810. None of the Federal funds contained in
24 this Act may be used for any program of distributing ster-

1 ile needles or syringes for the hypodermic injection of any
2 illegal drug.

3 SEC. 811. Nothing in this Act may be construed to
4 prevent the Council or Mayor of the District of Columbia
5 from addressing the issue of the provision of contraceptive
6 coverage by health insurance plans, but it is the intent
7 of Congress that any legislation enacted on such issue
8 should include a “conscience clause” which provides excep-
9 tions for religious beliefs and moral convictions.

10 SEC. 812. The Mayor of the District of Columbia
11 shall submit to the Committees on Appropriations of the
12 House of Representatives and the Senate, the Committee
13 on Oversight and Government Reform of the House of
14 Representatives, and the Committee on Homeland Secu-
15 rity and Governmental Affairs of the Senate annual re-
16 ports addressing—

17 (1) crime, including the homicide rate, imple-
18 mentation of community policing, the number of po-
19 lice officers on local beats, and the closing down of
20 open-air drug markets;

21 (2) access to substance and alcohol abuse treat-
22 ment, including the number of treatment slots, the
23 number of people served, the number of people on
24 waiting lists, and the effectiveness of treatment pro-
25 grams, the retention rates in treatment programs,

1 and the recidivism/re-arrest rates for treatment par-
2 ticipants;

3 (3) management of parolees and pre-trial vio-
4 lent offenders, including the number of halfway
5 houses escapes and steps taken to improve moni-
6 toring and supervision of halfway house residents to
7 reduce the number of escapes to be provided in con-
8 sultation with the Court Services and Offender Su-
9 pervision Agency for the District of Columbia;

10 (4) education, including access to special edu-
11 cation services and student achievement to be pro-
12 vided in consultation with the District of Columbia
13 Public Schools and the District of Columbia public
14 charter schools, repeated grade rates, high school
15 graduation rates, post-secondary education attend-
16 ance rates, and teen pregnancy rates;

17 (5) improvement in basic District services, in-
18 cluding rat control and abatement;

19 (6) application for and management of Federal
20 grants, including the number and type of grants for
21 which the District was eligible but failed to apply
22 and the number and type of grants awarded to the
23 District but for which the District failed to spend
24 the amounts received;

1 (7) indicators of child and family well-being in-
2 cluding child living arrangements by family struc-
3 ture, number of children aging out of foster care,
4 poverty rates by family structure, crime by family
5 structure, marriage rates by income quintile, and
6 out-of-wedlock births; and

7 (8) employment, including job status and par-
8 ticipation in assistance programs by income, edu-
9 cation and family structure.

10 SEC. 813. (a) None of the funds contained in this
11 Act may be used to enact or carry out any law, rule, or
12 regulation to legalize or otherwise reduce penalties associ-
13 ated with the possession, use, or distribution of any sched-
14 ule I substance under the Controlled Substances Act (21
15 U.S.C. 801 et seq.) or any tetrahydrocannabinols deriva-
16 tive.

17 (b) The Legalization of Marijuana for Medical Treat-
18 ment Initiative of 1998, also known as Initiative 59, ap-
19 proved by the electors of the District of Columbia on No-
20 vember 3, 1998, shall not take effect.

21 SEC. 814. None of the Federal funds appropriated
22 under this Act shall be expended for any abortion except
23 where the life of the mother would be endangered if the
24 fetus were carried to term or where the pregnancy is the
25 result of an act of rape or incest.

1 SEC. 815. Amounts appropriated in this Act as oper-
2 ating funds may be transferred to the District of Colum-
3 bia's enterprise and capital funds and such amounts, once
4 transferred shall retain appropriation authority consistent
5 with the provisions of this Act.

6 SEC. 816. (a) No later than 30 calendar days after
7 the date of the enactment of this Act, the Chief Financial
8 Officer of the District of Columbia shall submit to the ap-
9 propriate committees of Congress, the Mayor, and the
10 Council of the District of Columbia, a revised appropriated
11 funds operating budget in the format of the budget that
12 the District of Columbia government submitted pursuant
13 to section 442 of the District of Columbia Home Rule Act
14 (D.C. Official Code, sec. 1-204.42), for all agencies of the
15 District of Columbia government for fiscal year 2010 that
16 is in the total amount of the approved appropriation and
17 that realigns all budgeted data for personal services and
18 other-than-personal-services, respectively, with anticipated
19 actual expenditures.

20 (b) This section shall apply only to an agency where
21 the Chief Financial Officer of the District of Columbia
22 certifies that a reallocation is required to address unantici-
23 pated changes in program requirements.

24 SEC. 817. No later than 30 calendar days after the
25 date of the enactment of this Act, the Chief Financial Offi-

1 cer of the District of Columbia shall submit to the appro-
2 priate committees of Congress, the Mayor, and the Council
3 for the District of Columbia, a revised appropriated funds
4 operating budget for the District of Columbia Public
5 Schools that aligns schools budgets to actual enrollment.
6 The revised appropriated funds budget shall be in the for-
7 mat of the budget that the District of Columbia govern-
8 ment submitted pursuant to section 442 of the District
9 of Columbia Home Rule Act (D.C. Official Code, sec. 1–
10 204.42).

11 SEC. 818. Except as expressly provided otherwise,
12 any reference to “this Act” contained in this title or in
13 title IV shall be treated as referring only to the provisions
14 of this title or of title IV.

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

Calendar No. 102

111TH CONGRESS
1ST Session

S. 1432

[Report No. 111-43]

A BILL

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

JULY 9, 2009

Read twice and placed on the calendar