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111TH CONGRESS, 1st Session | HOUSE OF REPRESENTATIVES | REPORT 111–202

# FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS BILL, 2010

JULY 10, 2009.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. SERRANO, from the Committee on Appropriations, submitted the following

## R E P O R T

together with

## MINORITY VIEWS

[To accompany H.R. 3170]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for financial services and general government for the fiscal year ending September 30, 2010.

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## INTRODUCTION TO THE FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS BILL

The programs funded within the Financial Services and General Government Appropriations Bill touch the lives of nearly every American.

- Anyone who completes a Federal income tax form relies on the Internal Revenue Service programs in this bill to have that form efficiently processed and taxes properly and fairly assessed.
- Small business owners and their customers benefit from the Small Business Administration's activities to promote entrepreneurship and the growth of small enterprises.
- Consumers who are worried about dangerous toys and other products can turn to the Consumer Product Safety Commission for help in removing these products from the shelves.
- Investors large and small look to the Securities and Exchange Commission for protection against fraud and market manipulation.

- A citizen voting in a Federal election can be more confident that his or her vote will be counted accurately because of the funding provided for Help America Vote Act programs.
- Civilian employees of the Federal Government—roughly two million people—rely on agencies in this bill to properly administer their retirement and other benefits and for protection against improper practices.

The list of examples goes on. Every agency funded by this bill has an important role in the basic operation of the United States Government. This bill might be thought of as the "good government bill" since the funding it provides is essential to meeting the high standards the American public should demand from its government.

To help meet these responsibilities, the recommended bill provides a total of $24,150,000,000 in new discretionary budget authority—$1,599,000,000 more than the enacted fiscal year 2009 level but $75,937,000 less than requested by the President.

## MAJOR PRIORITIES IN THIS BILL

While the needs addressed by this bill are diverse, major priorities that guided the Committee this year include the following:

- Rebuilding the regulatory agencies that should stabilize our financial system and protect consumers, investors, and the public;
- Making available capital and other assistance to small businesses and disadvantaged communities;
- Supporting equitable and efficient administration of justice in the Federal courts;
- Providing for fair and effective collection of taxes; and
- Meeting our responsibilities to the Nation's capital city.

### REBUILDING THE REGULATORY AGENCIES

For a number of years, the leaders of many regulatory agencies have favored a relatively lax policy and argued that self-interest and self-regulation would work better than government regulation. The Committee is encouraged that new leadership has rejected that approach at a number of agencies funded in this bill. With that in mind, the Committee recommends additional funding above the budget request for the Securities and Exchange Commission, the Consumer Product Safety Commission, and the Federal Trade Commission.

Nowhere has the failure of self-regulation been more obvious and consequential than in financial regulation. We are experiencing the deepest economic downturn since the Great Depression of the 1930s because of a meltdown in our financial infrastructure. Lax regulation allowed financial institutions to become excessively leveraged, to create risky assets that were formally rated as safe, to provide credit to uncreditworthy borrowers, to develop complex new derivatives with trillions of dollars of covered value that investors did not understand, and to create Ponzi and other fraudulent schemes of unprecedented size. These runaway financial excesses contributed to excesses in the housing sector. The crises in the financial and housing sectors have reinforced each other in a downward spiral since 2007 that has spilled over to the rest of the econ-

omy. The financial meltdown has deprived many worthy borrowers of credit—not only homeowners and homebuyers but also small businesses, auto buyers and dealers, students and others.

The Administration and Congress are currently developing plans to reform financial regulation, including creation of a new consumer financial protection agency that would consolidate authority now spread among a number of agencies. At this stage, however, the Committee must fund currently existing agencies with their current responsibilities. As the process of developing and enacting reforms proceeds, the Committee will adjust its final appropriations for affected agencies accordingly.

*Securities and Exchange Commission*

The Securities and Exchange Commission (SEC) is one of the key regulatory agencies where new leadership has made commitments to sensible regulation and tough enforcement. The SEC can help prevent a repetition of recent financial excesses by playing its role in restoring and maintaining a sound financial infrastructure. The SEC potentially oversees many investment institutions and instruments that have created so much havoc, sets a framework for accounting principles and rating agencies, and has authority to promulgate, investigate violations of, and enforce tough rules.

The Committee has boosted funding for the SEC to $1.036 billion, going beyond the Administration's request for the second consecutive year. That funding permits the SEC to increase its staff by about 140 per year in both fiscal years 2009 and 2010.

*Consumer Product Safety Commission*

The Consumer Product Safety Commission (CPSC) is charged with reducing the unreasonable risk of injury associated with more than 15,000 consumer products. The bill provides funding for the ongoing work of the CPSC as well as the implementation and enforcement of recently enacted consumer protection legislation, specifically the Consumer Product Safety Improvement Act, the Virginia Graeme Baker Pool and Spa Safety Act, and the Children's Gasoline Burn Prevention Act.

The Consumer Product Safety Improvement Act was signed into law on August 14, 2008 and is considered to be the most significant piece of consumer protection legislation enacted since the CPSC was established in the early 1970s. The legislation received nearly unanimous bipartisan support in Congress. Congress passed this legislation in the wake of a massive number of consumer products recalled in 2007 and 2008—more than 20 million—many of which involved toys manufactured in China. This bill provides much needed resources for the CPSC to support the ongoing implementation of this legislation.

The bill also provides funding for an increased presence at the Nation's ports to keep defective products from entering the country. Through its Import Safety Initiative, the CPSC positions investigators at key ports of entry to monitor shipments of consumer products into the United States. Stopping defective products before they enter the country is a proactive approach to keeping consumers—and particularly our children—safe.

The bill provides a funding level of $113 million for the CPSC for fiscal year 2010, $8 million above the current year's level and $6

million above the Administration's request. The additional funds provided will enable the CPSC to add staff to implement new consumer protection legislation as well as to meet ongoing workload needs.

*Federal Trade Commission*

The Federal Trade Commission (FTC) is yet another key agency whose new leadership has a refreshing perspective on its regulatory role. As with the SEC and the CPSC, the Committee recommends that the FTC receive fiscal year 2010 funding greater than the Administration's request. The FTC has responsibility for policing non-banking mortgage brokers who contributed to the fiasco in mortgage finance in recent years. In last year's bill, this Committee strengthened the FTC's role, to prevent such widespread and egregious behavior in the future. The current recession has created other outbreaks of unfair and deceptive practices that the FTC must address, including businesses making excessive promises to repair credit, prevent foreclosures, or negotiate debt relief. The Committee also expects the FTC to take a more active role in preventing and punishing anti-competitive behavior than in the recent past.

Believing that the FTC must play a more active role in keeping our marketplace working fairly, the Committee funds the FTC by $4.5 million above the Administration request for fiscal year 2010.

*Inspectors General*

While strengthening the capacity of the key regulatory agencies, the Committee is also committed to strengthening oversight of those and other agencies. For example, this bill provides for the first time a separate appropriation for the Office of Inspector General at the SEC, in order to help ensure the independence of that office. The bill also provides a $3 million increase above the Administration's request for the Treasury Department's Office of Inspector General, to give that agency sufficient resources to both perform core audit and investigation duties and carry out the special reviews of bank failures mandated by law. Similarly, the bill includes a $10 million increase for the Inspector General at the Federal Deposit Insurance Corporation, to respond to needs associated with increased bank failures and receivership activities.

*Oversight by the Committee*

The Committee also remains committed to exercising its own oversight responsibilities over the agencies it funds. In connection with those responsibilities, the Committee is asking—in this report—for a series of reports related to the TARP and the broader financial stabilization program. Among other things, the Committee directs the Treasury Department to provide quarterly reports, starting in September, on the Department's progress in implementing the recommendations of the various oversight bodies, such as the Congressional Oversight Panel, the Special Inspector General for TARP, and the Government Accountability Office—including justification for rejecting any recommendations the Department doesn't plan to implement. The Committee also asks the Treasury for specific plans for future activities, including plans for ensuring that taxpayers' investments are repaid. It also asks for

specifics concerning the staff and resources that the Department is allocating to various tasks related to managing the TARP program and other financial stabilization efforts.

ASSISTING SMALL BUSINESSES AND DISADVANTAGED COMMUNITIES

*Small Business Administration*

Through the Small Business Administration (SBA), the Federal government plays a crucial role in promoting small business ownership and facilitating access to capital. SBA supports the creation of small businesses through its many programs, including its flagship 7(a) loan guarantee program, which makes it easier for small companies to obtain financing. The 504 loan program is a "bricks and mortar" program that provides growing businesses with long-term, fixed-rate financing for major assets, such as land and buildings. For the smallest entrepreneurs, SBA's Microloan program supports loans that assist businesses with financing needs of $35,000 or less. These loan programs serve to meet the varying credit needs of small businesses nationwide. This bill encourages entrepreneurship and the creation of small businesses by providing funding sufficient to support $28 billion in new lending activity to small businesses in fiscal year 2010.

In addition to providing access to capital, technical assistance and other support is needed in order to give small businesses the best chance to succeed. Research indicates that businesses that survive four years have a better chance of surviving long-term, so continued investment in technical assistance is money well spent. The bill includes funding for a number of SBA's technical assistance programs which provide this support to small businesses. The largest of these programs are the Small Business Development Centers (SBDCs) located throughout the country which provide a range of counseling and training services to entrepreneurs in the local community. This bill recognizes the important role of SBDCs by providing $110 million for fiscal year 2010, $13 million above the Administration's request level.

This bill also recognizes that small businesses in low-income communities are particularly hard hit in the current economic downturn. This bill promotes efforts to help these businesses, including increased funding for the Program for Investment in Microentrepreneurs (PRIME), which is targeted toward low- and very low-income small business owners. Funding for PRIME is $8 million in this bill, up from the $3.120 million proposed by the Administration.

*Community Development Financial Institutions*

The Treasury Department's Community Development Financial Institutions (CDFI) Fund helps to supply credit to disadvantaged communities. The bill includes $243.6 million for the CDFI Fund—more than double the amount provided last year—to help increase the amount of credit, investment capital, and financial services available in disadvantaged communities. Community development financial institutions are financial entities specifically involved in underserved communities, and include community development banks, credit unions, housing loan funds, microenterprise loan funds, and other financing entities helping to spur economic devel-

opment. The funding in this bill will allow these entities to help fill the void that has resulted from the overall decline in bank lending activity. On average, each dollar invested in the CDFI Fund has leveraged at least fifteen dollars in additional private investment in underserved communities.

Within the overall amount for the CDFI Fund is $80 million to help jump-start the new Capital Magnet Fund, a new competitive grant program for CDFIs and nonprofit organizations. The program is designed to increase the supply of affordable housing for low-income families by leveraging additional investments in the purchase, construction, and renovation of affordable housing. The National Low-Income Housing Coalition has noted that, even before the recession and the rise in foreclosures, a shortage of affordable housing for low-income families was very much in evidence. The Capital Magnet Fund program should help to provide a bigger supply of affordable housing nationwide.

SUPPORTING JUSTICE IN THE FEDERAL COURTS

Another major goal of the Committee is to provide sufficient resources for the Federal Courts to perform their functions of dispensing equal justice under law in a fair, careful, and efficient manner. The Judiciary's workload is rising, reflecting dislocations caused by the severe recession as well as other factors such as increased immigration enforcement. The effect is most dramatic in bankruptcy filings, which were up by an estimated 28 percent in the 12 month period ending on June 30, 2009 and are expected to continue to rise.

The bill provides a 7.1 percent overall increase for the Judiciary, to help the courts keep up with the workload and cover operating costs. Among other things, this increase allows for hiring of additional personnel, such as 142 more staff for the bankruptcy courts and 107 more clerks and other employees for the district courts, to help reduce delays for those with business before those courts.

The Committee also recognizes the key role that defense counsel play in ensuring trials that are fair and credible. Accordingly, the bill provides increased funds for public defender services to keep up with rising caseloads. The bill also responds to repeated recommendations made by the Judiciary to increase the hourly rates of pay for attorneys appointed on a case-by-case basis to represent those who cannot afford to hire a lawyer. The increase is intended to alleviate the difficulties reported by many courts in finding and retaining qualified lawyers willing to accept such appointments.

PROVIDING FOR FAIR AND EFFECTIVE COLLECTION OF TAXES

The Committee increases funding for enforcement by the Internal Revenue Service (IRS), as requested by the Administration, to address the problem of the "tax gap." The last official Treasury estimate of the tax gap (the difference between the amount of taxes owed and the amount collected) was $290 billion. The IRS National Taxpayer Advocate has characterized the tax gap as effectively a surtax of $2,200 per compliant taxpayer to subsidize the noncompliance of others.

The Committee is pleased that the Administration is addressing this problem, including the launch of an effort to target offshore tax avoidance. In support of this initiative, the bill provides fund-

ing for new IRS agents to target wealthy individuals and businesses who seek to avoid U.S. taxes by parking money overseas.

At the same time, the bill ensures an adequate level of funding for IRS Taxpayer Services to ensure that taxpayers are able to receive assistance from the IRS—in person, over the phone, or on the IRS web site—when filling out tax forms and filing returns. The bill continues funding for Tax Counseling for the Elderly sites and provides increases above the request for the IRS Taxpayer Advocate Service, grants to low-income taxpayer clinics, and community volunteer income tax assistance grants.

### MEETING RESPONSIBILITIES TO THE NATION'S CAPITAL CITY

The Financial Services and General Government bill also makes appropriations for the District of Columbia. The city and its citizens bear a number of additional burdens—as well as enjoying benefits—because of Washington's role as the Nation's capital, and this bill provides modest assistance to the District in recognition of that role. Among other things, the measure continues special assistance to improve education in both public and charter schools in the District, and also adopts the President's proposal for a limited continuation of the school voucher program to avoid disrupting the education of students currently in the program. While reducing or eliminating some payments to the District, the Committee also provides new payments to address certain high-priority needs: aiding the homeless, helping youth disconnected from school or work, and slowing the spread of HIV/AIDS.

The bill also takes further steps towards reducing undue congressional interference in local affairs and eliminating restrictions on the District that do not apply to other parts of the Nation. As requested by the President, the bill eliminates the prohibition on use of locally raised funds for abortion—thereby placing the District in the same position as each of the 50 states in that regard. The measure also eliminates a ban on use of funds for domestic partnership registration and benefits and a ban on use of funds for needle exchange programs, and allows the District to conduct and implement a referendum on use of marijuana for medical purposes, as has been done in various states.

## TERMINATIONS, REDUCTIONS AND OTHER SAVINGS

In order to invest in the critical priorities identified in this bill, and in an effort to build an economy on a solid foundation for growth and put the Nation on a path toward prosperity, the Committee has proposed herein a number of program terminations, reductions, and other savings from the fiscal year 2009 level totaling $599 million. In addition, $425 million in other program terminations, reductions, and other savings from the budget request are recommended. These adjustments, no matter their size, are important to setting the right priorities within the spending allocation, for getting the deficit under control, and creating a government that is as efficient as it is effective.

## OPERATING PLAN AND REPROGRAMMING PROCEDURES

The Committee will continue to evaluate reprogrammings proposed by agencies. Although reprogrammings may not change ei-

ther the total amount available in an account or any of the purposes for which the appropriation is legally available, they represent a significant departure from budget plans presented to the Committee in an agency's budget justifications and supporting documents, which are the basis of this appropriations Act. The Committee expects agencies' reprogramming requests to thoroughly explain the reasons for the reprogramming and to include an assessment of whether the reprogramming will affect budget requirements for the subsequent fiscal year.

Section 608 of this Act requires that agencies or entities funded by the Act notify the Committee and obtain prior approval from the Committee for any reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) creates or reorganizes offices, programs, or activities.

Additionally, the Committee expects to be promptly notified of all reprogramming actions which involve less than the above-mentioned amounts if such actions would have the effect of significantly changing an agency's funding requirements in future years, or if programs or projects specifically cited in the Committee's reports are affected by the reprogramming. Reprogrammings meeting these criteria must be approved by the Committee regardless of the amount proposed to be moved.

Section 608 also requires agencies to consult with the Committees on Appropriations prior to any significant reorganization or restructuring of offices, programs, or activities. This provision applies regardless of whether the reorganization or restructuring involves a reprogramming of funds. Agencies are encouraged to consult with the Committees early in the process so that any questions or concerns the Committees may have can be addressed in a timely manner.

Agencies are directed under section 608 to submit operating plans for the Committee's review within 60 days of the bill's enactment. Each operating plan should include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest.

## PROGRAM, PROJECT, AND ACTIVITY

During fiscal year 2010, for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177), as amended, with respect to appropriations contained in the accompanying bill, the terms "program, project, and activity" shall mean any item for which a dollar amount is contained in an appropria-

tions Act (including joint resolutions providing continuing appropriations) or accompanying reports of the House and Senate Committees on Appropriations, or accompanying conference reports and joint explanatory statements of the committee of conference. This definition shall apply to all programs for which new budget (obligational) authority is provided.

## TITLE I—DEPARTMENT OF THE TREASURY

### FINANCIAL STABILIZATION EFFORTS

The Committee is strongly interested in all of the Department's efforts to address the economic and financial crisis. Given the need to improve the flow of credit and promote greater confidence in the financial system, as well as the risks associated with the commitment of so many billions of taxpayer dollars, the Committee strongly believes that prudent management attention from the Department, as well as strong oversight from Congress and from the various independent oversight bodies, is of utmost importance.

The Committee notes that the oversight bodies, including the Government Accountability Office (GAO), the Special Inspector General for the Troubled Asset Relief Program (SIGTARP), and the Congressional Oversight Panel have engaged in focused oversight of the Department's response to the financial crisis, particularly the implementation of the Troubled Asset Relief Program (TARP).

The Committee directs the Secretary to report to the Committee, by September 1, 2009 and on a quarterly basis for the next year, as to the Department's progress in implementing the various recommendations of GAO, the SIGTARP, and the Congressional Oversight Panel in this area. If the Secretary does not plan on implementing a specific recommendation by one of the three oversight bodies, the Secretary should certify to the Committee that such action is not necessary or appropriate and provide a justification for such certification.

The Committee additionally directs the Secretary to report to the Committee, by the second quarterly report due by December 1, 2009, on: (1) any plans of the Department to extend the period of making new TARP commitments after December 31, 2009, as well as any additional plans, outside of TARP, to ensure financial stability going forward that expose the taxpayer to possible financial losses; (2) plans to ensure that taxpayers receive repayment of their investments of TARP funds, in Government-sponsored Enterprises, and in any other investments of taxpayer funds aimed at ensuring economic and financial stability; and (3) estimates of the likely gains and losses from those investments.

The Committee is particularly interested in the plans, duties, and tasks being undertaken in support of these objectives, and whether the Department has the resources necessary to carry out this work. The Secretary is further directed to report to the Committee, by no later than September 1, 2009, with additional information for each of fiscal years 2009 and 2010. Specifically, for each of the following areas, the Secretary is directed to provide very specific and detailed information as to the Department's plans and its resources (specifying the amounts of TARP funding, appropriated funding, and funding from other sources and authorities) for carrying out these plans. For each of these efforts, the information

should include the numbers of Department staff, the numbers of detailees from other agencies, and the numbers of contractor staff involved. Finally, detailed information should be included as to the specific duties and tasks assigned to each of the staff involved in each of these efforts:

- to ensure that the billions of dollars in taxpayer money invested in financial stabilization efforts are ultimately recouped;
- to stabilize the housing market, prevent avoidable foreclosures, and ensure that mortgage modifications are given to homeowners who need and deserve them;
- to return lending to more normal levels for small businesses, students, state & local governments, and other critically important sectors;
- to ensure that TARP investments and other financial stabilization efforts are resulting in greater lending activity; and
- to ensure proper monitoring and compliance with executive compensation restrictions on TARP recipients and recipients of other Financial Stability Plan assistance.

Information should be included as to how Treasury is ensuring transparency and public accountability for the exercise of its authorities in all of these areas. The Secretary is directed to include, as part of the fiscal year 2011 budget submission, updated data in all of these areas for fiscal years 2009 and 2010, along with detailed information on specific financial stabilization efforts planned for fiscal year 2011, including costs, funding sources, staffing (Department staff, detailees, and contractors), and the specific duties and tasks expected to be assigned to each of the staff involved in these efforts.

## DEPARTMENTAL OFFICES

### SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | $278,870,000 |
| Budget request, fiscal year 2010 | 302,388,000 |
| Recommended in the bill | 303,388,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +24,518,000 |
| Budget request, fiscal year 2010 | +1,000,000 |

The Departmental Offices' function in the Treasury Department is to provide basic support to the Secretary of the Treasury, the chief operating executive of the Department. The Secretary also has a primary role in formulating and managing the domestic and international tax and financial policies of the Federal Government. The Secretary's responsibilities funded by the Salaries and Expenses appropriation include: recommending and implementing United States domestic and international economic and tax policy; providing recommendations regarding fiscal policy; governing the fiscal operations of the Government; maintaining foreign assets control; managing the public debt; managing development of financial policy; representing the United States on international monetary, trade and investment issues; overseeing Treasury Department overseas operations; directing the administrative operations of the Treasury Department; and providing executive oversight of the bureaus within the Treasury Department.

COMMITTEE RECOMMENDATION

The Committee recommends $303,388,000 for Departmental Offices, Salaries and Expenses, $1,000,000 above the budget request and $24,518,000 above the amounts provided in fiscal year 2009. The funding recommendations are made based on information included in the budget justification. Language is included allowing the Department to transfer up to 4 percent between activities upon notification. Transfers may be made in excess of 4 percent upon approval of the House and Senate Appropriations Committees. Funds are to be allocated as follows:

| | |
|---|---|
| Executive Direction | $21,983,000 |
| Economic Policies and Programs | 46,249,000 |
| Financial Policies and Programs | 48,080,000 |
| Terrorism and Financial Intelligence | 64,611,000 |
| Treasury-wide Management Policies and Programs | 22,679,000 |
| Administration Programs | 99,786,000 |

The Committee includes in its recommendation $258,000 for unforeseen emergencies; $6,787,000 for the Treasury-wide Financial Statement Audit and Internal Control program, which is available until September 30, 2011; $3,000,000 for information technology modernization requirements, which is available until September 30, 2011; $500,000 for secure space requirements, which is available until September 30, 2011; $3,400,000 for development and implementation of programs within the Office of Critical Infrastructure Protection and Compliance Policy, which is available until September 30, 2012; $3,000,000 for modernization of the Office of Debt Management's information technology, which is available until September 30, 2012; and $200,000 for official reception and representation expenses.

OPERATING PLAN

The Committee directs the Department, upon enactment of the fiscal year 2010 Appropriations Act, to submit an operating plan for the fiscal year 2010 resources provided to the Department, including all offices and bureaus, not more than 60 days after enactment of this Act. This requirement is further addressed by section 608 of this Act. The plan must include information on program increases and major procurements at the Department. The operating plan should incorporate input from all senior level managers of the Department, and once submitted, the final plan should be made available to those managers.

FINANCIAL EDUCATION

Within the Financial Policies and Programs budget activity, the Committee provides an increase of $500,000 above the amount assumed in the President's request for the Department's Office of Financial Education. The Committee directs that this increase be specifically targeted toward further increasing financial education efforts aimed at elementary schools and high schools.

TAX CODE CARBON AUDIT

Within the Economic Policies and Programs budget activity, the Committee provides $1,500,000 for a comprehensive carbon audit of the Internal Revenue Code, as authorized by Public Law 110–343,

subtitle B, section 117, which directs the Secretary of the Treasury to "enter into an agreement with the National Academy of Sciences to undertake a comprehensive review of the Internal Revenue Code of 1986 to identify the types of and specific tax provisions that have the largest effects on carbon and other greenhouse gas emissions and to estimate the magnitude of those effects."

### SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM

The Emergency Economic Stabilization Act provides the Special Inspector General for the Troubled Asset Relief Program (SIGTARP) an operating budget of $50,000,000. This office is responsible for overseeing potentially trillions of dollars of spending in the formulation of TARP programs, auditing existing TARP programs, and investigating waste, fraud, and abuse.

The Committee is pleased that the budget request states that the future funding needs for the SIGTARP are under review and that additional funding will be requested if necessary. However, the Committee is concerned that the review of the SIGTARP funding requirements is being conducted outside of the normal budget process. If the Administration determines additional funds are needed for fiscal year 2010, the Committee urges the submission of a fiscal year 2010 budget amendment well before the conclusion of the current fiscal year. In addition, the Committee is interested in the level of effort other Federal agencies are providing to the SIGTARP to advance this important mission. The Committee expects, as part of the SIGTARP quarterly reporting to Congress, that information be included on the cooperation and level of effort that other Federal agencies, such as the Department of Justice, the Securities and Exchange Commission, the Internal Revenue Service and others, are contributing to protect the integrity of TARP programs.

### DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | $26,975,000 |
| Budget request, fiscal year 2010 | 9,544,000 |
| Recommended in the bill | 9,544,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | −17,431,000 |
| Budget request, fiscal year 2010 | −−− |

The Department-wide Systems and Capital Investments Programs appropriation funds the modernization of Treasury business processes and increases in Department-wide systems efficiency through technology investments for systems that involve more than one Treasury bureau or Treasury's interface with other governmental agencies.

### COMMITTEE RECOMMENDATION

The Committee recommends $9,544,000 for Department-wide Systems and Capital Investments Programs, the same as the budget request and $17,431,000 below the amounts provided in fiscal year 2009. Funds are available until September 30, 2012. Of the funds provided, $4,544,000 is for repairs to the Treasury Annex Building, as requested.

## OFFICE OF INSPECTOR GENERAL

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $26,125,000 |
| Budget request, fiscal year 2010 | 26,700,000 |
| Recommended in the bill | 29,700,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +3,575,000 |
| Budget request, fiscal year 2010 | +3,000,000 |

The Office of Inspector General provides agency-wide audit and investigative functions to identify and correct operational and administrative deficiencies which create conditions for existing or potential instances of fraud, waste, and mismanagement. The audit function provides program, contract, and financial statement audit services. Contract audits provide professional advice to agency contracting officials on accounting and financial matters relative to negotiation, award, administration, repricing, and settlement of contracts. Program audits review and evaluate all facets of agency operations. Financial statement audits assess whether financial statements fairly present the agency's financial condition and results of operations, the adequacy of accounting controls, and compliance with laws and regulations. The investigative function provides for the detection and investigation of improper and illegal activities involving programs, personnel, and operations.

### COMMITTEE RECOMMENDATION

The Committee recommends $29,700,000 for the Office of Inspector General (OIG), $3,000,000 above the budget request and $3,575,000 above the amounts provided in fiscal year 2009. The increase above the request is needed to enable the OIG to perform both its core audit and investigation duties as well as mandated material loss reviews of failed banks under the jurisdiction of the Office of the Comptroller of the Currency and the Office of Thrift Supervision. The bill also includes up to $2,000,000 for official travel expenses, up to $2,500 for official reception and representation expenses, and up to $100,000 for unforeseen emergencies.

## TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $146,083,000 |
| Budget request, fiscal year 2010 | 149,000,000 |
| Recommended in the bill | 149,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +2,917,000 |
| Budget request, fiscal year 2010 | – – – |

The Internal Revenue Service (IRS) Restructuring and Reform Act of 1998 established the Office of Treasury Inspector General for Tax Administration (TIGTA) and abolished the IRS Office of the Chief Inspector. TIGTA conducts audits, investigations, and evaluations to assess the operations and programs of the IRS and its related entities, the IRS Oversight Board, and the Office of Chief Counsel. The purpose of those audits and investigations is as follows: (1) to promote the economic, efficient, and effective administration of the nation's tax laws and to detect and deter fraud and abuse in IRS programs and operations; and (2) to recommend ac-

tions to resolve fraud and other serious problems, abuses, and deficiencies in these programs and operations.

COMMITTEE RECOMMENDATION

The Committee recommends $149,000,000 for the Treasury Inspector General for Tax Administration, the same as the budget request and $2,917,000 above the amounts provided in fiscal year 2009. The bill includes $6,000,000 for official travel expenses, $1,500 for official reception and representation expenses, and up to $500,000 for unforeseen emergencies.

## FINANCIAL CRIMES ENFORCEMENT NETWORK

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $91,465,000 |
| Budget request, fiscal year 2010 | 102,760,000 |
| Recommended in the bill | 102,760,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +11,295,000 |
| Budget request, fiscal year 2010 | – – – |

The Financial Crimes Enforcement Network (FinCEN) is responsible for implementing Treasury's anti-money laundering regulations through administration of the Bank Secrecy Act (BSA), 31 U.S.C. section 5311, et seq. It also serves as a U.S. Government source for the systematic collection and analysis of information to assist in the investigation of money laundering and other financial crimes. FinCEN supports law enforcement investigative efforts by Federal, state, local and international agencies, and fosters interagency and global cooperation against domestic and international financial crimes. It also provides U.S. policymakers with strategic analyses of domestic and worldwide trends and patterns. It works to prevent money laundering through its regulatory and outreach programs, including setting policy for and overseeing BSA compliance by financial institutions, and by providing BSA training for law enforcement, bankers, and bank regulators.

COMMITTEE RECOMMENDATION

The Committee recommends $102,760,000 for FinCEN, the same as the budget request and $11,295,000 above the amount provided in fiscal year 2009. Of the amount provided, $9,316,000 is available until September 30, 2011, for regulatory support programs, and $26,085,000 is available until September 30, 2012, for information technology and special analytical initiatives.

The BSA data compiled and analyzed by FinCEN is a critical tool used by law enforcement and the intelligence community investigating money laundering, mortgage fraud, drug cartels, terrorist financing and numerous other financial crimes. The Committee recognizes that FinCEN needs to modernize its information technology capabilities in order to maximize its operations and support of Federal, state and local law enforcement along with the intelligence community. The recommendation includes the $10,000,000 requested increase for information technology modernization. However, the Committee is concerned that FinCEN failed in its last attempt to upgrade its IT systems, at great expense to the taxpayer. The Committee expects the Department to vigorously oversee this

effort to ensure its success. The Committee recognizes that this is a multi-year modernization effort and supports additional funding being made available to this effort from the Treasury Asset Forfeiture Fund in order to accelerate the modernization, if funds are available and warranted.

## TREASURY FORFEITURE FUND

(RESCISSION)

| | |
|---|---|
| Appropriation, fiscal year 2009 | −$30,000,000 |
| Budget request, fiscal year 2010 | −50,000,000 |
| Recommended in the bill | −50,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | −20,000,000 |
| Budget request, fiscal year 2010 | −−− |

### COMMITTEE RECOMMENDATION

The bill includes the requested rescission of $50,000,000 of unobligated balances in the Treasury Forfeiture Fund.

## FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $239,785,000 |
| Budget request, fiscal year 2010 | 244,132,000 |
| Recommended in the bill | 244,132,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +4,347,000 |
| Budget request, fiscal year 2010 | −−− |

The Financial Management Service (FMS) is responsible for the management of Federal finances and the collection of Federal debt. As the Federal Government's central financial agent, FMS receives and disburses public monies, maintains Government accounts, and reports on the status of the Government's finances. FMS is also accountable for developing and implementing the most reliable and efficient financial methods and systems to operate the Government's cash management, credit management, and debt collection programs. Pursuant to the Debt Collection Improvement Act of 1996, FMS became the primary agency for collecting Federal nontax debt that is due and owed to the Government and coordinating efforts to collect debt from those who have defaulted on agreements with the Federal Government.

### COMMITTEE RECOMMENDATION

The Committee recommends $244,132,000 for the Financial Management Service, the same as the budget request and $4,347,000 above the amounts provided in fiscal year 2009. Of the funds provided, the bill provides up to $9,220,000 for information systems modernization initiatives, which is available until September 30, 2012, and $2,500 for official reception and representation expenses.

The Committee recognizes that Federal Government deficit spending and the low rate of private U.S. saving have required the Treasury to sell to investors outside the United States to meet its current funding needs. In order to accurately report Federal finances to the public more completely in its primary monthly statistical release, the Committee requests that the Financial Manage-

ment Service include in its Monthly Treasury Statement the amounts of Treasury securities sold to foreign investors in the most recent month of available data, as well as a breakdown, by country, of foreign ownership.

## ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $99,065,000 |
| Budget request, fiscal year 2010 | 105,000,000 |
| Recommended in the bill | 99,500,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +435,000 |
| Budget request, fiscal year 2010 | −5,500,000 |

The Alcohol and Tobacco Tax and Trade Bureau (TTB) is responsible for the enforcement of laws designed to eliminate certain illicit activities and to regulate lawful activities relating to distilled spirits, beer, wine and nonbeverage alcohol products, and tobacco. TTB focuses on collecting revenue; reducing taxpayer burden and improving service while preventing diversion; and protecting the public and preventing consumer deception in certain regulated commodities.

### COMMITTEE RECOMMENDATION

The Committee recommends $99,500,000 for the Alcohol and Tobacco Tax and Trade Bureau, $5,500,000 below the level of the budget request and $435,000 above the amount provided in fiscal year 2009. Within the amount provided, the bill includes up to $6,000 for official reception and representation expenses and up to $50,000 for cooperative research and development programs, as requested. The recommendation does not, however, include the requested language to implement an annual licensing and registration fee program to help fund the bureau's operations. Consequently, the recommendation also does not include the $5,500,000 assumed in the budget request to cover costs associated with implementing the licensing and registration fee program.

## UNITED STATES MINT

### UNITED STATES MINT PUBLIC ENTERPRISE FUND

The United States Mint manufactures coins, receives deposits of gold and silver bullion, and safeguards the Federal Government's holdings of monetary metals. In 1997, Congress established the United States Mint Public Enterprise Fund (Public Law 104–52), which authorized the Mint to use proceeds from the sale of coins to finance the costs of its operations and consolidated all existing Mint accounts into a single fund. Public Law 104–52 also provided that, in certain situations, the levels of capital investments for circulating coins and protective services shall factor into the decisions of the Congress such that those levels compete with other requirements for funding.

### COMMITTEE RECOMMENDATION

The Committee recommends a spending level for capital investments by the Mint for circulating coinage and protective services

of $26,700,000, the same as the budget request and $15,450,000 below the fiscal year 2009 spending level. The following table provides basic information on the revenues, costs, and products of the Mint for fiscal years 2008 through 2010:

UNITED STATES MINT

Revenues, Costs, and Products FY 2008–FY 2010, from the FY 2010 President's Budget

| | Circulating Coins | Commemorative Quarters | Numismatic/Bullion | Protection |
|---|---|---|---|---|
| 2008 (Actual): | | | | |
| Number of coins | 7.5 billion | 2.5 billion | | |
| Cost of Operations | $560 million | $378 million | $1,077 million | $43 million |
| Revenue* | $667 million | $628 million | $1,506 million. | |
| 2009 (Est.): | | | | |
| Number of coins | 7.7 billion | 1.7 billion | | |
| Cost of Operations | $548 million | $61 million | $1,447 million | $47 million |
| Revenue* | $957 million | $104 million | $1,519 million. | |
| 2010 (Est.): | | | | |
| Number of coins | 8.5 billion | 0.0 billion | | |
| Cost of Operations | $588 million | $0 million | $1,396 million | $48 million |
| Revenue* | $1,027 million | $0 million | $1,422 million. | |
| Net Revenue (FY 2010)**. | $439 million | $0 million | $27 million | ($48) million |

*Revenue estimates here are shown as the face value of circulating coins and quarters, and the sales of numismatic/bullion coins. In budgetary terms, this corresponds to the total earned revenues plus total other financing sources.

**Net Revenue shown here is calculated as the difference between Revenue and Cost of Operations in FY 2010. In budgetary terms this represents circulating coinage seigniorage and numismatic program profit.

## BUREAU OF THE PUBLIC DEBT

### ADMINISTERING THE PUBLIC DEBT

| | |
|---|---|
| Appropriation, fiscal year 2009 | $177,352,000 |
| Budget request, fiscal year 2010 | 182,244,000 |
| Recommended in the bill | 182,244,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +4,892,000 |
| Budget request, fiscal year 2010 | – – – |

The Bureau of the Public Debt is responsible for the conduct of all public debt operations and the promotion of the sale of U.S. securities.

### COMMITTEE RECOMMENDATION

The Committee recommends $192,244,000 for Administering the Public Debt, the same as the budget request and $4,892,000 above the amounts provided in fiscal year 2009. Of this amount, the Committee recommends $2,500 for official reception and representation expenses, and $2,000,000 for systems modernization, which is available until September 30, 2012. Language is included that reduces the total amount by no more than $10,000,000 as definitive security issue fees and Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2010 appropriation of $182,244,000.

## COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | $107,000,000 |
| Budget request, fiscal year 2010 | 243,600,000 |
| Recommended in the bill | 243,600,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +136,600,000 |
| Budget request, fiscal year 2010 | – – – |

The Community Development Financial Institutions (CDFI) Fund provides grants, loans, equity investments, and technical assistance, on a competitive basis, to new and existing CDFIs such as community development banks, community development credit unions, and housing and microenterprise loan funds. Recipients use the funds to support mortgage, small business and economic development lending in underserved and distressed neighborhoods and to support the availability of financial services in these neighborhoods. The Fund is also responsible for implementation of the Community Renewal Tax Relief Act of 2000.

### COMMITTEE RECOMMENDATION

The Committee recommends $243,600,000 for the CDFI Fund program, the same as the request and $136,600,000 above the amount provided in fiscal year 2009. The Committee strongly supports the CDFI Fund program and notes that CDFIs have used their financial and technical assistance awards under this program to expand their ability to offer loans, investments, and other financial services in underserved communities. As a result, each dollar awarded under this program leverages an average of approximately fifteen dollars in additional private investment in underserved communities.

Of the funds provided, $18,000,000 is for administrative costs of the program, $10,000,000 is for Native American Initiatives, $22,000,000 is for the Bank Enterprise Award Program, and $1,000,000 is for the financial counseling grants pilot program established by section 1132(d) of division A of the Housing and Economic Recovery Act of 2008 (Public Law 110–289).

In addition, $80,000,000, as requested, is included to begin the work of the Capital Magnet Fund (CMF), established by the Housing and Economic Recovery Act of 2008 (Public Law 110–289). This is designed to be a competitive grant program for CDFIs and nonprofit organizations to help attract private capital for, and increase investment in, the development, preservation, rehabilitation, and purchase of affordable housing for low-income families, and related economic development activities. As initially conceived, the CMF was to be capitalized through proceeds from the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac). Given that funds will not be available through this avenue in the near term, the bill provides the requested funds to begin the program.

The Committee notes that poverty, lack of economic opportunity, and lack of low-cost financial services continue to be problems across much of the nation, particularly in many Hispanic-American, African-American, Native American, Asian American, Pacific

Islander, Alaskan Native, and other minority communities. The Committee appreciates the ongoing efforts of the CDFI Fund to work to remedy the particular problems in these communities and strongly encourages the CDFI Fund to continue to place a heavy emphasis on these efforts.

## BUREAU OF ENGRAVING AND PRINTING

The Bureau of Engraving and Printing (BEP) designs, manufactures, and supplies Federal Reserve notes, various public debt instruments, as well as most evidences of a financial character issued by the U.S., such as postage and internal revenue stamps. The BEP also executes certain printings for various territories administered by the U.S., particularly postage and revenue stamps.

The operations of the BEP are financed by a revolving fund established in accordance with the provisions of Public Law 81–656, August 4, 1950 (31 U.S.C. 181), which requires the BEP to be reimbursed by customer agencies for the costs of all manufacturing products and services performed. The BEP is also authorized to assess amounts to acquire capital equipment and provide for working capital needs. The anticipated work volume is based on estimates of requirements submitted by agencies served. The following table summarizes BEP revenue and expense data for fiscal years 2008 through 2010:

BUREAU OF ENGRAVING AND PRINTING REVENUE AND COSTS

[Dollars in thousands]

| Description | FY 2008 | FY 2009 | FY 2010 | % Change FY 2009 to FY 2010 |
|---|---|---|---|---|
| | Actual Amount | Estimated Amount | Estimated Amount | |
| Revenue: | | | | |
| Federal Reserve Notes | $531,200 | $573,650 | $584,000 | 1.8% |
| Other Security Products | 7,000 | 7,000 | 7,000 | 0.0% |
| Total Revenue | $538,200 | $580,650 | $591,000 | 1.8% |
| Expenses: | | | | |
| Direct Manufacturing: | | | | |
| Paper and Ink | $155,000 | $163,000 | $165,000 | 1.2% |
| Direct Labor | 86,250 | 90,000 | 94,500 | 5.0% |
| Other Direct Mfg Costs | 7,500 | 7,500 | 7,500 | 0.0% |
| Subtotal Direct Manufacturing Costs | 248,750 | 260,500 | 267,000 | 2.5% |
| Indirect Manufacturing Support | 227,950 | 259,150 | 263,000 | 1.5% |
| Total Manufacturing Activity Costs | 476,700 | 519,650 | 530,000 | 2.0% |
| Total Protection & Accountability of Assets Activity Costs | 61,500 | 61,000 | 61,000 | 0.0% |
| Total Expenses | $538,200 | $580,650 | $591,000 | 1.8% |
| Net Results | $0 | $0 | $0 | |
| Federal Reserve Notes Manufactured (in Billions) | 7.7 | 6.8 | 7.2 | 5.9% |

## INTERNAL REVENUE SERVICE

### TAXPAYER SERVICES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $2,293,000,000 |
| Budget request, fiscal year 2010 | 2,269,830,000 |
| Recommended in the bill | 2,273,830,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | −19,170,000 |
| Budget request, fiscal year 2010 | +4,000,000 |

The Taxpayer Services appropriation provides for taxpayer services, including forms and publications; processing tax returns and related documents; filing and account services; taxpayer advocacy services; and assisting taxpayers to understand their tax obligations, correctly file their returns, and pay taxes due in a timely manner.

### COMMITTEE RECOMMENDATION

The Committee recommends $2,273,830,000 for Taxpayer Services, an increase of $4,000,000 above the request. The Committee notes that, while the overall funding level is $19,170,000 below the amount provided in fiscal year 2009, this reduction is possible due to a base reduction of more than $60,000,000 in one-time, non-recurring costs associated with taxpayer services in connection with the Economic Stimulus Act of 2008 (Public Law 110–185). In addition, within the overall amount, the Pre-filing Taxpayer Assistance and Education budget activity is increased from $661,000,000 in fiscal year 2009 to $680,063,000 in fiscal year 2010.

Of the funds provided, the Committee recommends not less than $10,000,000 for low-income taxpayer clinic grants and not less than $5,100,000 for the Tax Counseling for the Elderly Program. The recommendation also includes not less than $9,000,000 for Community Volunteer Income Tax Assistance matching grants and not less than $205,800,000 for operating expenses of the Taxpayer Advocate Service, an increase of $3,500,000 above the amount assumed in the budget request.

### TAXPAYER SERVICE AND THE TAXPAYER ASSISTANCE BLUEPRINT

The Committee continues to strongly support the IRS to provide quality services via all its modes of service—including the toll-free hotline, web site, IRS walk-in sites, and outreach and education efforts—to help taxpayers comply with their tax filing obligations. The Committee also strongly supports the work of the IRS in continuing to develop its Congressionally-mandated taxpayer service plan, known as the Taxpayer Assistance Blueprint (TAB). The blueprint will help the IRS to develop a better understanding of taxpayer and partner needs, preferences, and behaviors. While the IRS Small Business/Self-Employed Division's research office has taken on several TAB projects and other related research on the characteristics and needs of small business taxpayers, the IRS Taxpayer Advocate has noted that the IRS has not integrated small business, self-employed, and tax-exempt and government entities taxpayers into the TAB. The Taxpayer Advocate has recommended that the TAB be expanded to encompass these additional categories of taxpayers, and the Committee urges the IRS to continue to expand upon its TAB-related work with regard to small business and

self-employed taxpayers and tax-exempt and government entities, and to include these additional categories in the annual IRS update to the TAB. The Committee continues its direction that the IRS, in conjunction with the IRS Oversight Board and the IRS Taxpayer Advocate, report to the Committee with an annual update to the TAB, within 90 days of enactment of this Act.

IRS 1–800 HELP LINE

The Committee commends the IRS for its work in assisting the millions of taxpayers each year who seek assistance via the IRS 1–800 help lines. This work was especially critical in 2008, as the IRS received a huge increase in the volume of phone calls, primarily due to questions about the economic stimulus payments provided by the Economic Stimulus Act of 2008 (Public Law 110–185). Despite strong efforts by the IRS to maintain quality service on the phone lines, the overall Level of Service (i.e., among callers seeking to reach a live IRS assistor, the percentage who were able to do so) fell from 82 percent in fiscal year 2007 to 53 percent in fiscal year 2008, though this was primarily due to the sheer volume of the increase in phone calls from taxpayers. In addition, as GAO has noted, several million taxpayers in the last two years either received busy signals or were disconnected by the IRS. Looking ahead, the Committee is concerned that the IRS budget submission specifies that the IRS is planning on achieving a Level of Service on the 1–800 help lines of just 71.2 percent for fiscal year 2010.

The IRS web site has grown in use in recent years, and for millions of taxpayers, the IRS web site can and does serve as an effective alternative to the IRS phone lines. At the same time, however, the need for IRS service via the toll-free hotline is still very real, as was demonstrated by the high call volume in 2008 and continued high volume during the 2009 tax filing season. In addition, while internet access continues to grow throughout the country, a "digital divide" is still very much in evidence. Thirty percent of the U.S. population does not have internet access, and this is a particular problem among low-income taxpayers, who need and should continue to have other means for contacting the IRS. The Committee notes that 40 percent of the U.S. population lives more than a 30 minute drive from an IRS walk-in site, making the 1–800 help lines an essential means for contacting the IRS in a convenient and timely manner. The Committee strongly urges the IRS to continue to place an emphasis on improving the Level of Service on the IRS 1–800 help lines. This subject is further addressed in section 104 of the bill.

TAX REFUNDS FOR THE UNBANKED

The Committee is concerned about the continued problem of barriers to low-cost financial services in disadvantaged communities, and of the millions of taxpayers who lack bank accounts and often rely on high interest-rate products such as payday loans and refund anticipation loans. For taxpayers claiming the Earned Income Tax Credit, a lack of a bank account (and thus the lack of a direct deposit option) can lead to substantial delays in receiving this important credit. As the IRS Taxpayer Advocate has noted recently, most taxpayers would probably forego Refund Anticipation Loans if they could receive their refunds more quickly. For taxpayers with-

out bank accounts, the Taxpayer Advocate has recommended, among other things, that the IRS evaluate existing stored value card programs to distribute government benefits, with particular emphasis on the experience of the Financial Management Service's Direct Express Program to distribute Social Security benefits. The Committee is pleased that the IRS has begun exploring ways to address this problem and encourages the IRS to keep the Committee informed of any future plans in this area.

LANGUAGE SERVICES

The Committee strongly supports the ongoing efforts of the IRS to address the needs of Limited English Proficient (LEP) taxpayers. Significant numbers of taxpayers do not speak English at home, and ensuring clear IRS communication with LEP taxpayers is essential to helping them navigate the complexities of the tax code and comply with tax filing obligations. For example, in January 2008, the IRS established a Spanish language version of the "Where's My Refund?" feature on the IRS web site. In addition, the IRS has implemented a multi-pronged approach to improving the accuracy and level of service to the Spanish-speaking population on the IRS toll-free telephone lines. The Committee encourages the IRS to continue working to address the recommendations of the IRS Taxpayer Advocate in this area, by translating into additional languages a broader range of forms, education and outreach materials, and examination and collection notices.

ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | $5,117,267,000 |
| Budget request, fiscal year 2010 | 5,504,000,000 |
| Recommended in the bill | 5,504,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +386,733,000 |
| Budget request, fiscal year 2010 | – – – |

The Enforcement appropriation provides for the examination of tax returns, both domestic and international; the administrative and judicial settlement of taxpayer appeals of examination findings; technical rulings; monitoring employee pension plans; determining qualifications of organizations seeking tax-exempt status; examining tax returns of exempt organizations; enforcing statutes relating to detection and investigation of criminal violations of the internal revenue laws; identifying underreporting of tax obligations; securing unfiled tax returns; and collecting unpaid accounts.

COMMITTEE RECOMMENDATION

The Committee recommends $5,504,000,000 for Enforcement, the same as the request and $386,733,000 above the amounts provided in fiscal year 2009. Of the funds provided, the Committee recommends $59,206,000 to support IRS activities under the Interagency Crime and Drug Enforcement program and allows up to $10,000,000 to be transferred to Operations Support for the purposes of the Interagency Crime and Drug Enforcement program. In addition, up to $126,500 is for official reception and representation expenses associated with the hosting of the Leeds Castle Group

meeting in the United States in 2010. The Leeds Castle Group, first established in 2006, is an arrangement under which the tax administrations of many of the world's largest countries meet regularly to consider and discuss issues of global and national tax administration in their respective countries, particularly mutual compliance challenges.

### EARNED INCOME TAX CREDIT

The Committee appreciates the efforts of the IRS in working to eliminate unnecessary delays in the issuance of Earned Income Tax Credit (EITC) refunds. The Committee urges the IRS to continue to work to ensure that legitimate EITC refunds are not frozen or delayed, as such refunds comprise a significant portion of the eligible taxpayer's annual income.

### TAXPAYERS FACING ECONOMIC DISTRESS AS A RESULT OF ENFORCEMENT ACTIONS

The Committee recognizes that the IRS faces a responsibility to enforce the tax law to help address the "tax gap," that is, the difference between the amount of taxes owed and the amount actually paid on time. At the same time, the Committee also notes that, especially during an economic downturn though also at other times as well, the IRS must balance its enforcement responsibilities with an obligation to be fair and compassionate toward taxpayers and their families who, for whatever reason, are experiencing economic distress and are unable to pay their tax bills. The IRS Taxpayer Advocate, in her 2008 report, has expressed concern that IRS guidance provides little direction to help IRS employees identify taxpayers who are experiencing economic hardship, and that the IRS underutilizes collection alternatives, particularly offers in compromise and partial pay installment agreements. The Committee is encouraged that the IRS is working to address this issue, by reminding employees of their ability to offer installment agreements at the end of an audit, postponing certain collection actions, adding flexibility in cases of missed installment agreement payments, and other actions. The Committee encourages IRS to continue efforts to ensure that enforcement actions do not cause unnecessary distress for taxpayers and their families facing difficult economic circumstances.

### PAID PREPARERS

The Committee notes that paid preparers play a major role in the system of tax administration, as more than 60 percent of all individual tax returns involve paid preparers. The vast majority of preparers are law abiding, and as GAO has reported, inaccuracies on preparers' returns are not necessarily the fault of the preparer. Yet, as the IRS Taxpayer Advocate has noted, a growing amount of qualitative research identifies significant preparer misconduct, including misconduct that would potentially trigger the IRS imposing civil or criminal penalties. TIGTA has noted that the IRS, with its current processes, cannot determine how many complaints against tax return preparers it receives, how many complaints are investigated, or the total number of multiple complaints against a specific firm or preparer. TIGTA further notes that taxpayer com-

plaints about tax return preparers can provide valuable information about understanding root causes of taxpayer problems, identify areas of noncompliance, and help the IRS address core processes that need improvement.

The Committee is encouraged by the recent announcement by the IRS that by the end of 2009, the IRS will propose a comprehensive set of recommendations to help IRS better leverage the tax return preparer community with the twin goals of increasing taxpayer compliance and ensuring uniform and high ethical standards of conduct for tax preparers. The Committee strongly appreciates the work of the IRS in this regard and looks forward to the recommendations of the IRS pertaining to paid preparers.

SEIZURE OF TAX RETURNS

The Committee is following with interest the case involving local law enforcement using a search warrant to obtain thousands of tax returns from a local tax preparer. The Committee notes that the IRS requires everyone, regardless of immigration status, to pay taxes on income earned in this country, and the protection of tax return information from inappropriate disclosure is an important feature of the Internal Revenue Code. The Committee encourages the IRS to work with law enforcement, tax preparers, and others to reiterate the importance of maintaining the privacy of tax return information.

OPERATIONS SUPPORT

| | |
|---|---|
| Appropriation, fiscal year 2009 | $3,867,011,000 |
| Budget request, fiscal year 2010 | 4,082,984,000 |
| Recommended in the bill | 4,082,984,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +215,973,000 |
| Budget request, fiscal year 2010 | – – – |

The Operations Support appropriation provides for overall planning and direction of the IRS, including shared service support related to facilities services, rent payments, printing, postage, and security; other support functions that are considered overhead but essential to the successful operation of IRS programs including resources for headquarters management activities, including IRS-wide support for strategic planning, communications and liaison, finance, human resources, EEO and diversity; research and statistics of income; and necessary expenses for information systems and telecommunication support, including developmental information systems and operational information systems.

COMMITTEE RECOMMENDATION

The Committee recommends $4,082,984,000 for Operations Support, the same as the request and $215,973,000 above the amounts provided in fiscal year 2009. Of the funds provided, not less than $2,000,000 is for the IRS Oversight Board, $25,000 is for official reception and representation expenses, $1,000,000 is available until September 30, 2012 for research, and up to $75,000,000 is available until September 30, 2011 for information technology support.

INFORMATION SECURITY

Since the IRS processes and maintains personally identifiable information for more than 130 million taxpayers, the security of this information, and of the systems containing the information, is of paramount importance. As TIGTA has noted, internal factors, such as the increased connectivity of computer systems and greater use of portable laptop computers, and external factors, such as the volatile threat environment related to increased phishing scams and hacker activity, contribute to the risk that sensitive data could be compromised.

The IRS has taken several important steps to protect taxpayer data. For example, as TIGTA notes, it has established a Security Services and Privacy Executive Steering Committee to serve as the primary governance body for all matters relating to security and privacy issues in the IRS. It has made steady progress each year in complying with the requirements of the Federal Information Security Management Act. In addition, IRS has established an office of Privacy, Information Protection and Data Security to: (1) improve public, preparer and external stakeholder awareness of privacy policies, procedures, and general information, and (2) improve the IRS response to taxpayers and practitioners who fall victim to data loss incidents, identity theft, or online fraud.

However, a recent GAO assessment showed that many previously identified information security weaknesses at the IRS remain unresolved. The analysis showed that the IRS has not yet fully implemented its agencywide information security program to ensure that controls are appropriately designed and operating effectively. Specifically, IRS did not annually review risk assessments for certain systems, comprehensively test for certain controls, or always validate the effectiveness of remedial actions.

The Committee is encouraged that the IRS is continuing work to address uncorrected weaknesses and is developing a plan: (1) to ensure that risk assessments for IRS systems are reviewed at least annually, and (2) to implement steps to improve the testing and evaluation of controls. The Committee expects and looks forward to continued improvements in the information security posture of the IRS, including efforts to address the recommendations of GAO and TIGTA.

BUSINESS SYSTEMS MODERNIZATION

| | |
|---|---|
| Appropriation, fiscal year 2009 | $229,914,000 |
| Budget request, fiscal year 2010 | 253,674,000 |
| Recommended in the bill | 253,674,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +23,760,000 |
| Budget request, fiscal year 2010 | – – – |

The Business Systems Modernization appropriation provides funding to modernize key business systems of the Internal Revenue Service.

COMMITTEE RECOMMENDATION

The Committee recommends $253,674,000 for Business Systems Modernization (BSM), the same as the budget request and $23,760,000 above the amounts provided in fiscal year 2009. Consistent with previous years, the release of the funds, with the ex-

ception of funding for labor costs, is subject to the approval by the Committees on Appropriations of a GAO-reviewed expenditure plan. The Department is directed to notify the Committee, within seven days, if BSM management funds are reallocated to the capital asset acquisition program.

The Committee is encouraged that the IRS has addressed two of GAO's prior recommendations to improve its management capabilities and controls, including a recommendation to develop policies and procedures for developing and managing project requirements. However, GAO has noted that work remains in order to fully implement other recommendations, including developing long-term plans for completing BSM and consolidating and retiring legacy systems; developing a quantitative measure of scope; and developing detailed plans for addressing the various IRS human capital initiatives. The Committee urges IRS, as it moves forward with its revised plans for BSM, to continue working to meet these recommendations.

The IRS has continued to implement BSM projects and to meet cost and schedule estimates for most deliverables. However, GAO reported that six out of the ten recent BSM development milestones were reported by the IRS as having been completed despite having unaddressed issues. GAO has recommended that the IRS direct that procedures be defined for determining when to grant conditional milestone exits. The Committee is encouraged that the IRS has agreed with this recommendation and has outlined steps it plans to take, including strengthening its governance processes to emphasize the prevention of premature milestone exits, as well as updating the Milestone Exit Review procedures as necessary.

Finally, the Committee remains greatly concerned about the findings of GAO and TIGTA, showing that security weaknesses continue to affect the IRS modernization environment. TIGTA reported that two recent tax administration systems were deployed with known security vulnerabilities relating to the protection of sensitive data, system access, and disaster recovery. The Committee is encouraged that the IRS is working to implement TIGTA's recent recommendations in this area. The Committee expects and looks forward to vigorous IRS efforts to address and resolve potential system security vulnerabilities as BSM moves forward.

HEALTH INSURANCE TAX CREDIT ADMINISTRATION

| | |
|---|---|
| Appropriation, fiscal year 2009 | $15,406,000 |
| Budget request, fiscal year 2010 | 15,512,000 |
| Recommended in the bill | 15,512,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +106,000 |
| Budget request, fiscal year 2010 | – – – |

The Health Insurance Tax Credit Administration (HITCA) appropriation provides contractor support to develop and administer the advance payment option for the health insurance tax credit included in Public Law 107–210, the Trade Act of 2002, as amended by Public Law 111–5.

COMMITTEE RECOMMENDATION

The Committee recommends $15,512,000 for Health Insurance Tax Credit Administration, the same as the budget request and $106,000 above the amount provided in fiscal year 2009.

The Committee notes that the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) expanded the eligibility for this program and included $80,000,000 in supplemental appropriations to allow the IRS to cover the added costs in fiscal years 2009 and 2010 associated with the anticipated increase in program usage. The Committee directs IRS to include, as part of the Operating Plan, revised data on the projected increase in program usage as a result of the recent changes in law.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFER OF FUNDS)

Section 101. The Committee continues a provision that allows for the transfer of five percent (three percent in the case of Enforcement) of any appropriation made available to the IRS to any other IRS appropriation, upon the advance approval of the Committees on Appropriations.

Section 102. The Committee continues a provision that requires the IRS to maintain a training program in taxpayer rights, dealing courteously with taxpayers, and cross-cultural relations.

Section 103. The Committee continues a provision that requires the IRS to institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

Section 104. The Committee continues a provision that makes funds available for improved facilities and increased staffing to provide efficient and effective 1–800 number help line service for taxpayers.

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFER OF FUNDS)

Section 105. The Committee continues a provision that allows the Department of the Treasury to purchase uniforms, insurance, and motor vehicles without regard to the general purchase price limitations, and enter into contracts with the State Department for health and medical services for Treasury employees in overseas locations.

Section 106. The Committee continues a provision that authorizes transfers, up to two percent, between "Departmental Offices—Salaries and Expenses", "Office of the Inspector General", "Financial Management Service", "Alcohol and Tobacco Tax and Trade Bureau", "Financial Crimes Enforcement Network", and the "Bureau of the Public Debt" appropriations under certain circumstances.

Section 107. The Committee continues a provision that authorizes transfer, up to two percent, between the Internal Revenue Service and the Treasury Inspector General for Tax Administration under certain circumstances.

Section 108. The Committee continues a provision limiting funds for the purchase of law enforcement vehicles unless the purchase is consistent with vehicle management principles.

Section 109. The Committee continues a provision that prohibits the Department of the Treasury from undertaking a redesign of the one dollar Federal Reserve note. The Committee understands that the Department is currently conducting a study of various ways to help the visually-impaired to read currency, including the one dollar note, and that this could lead to future changes in the design of the one dollar note. The Committee is supportive of efforts to assist the visually-impaired and encourages the Department to keep the Committee apprised of any developments in this regard which would require the modification or elimination of this provision.

Section 110. The Committee continues a provision that provides for transfers from and reimbursements to "Financial Management Service, Salaries and Expenses" for the purposes of debt collection.

Section 111. The Committee continues a provision extending the pay demonstration program.

Section 112. The Committee continues a provision that requires Congressional approval for the construction and operation of a museum by the United States Mint.

Section 113. The Committee continues a provision prohibiting funds in this Act from being used to merge the Mint and the Bureau of Engraving and Printing without the approval of the House and Senate committees of jurisdiction.

Section 114. The Committee includes a provision deeming that funds for the Department of the Treasury's intelligence-related activities are specifically authorized in fiscal year 2010 until enactment of the Intelligence Authorization Act for fiscal year 2010.

Section 115. The Committee continues a provision permitting the Bureau of Engraving and Printing to use $5,000 from the Industrial Revolving Fund for reception and representation expenses.

Section 116. The Committee includes a provision, requested by the President, allowing the Treasury Department to establish additional accounts for various bureaus involved in the administration of refund payments.

## TITLE II—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

Funds appropriated in this title provide for the staff and operations of the White House, along with other organizations within the Executive Office of the President which formulate and coordinate policy on behalf of the President such as the National Security Council and the Office of Management and Budget. The title also includes the Office of National Drug Control Policy and certain expenses of the Vice President.

The Committee recommends a total appropriation of $754,414,000 in title II—$26,381,000 more than the fiscal year 2009 level but $149,600,000 less than the budget request.

## COMPENSATION OF THE PRESIDENT

| | |
|---|---|
| Appropriation, fiscal year 2009 | $450,000 |
| Budget request, fiscal year 2010 | 450,000 |
| Recommended in the bill | 450,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | – – – |
| Budget request, fiscal year 2010 | – – – |

These funds provide for the compensation of the President, including an expense allowance as authorized by 3 U.S.C. 102.

### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $450,000 for Compensation of the President, including an allowance of $50,000 for official expenses. This is a mandatory appropriation, set at the amounts established by authorizing law and the same as appropriated in fiscal year 2009. The bill specifies that any unused amount from the allowance for expenses shall revert to the Treasury pursuant to 31 U.S.C. 1552.

## THE WHITE HOUSE

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 [1] | $57,449,000 |
| Budget request, fiscal year 2010 | 59,319,000 |
| Recommended in the bill | 59,319,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +1,870,000 |
| Budget request, fiscal year 2010 | – – – |

[1] Combined amount for the former White House Office and Office of Policy Development accounts.

The White House Salaries and Expenses account supports staff and administrative services necessary for the direct support of the President. The President's budget proposed consolidation of two previous appropriation accounts, the White House Office and the Office of Policy Development, into a single White House Salaries and Expenses appropriation. The rationale for doing so is that both accounts support staff providing policy advice and assistance to the President and share facilities and support services. The Committee recommendation adopts this proposal. For comparability, fiscal year 2009 amounts shown in this report for the new account reflect both the former White House Office and Office of Policy Development appropriations.

### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $59,319,000 for the White House, which is $1,870,000 more than the fiscal year 2009 level and the same as the request.

The recommendation includes not less than $1,400,000 for the White House Office of National AIDS Policy, to continue development and implementation of a National AIDS Strategy. Implementation of an effective Strategy will be an ongoing process that includes coordination of Federal agency efforts, assessment of policy and programming, consultation with leaders in the public and private sectors, careful monitoring and reporting of outcomes, and communication with providers and the public.

As requested, the recommendation also includes funds for the new Intellectual Property Enforcement Coordinator required by

title III of the Prioritizing Resources and Organization for Intellectual Property Act of 2008 (Public Law 110–403).

## EXECUTIVE RESIDENCE AT THE WHITE HOUSE

### OPERATING EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $13,363,000 |
| Budget request, fiscal year 2010 | 13,838,000 |
| Recommended in the bill | 13,838,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +475,000 |
| Budget request, fiscal year 2010 | – – – |

These funds provide for the care, maintenance, and operation of the Executive Residence, including official and ceremonial functions of the President.

### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $13,838,000 for the operating expenses of the Executive Residence, an increase of $475,000 compared to fiscal year 2009 and the same as the amounts requested by the President. The bill includes the same restrictions on reimbursable expenses for use of the Executive Residence as were enacted in fiscal year 2009.

## WHITE HOUSE REPAIR AND RESTORATION

| | |
|---|---|
| Appropriation, fiscal year 2009 | $1,600,000 |
| Budget request, fiscal year 2010 | 2,500,000 |
| Recommended in the bill | 2,500,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +900,000 |
| Budget request, fiscal year 2010 | – – – |

Funding in this account provides for the repair, alteration, and improvement of the Executive Residence at the White House.

### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $2,500,000 for White House Repair and Restoration, which is $900,000 more than fiscal year 2009 and the amount requested by the President. Amounts appropriated in this account vary from year to year based on capital improvement needs. The requested amount for fiscal year 2010 is for installation of a backup steam generating station.

## COUNCIL OF ECONOMIC ADVISERS

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $4,118,000 |
| Budget request, fiscal year 2010 | 4,200,000 |
| Recommended in the bill | 4,200,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +82,000 |
| Budget request, fiscal year 2010 | – – – |

The Council of Economic Advisers analyzes the national economy and its various segments, advises the President on economic developments, recommends policies for economic growth and stability, appraises economic programs and policies of the Federal Govern-

ment, and assists in preparation of the annual Economic Report of the President.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $4,200,000 for the Council of Economic Advisers, $82,000 more than fiscal year 2009 level and the amount requested by the President.

## NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $9,029,000 |
| Budget request, fiscal year 2010 | 12,231,000 |
| Recommended in the bill | 12,231,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +3,202,000 |
| Budget request, fiscal year 2010 | – – – |

The National Security Council (NSC) advises and assists the President in the integration of domestic, foreign, military, intelligence, and economic aspects of national security policy, and serves as the principal means of coordinating executive departments and agencies in the development and implementation of national security policies.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $12,231,000 for the National Security Council, an increase of $3,202,000 above the regular appropriation for fiscal year 2009 and the same as requested by the President.

The Supplemental Appropriations Act, 2009 provided an additional $2,936,000 for the NSC in fiscal year 2009, largely to support additional staff to strengthen the capacity of the NSC to advise and assist the President and address both on-going and emerging national security problems. The requested amount for fiscal year 2010 provides for the continued support of the additional staff, as well as for transition costs associated with conversion of certain positions currently held by detailees to regular NSC staff and implementation of recommendations with respect to Homeland Security Council and NSC integration.

## OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $101,333,000 |
| Budget request, fiscal year 2010 | 115,280,000 |
| Recommended in the bill | 115,280,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +13,947,000 |
| Budget request, fiscal year 2010 | – – – |

The Office of Administration is responsible for providing cost-effective administrative services to the Executive Office of the President (EOP). These services, defined by Executive Order 12028 of 1977, include financial, personnel, procurement, information technology, library and records management, and general office services.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $115,280,000 for the Office of Administration, an increase of $13,947,000 above the amount appropriated in fiscal year 2009 and the same as the amount requested by the President. Of the recommended amount, $16,768,000 is available until expended for modernization of the information technology infrastructure within the Executive Office of the President.

By far the largest portion of the recommended increase—$17,020,000—is for stabilization and modernization of information technology, including a $4,845,000 increase for the capital investment plan. (This increase exceeds the overall increase for the account because it is partially offset by a $5,700,000 reduction for one-time expenses related to e-mail restoration activities in fiscal year 2009.)

The Executive Office of the President has informed the Committee of the antiquated and deteriorating state of its information technology infrastructure. Among other things, more than 82 percent of all IT assets are classified as being at "end-of-life", meaning that they are no longer supported by the manufacturer. The Committee understands that to date this year there have been system-wide network outages of more than 32 hours, causing major disruption in operations and communications by the President and all senior staff. In addition, the Committee has been informed of serious deficiencies in backup disaster recovery capability, of the desirability of additional security measures for protection against cyber attacks, and of the need for capacity to handle increased demand for web-based communication and interaction with the public.

The Committee expects that the funds provided will allow the EOP to meet its most critical IT investment needs, replace end-of-life and unsupported network systems, and address important records management and e-mail issues. The Office of Administration is directed to provide an annual report to the Committee at the same time the President's budget is submitted to Congress, detailing its progress on information technology modernization, including the amounts obligated and expended (and for what purposes), specific milestones achieved, and requirements and specific plans for further investment.

Other smaller increases provided in this account are intended to support 2 additional procurement management staff, cover increased rental charges, guard service and vehicle lease costs, and meet certain document security and financial management expenses that had been absorbed by other agencies in recent years.

## OFFICE OF MANAGEMENT AND BUDGET

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $87,972,000 |
| Budget request, fiscal year 2010 | 92,687,000 |
| Recommended in the bill | 92,687,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +4,715,000 |
| Budget request, fiscal year 2010 | – – – |

The Office of Management and Budget assists the President in the discharge of budgetary, economic, management, and other executive responsibilities.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $92,687,000 for the Office of Management and Budget (OMB), an increase of $4,715,000 above the amount appropriated in fiscal year 2009 and the same as the amount requested by the President.

The fiscal year 2010 recommendation continues an effort begun last year to partially reverse the long-term decline in staffing at OMB. In fiscal year 1992, at the end of the Administration of the first President Bush, OMB had 585 full-time equivalent staff (FTEs). In fiscal year 2000, at the end of the Clinton Administration, the number had dropped to 516. By 2008, the number of FTEs at OMB was down to 474. In light of OMB's major responsibilities for management and oversight of Federal spending and programs, including responsibilities in areas such as contracting and procurement that are badly in need of further attention, the Committee provided a funding increase for OMB in fiscal year 2009 intended to allow the hiring of additional personnel (as well as meeting other needs). Using these funds, OMB expects to have about 528 full-time equivalent staff on board at the end of fiscal year 2009.

The increase requested by the President and recommended by the Committee for fiscal year 2010 is largely to cover the full-year cost of personnel hired in 2009, as well as to cover standard adjustments for pay raises and other cost increases and to provide for maintenance of the computer systems used for Federal budgeting. The fiscal year 2010 appropriation is not intended to provide for further increases in personnel beyond the estimated fiscal year 2009 level.

The Committee recommendation also continues several longstanding provisos, not requested by the President, concerning limitations on uses of funds within this Act and OMB activities.

## OFFICE OF NATIONAL DRUG CONTROL POLICY

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $27,200,000 |
| Budget request, fiscal year 2010 | 27,575,000 |
| Recommended in the bill | 27,575,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +375,000 |
| Budget request, fiscal year 2010 | – – – |

The Office of National Drug Control Policy (ONDCP) was established by the Anti-Drug Abuse Act of 1988 and most recently reauthorized by the ONDCP Reauthorization Act of 2006. The Office is the President's primary source of support for counter-drug policy development and program oversight. Its responsibilities include developing and updating a National Drug Control Strategy, developing a National Drug Control Budget, and coordinating and evaluating the implementation of Federal drug control activities.

In addition, ONDCP itself manages several counter-drug programs which are discussed under the "Federal Drug Control Programs" heading below. These include the High Intensity Drug Traf-

ficking Areas program, Drug-Free Communities grants, and media activities.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $27,575,000 for ONDCP salaries and expenses, an increase of $375,000 over the enacted fiscal year 2009 level and the same as the President's request. Of the amount appropriated, $1,300,000 is for policy research and evaluation, which is the same as both the fiscal year 2009 level and the President's request.

The recommended reprioritization of funding for ONDCP programs discussed below under "Federal Drug Control Programs" will reduce the need for personnel and other resources funded under this salaries and expenses account to manage the activities being reduced or eliminated. The Committee has not made a corresponding reduction to this account, however. Rather, the Committee expects ONDCP to refocus resources on the counter-drug policy development, coordination and evaluation functions which are the primary mission of the Office and the original reason for its existence.

The Committee is increasingly concerned with methamphetamine production, trafficking and abuse. According to the National Drug Intelligence Center's National Methamphetamine Threat Assessment 2009, preliminary 2008 availability and seizure data indicate a strengthening in domestic methamphetamine availability and domestic methamphetamine production, and an increase in the flow of methamphetamine into the United States from Mexico—most likely attributable to the efforts of methamphetamine producers in both countries to reestablish the methamphetamine supply chain in the face of disruptions and shortages that began occurring in early 2007. The Committee directs ONDCP to work with various agencies, such as the Departments of Justice, State, Homeland Security and Health and Human Services, along with State and local governments, to develop and implement strategies to reduce the demand for and supply of methamphetamine in the U.S.

FEDERAL DRUG CONTROL PROGRAMS

The Committee is recommending significant change in funding levels for several Federal drug control programs managed by ONDCP, based on evaluations and assessments of relative effectiveness. Appropriations for the anti-drug media campaign and related activities would be reduced by $50,000,000 from both the fiscal year 2009 level and the budget request. Of that reduction $36,000,000 would be redirected to increases above the budget request for two other well-regarded ONDCP programs: High Intensity Drug Trafficking Areas and Drug-Free Communities grants.

In addition, the Committee recommends no funding in fiscal year 2009 for the Counterdrug Technology Assessment Center (CTAC), compared to $3,000,000 appropriated in fiscal year 2009 and $1,000,000 requested by the President for fiscal year 2010.

CTAC received appropriations of more than $40,000,000 per year during fiscal years 2002 through 2005. Since that time, however, the Committee has repeatedly scaled back funding, reflecting concerns about the management and priority setting process and the

value of the work being undertaken. In fiscal year 2008, just $1,000,000 was provided, and in fiscal year 2009, $3,000,000. The President has now requested an appropriation of only $1,000,000 for CTAC in fiscal year 2010—suggesting that the Administration also does not see much value in this program.

The requested appropriation is too small to mount a robust research and development effort, and the Committee sees no reason to maintain the administrative apparatus for CTAC in place to manage this minimal funding. Accordingly, the Committee recommends zero for CTAC in fiscal year 2010. If the ONDCP Director and the Administration later conclude that there is indeed an important and unique mission for CTAC and propose a realistic appropriation level to carry out that mission, the Committee would consider such a proposal in future years.

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | $234,000,000 |
| Budget request, fiscal year 2010 | 220,000,000 |
| Recommended in the bill | 248,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +14,000,000 |
| Budget request, fiscal year 2010 | +28,000,000 |

The High Intensity Drug Trafficking Areas (HIDTA) Program provides resources to Federal, state, local and tribal agencies in designated HIDTAs to combat the production, transportation and distribution of illegal drugs, to seize assets derived from drug trafficking, to address violence in drug-plagued communities, and to disrupt the drug marketplace.

There are currently 28 HIDTAs, operating in 45 states plus the District of Columbia, Puerto Rico, and the Virgin Islands. Each HIDTA is managed by an Executive Board composed of equal numbers of Federal and state, local or tribal officials. Each HIDTA Executive Board is responsible for designing and implementing initiatives to deal with the specific drug trafficking threats in its region. Intelligence and information sharing are key elements of all HIDTA programs.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $248,000,000 for the HIDTA Program, $14,000,000 above the fiscal year 2009 level and $28,000,000 above the President's request. The Committee believes that the HIDTA program has demonstrated its effectiveness, and can serve as an important tool in combating current problems of drug trafficking and drug-related violence.

The Committee has included language requiring that existing HIDTAs receive funding at least equal to the fiscal year 2009 base allocation level unless the Director submits a justification for doing otherwise to the Committees on Appropriations, based on clearly articulated priorities and published performance measures. The Committee is advised that prior to 2009 HIDTAs had not received a general program adjustment to their allocations in a number of years, and recommends that most (if not all) of the increase above the fiscal year 2009 level be used for program adjustments, based on performance measures and (to the extent applicable) on assess-

ments of shifts in the pattern and severity of drug trafficking problems.

The recommended bill includes language directing ONDCP to notify the Committees on Appropriations of the initial allocation of HIDTA funds not later than 45 days after enactment of this Act, and to notify the Committees of the proposed use of discretionary funds not later than 90 days after enactment. The language directs the ONDCP Director to work in consultation with the HIDTA Directors in determining the uses of that discretionary funding.

Finally, the Committee recommendation specifies that up to $2,700,000 may be used for auditing services and related activities.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | $174,700,000 |
| Budget request, fiscal year 2010 | 174,000,000 |
| Recommended in the bill | 132,400,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | −42,300,000 |
| Budget request, fiscal year 2010 | −41,600,000 |

This account supports a variety of other drug control activities managed or undertaken by ONDCP.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $132,400,000 for Other Federal Drug Control Programs, a decrease of $42,300,000 below the fiscal year 2009 level and $41,600,000 below the President's request. The recommended level for fiscal year 2010 is distributed among specific programs and activities as follows:

| | |
|---|---|
| Drug-Free Communities | $98,000,000 |
| Media and outreach activities | 20,000,000 |
| United States Anti-Doping Agency | 10,000,000 |
| World Anti-Doping Agency dues | 1,900,000 |
| National Drug Court Institute | 1,000,000 |
| National Alliance for Model State Drug Laws | 1,250,000 |
| National Drug Control Program performance measures | 250,000 |

Within the total for the account, the Committee recommends $98,000,000 for the Drug-Free Communities program, an increase of $8,000,000 over both the fiscal year 2009 amount and the budget request. This program makes grants of up to $125,000 per year to support local coalitions to develop and implement community-based plans to reduce drug abuse among youth. These coalitions are required to include participants from a wide range of interests, including local government agencies, schools, the media, service organizations, law enforcement, parents, youth, and the business community. Local matching contributions are required. Grants are awarded on a competitive basis, and may be renewed for up to 5 years, after which time the coalition must compete for any further funding.

Comprehensive evaluation of this program is being conducted by the Battelle Memorial Institute. Interim data from that evaluation indicate that places with operating Drug-Free Communities coalitions have lower rates of youth substance abuse than in the nation as a whole, and that the rate of substance abuse is declining more rapidly in those communities.

Also within this account, the Committee recommends $20,000,000 for media and outreach, rather than the $70,000,000 appropriated in fiscal year 2009 and requested for fiscal year 2010, for the National Youth Anti-Drug Media Campaign. The Committee intends that the $20,000,000 provided be used for public communication and outreach activities, production costs, evaluation, and, at the discretion of the Director, limited paid advertising campaigns such as recent ads targeted to parents. The Committee does not recommend continuation of the national paid advertising campaign targeted to teenagers.

The Committee's recommendation in this area is guided by the results of evaluations of the media campaign which indicate that its effectiveness has been limited at best. A major evaluation of the effect of the media campaign, undertaken in response to congressional direction, was managed by the National Institute on Drug Abuse at NIH and conducted by Westat and the Annenberg School for Communication. The results of that evaluation were first announced in 2005, and found no significant favorable effects from exposure to the campaign on initiation or continuation of drug use by youth. In fact, the evaluation found some evidence that the ads may have had the opposite effect in some cases. The Government Accountability (GAO) was asked by Congress to review the Westat /Annenberg evaluation, and concluded that it was credible, well designed, and appropriately executed.

More recently, in response to directives in authorizing law, ONDCP has commissioned annual evaluations of the media campaign using available data from surveys on drug use and attitudes and tracking data from the advertising campaign. The most recent of these evaluations, submitted to Congress in April 2009, concluded that "the impact of the Campaign was positive, but weak in magnitude". That evaluation then went on to say, however, that the data used were inadequate to determine whether there was any causal relationship between the media campaign and drug related outcomes. The authorizing law directs ONDCP to sponsor another more extensive evaluation capable of looking at causal relationships, but ONDCP does not plan to award a contract for such an evaluation until later this year—suggesting that results will not be available for a number of years.

If the best that can be said about the youth media campaign is that there is evidence that it has a "weak" association with anti-drug attitudes, while a comprehensive multi-year evaluation with more extensive data found no evidence of any positive effect at all, consideration must be given to shifting the substantial resources used for the advertising campaign to other uses. That is what the Committee recommendation seeks to do.

It is not that the Committee is unconcerned about the problems caused by drug trafficking and use. Quite the opposite. It is because of concern about these problems that the Committee wishes to put resources into where they are likely to do the most good. While recommending a reduction in media activities, the Committee also proposes significant increases for the HIDTA and Drug-Free Communities programs, which are believed to be a better use of scarce funds.

## UNANTICIPATED NEEDS

| | |
|---|---|
| Appropriation, fiscal year 2009 | $1,000,000 |
| Budget request, fiscal year 2010 | 1,000,000 |
| Recommended in the bill | 1,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | – – – |
| Budget request, fiscal year 2010 | – – – |

Funds appropriated in this account are for meeting unanticipated needs in support of the national interest, security, or defense.

### COMMITTEE RECOMMENDATION

The Committee recommends the traditional $1,000,000 for unanticipated needs, the same as the fiscal year 2009 level and the President's request. The recommendation would permit the funds to remain available through fiscal year 2011. Expenditures from this account may be authorized by the President.

## PARTNERSHIP FUND FOR PROGRAM INTEGRITY INNOVATION

(INCLUDING TRANSFER OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | – – – |
| Budget request, fiscal year 2010 | $175,000,000 |
| Recommended in the bill | 40,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +40,000,000 |
| Budget request, fiscal year 2010 | – 135,000,000 |

The President's budget request proposes a new program, to be managed by the Office of Management and Budget, called the Partnership Fund for Program Integrity Innovation. The purpose of this program is to conduct joint Federal-state pilot projects to demonstrate ways in which the Federal Government and the states can cooperate to improve program administration and services while reducing rates of errors and improper payments, especially for programs in which the states have a substantial role in administration and payments.

### COMMITTEE RECOMMENDATION

The Committee recommends $40,000,000 for the Partnership Fund for Program Integrity Innovation, instead of the $175,000,000 requested by the President. While the Committee believes this idea has merit as a possible means of improving program operations and integrity, it also believes that the effort should start on a smaller scale than proposed. If the initial pilot projects appear promising, the Committee will consider additional funding in future years. As requested, funds in this account are available for 3 years, in order to cover up-front the multi-year costs of the pilot projects.

The Committee has included language, similar to language proposed by the President, requiring the Director of the Office of Management and Budget (OMB) to make certain determinations before a pilot project can proceed. These include 1) that the project addresses programs that have a substantial state role in eligibility determination or where Federal-state cooperation could otherwise be beneficial; 2) that, in the aggregate, the project is expected to save at least as much as it costs; 3) that the project demonstrates

the potential to streamline administration and/or strengthen program integrity; and 4) that the project does not achieve savings primarily by reducing participation by eligible beneficiaries. The Committee believes that pilot projects should not necessarily be confined to benefit program for individuals, and that consideration should also be given to other areas in which use of data held by states or other Federal-state cooperation might prove useful, including tax administration.

The Committee understands that while OMB will coordinate and oversee this overall program, it will not administer or manage individual pilot projects. Rather, amounts would be transferred from the Partnership Fund to appropriate Federal agencies to actually carry out the pilots, including by making grants or entering into contracts or cooperative agreements—both for the actual pilot and for the evaluation.

Language included in the bill requires the OMB Director to notify the House and Senate Appropriations Committees at least 15 days before funds are obligated for a pilot project. This notification shall include the specific determinations required by the bill, along with an explanation of the basis for each. The notification shall also include a clear statement of the objectives and purposes of the pilot, an explanation as to how it will be carried out, and a description of how the pilot will be evaluated, including the criteria expected to be used.

Finally, language in the bill also requires the OMB Director to submit a progress report on September 30, 2010 and annually thereafter regarding activities funded under the Partnership Fund. These progress reports should summarize the pilots underway, indicate the status of each, and report on all interim or final evaluations completed since the last report.

## SPECIAL ASSISTANCE TO THE PRESIDENT

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $4,496,000 |
| Budget request, fiscal year 2010 | 4,604,000 |
| Recommended in the bill | 4,604,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +108,000 |
| Budget request, fiscal year 2010 | – – – |

These funds support the executive functions of the Office of the Vice President.

### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $4,604,000 for the Office of the Vice President, an increase of $108,000 above the fiscal year 2009 level and the same as the amount requested by the President.

## OFFICIAL RESIDENCE OF THE VICE PRESIDENT

### OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | $323,000 |
| Budget request, fiscal year 2010 | 330,000 |
| Recommended in the bill | 330,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +7,000 |
| Budget request, fiscal year 2010 | – – – |

These funds support the care and operation of the Vice President's residence and specifically support equipment, furnishings, dining facilities, and services required to perform and discharge the Vice President's official duties, functions and obligations.

### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $330,000 for the Operating Expenses of the Vice President's residence, an increase of $7,000 above the amount enacted in fiscal year 2009 and the same as requested by the President.

## ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

(INCLUDING TRANSFER OF FUNDS)

Section 201. The Committee continues language permitting the transfer of not to exceed 10 percent of funds between various accounts within the Executive Office of the President, after notifying the Committees on Appropriations at least 15 days in advance.

Section 202. The Committee continues language requiring submission of a detailed financial plan by the Director of the Office of National Drug Control Policy (ONDCP) to the Committees on Appropriations, not later than 60 days after enactment of this bill and prior to the obligation of more than 20 percent of the funds appropriated for ONDCP.

Section 203. The Committee continues language permitting the transfer between appropriations of up to 2 percent amounts appropriated in this bill for the ONDCP, provided that advance approval is obtained from the Committees on Appropriations and that no individual appropriation is increased or decreased by more than 3 percent.

Section 204. The Committee continues language permitting limited reprogramming of funds within the ONDCP, subject to the advance approval of the Committees on Appropriations.

# TITLE III—THE JUDICIARY

The funds recommended by the Committee in title III of the accompanying bill are for the operation and maintenance of United States Courts and include the salaries of judges, probation and pretrial services officers, public defenders, court clerks, law clerks, and other supporting personnel, as well as security costs, information technology, and other expenses of the Federal Judiciary.

For the most part, the Judiciary's budget is driven by its workload, based on the number of criminal, civil, and bankruptcy cases

the courts receive. Our system of justice requires that these cases be handled in a timely manner and with due deliberation and care.

The most recent data indicate that the Judiciary's workload is rising. This seems to reflect the serious economic downturn and crisis in the financial sector, as well as other factors such as immigration enforcement. Bankruptcy filings are up most dramatically—an estimated 28 percent increase for the 12–month period ending on June 30, 2009, compared to the preceding 12 months. In addition, filings of criminal charges rose by an estimated 7 percent over this same period.

To help meet these responsibilities, the Committee recommends a total of $6,941,564,000 for the Federal Judiciary in fiscal year 2010—an increase of $460,126,000, or just over 7 percent, above fiscal year 2009. Much of this increase will be needed to simply maintain current services, by covering the cost of Federal pay raises, rent and other facility expenses, IT and security costs, and the annualization of pay and benefits for additional staff brought on during fiscal year 2009.

In addition, however, the bill also provides for some programmatic increases—most notably for personnel to keep up with the workload, including 6 additional magistrate judges (with their support personnel), about 142 additional full-time equivalent positions (FTEs) for the bankruptcy courts, about 107 additional FTEs for the district courts, and about 118 more FTEs for probation and pretrial services.

The recommended appropriations for fiscal year 2010 are $94,490,000 below the initial budget request made by the Judiciary. The reduction largely reflects more recent estimates provided by the courts, reflecting updated pay and personnel cost estimates and revised projections of fee income and carryover balances. The funding levels in the bill are intended to fully cover the workload-related increases requested by the Judiciary. The Committee appreciates the efforts of the Administrative Office of the U.S. Courts to keep it apprised of revised budgetary estimates throughout the course of the appropriations process.

In addition to direct appropriations, the Judiciary collects various fees and has certain carryover authorities. The Judiciary uses these non-appropriated funds to offset its direct appropriation requirements. Consistent with prior year practices, the Committee expects the Judiciary to submit a financial plan, within 90 days of enactment of this Act, allocating all sources of available funds including appropriations, fee collections, and carryover balances. This financial plan will be the baseline for purposes of reprogramming notification.

The Committee encourages the Judiciary to explore ways to increase outreach to minority law students with the goal of increasing the number of minorities in clerkship positions.

## SUPREME COURT OF THE UNITED STATES

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $69,777,000 |
| Budget request, fiscal year 2010 | 74,740,000 |
| Recommended in the bill | 74,034,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +4,257,000 |
| Budget request, fiscal year 2010 | −706,000 |

#### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $74,034,000 for fiscal year 2010 for the salaries and expenses of personnel and the cost of operating the Supreme Court, excluding the care of the building and grounds. The recommendation is $4,257,000 above the fiscal year 2009 level and is $706,000 below the request for this account. The recommendation provides inflationary and other standard adjustments. Additionally, funding is included to provide new information technology specialist positions and for new hardware and software to support the Court's website.

The Committee continues to include bill language making $2,000,000 available until expended for the purpose of making information technology investments. The Committee requests that the Court include an annual report with its budget justification materials, showing information technology carryover balances and describing each expenditure made in the previous fiscal year and planned expenditures in the budget year.

### CARE OF THE BUILDING AND GROUNDS

| | |
|---|---|
| Appropriation, fiscal year 2009 | $18,447,000 |
| Budget request, fiscal year 2010 | 14,568,000 |
| Recommended in the bill | 14,525,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | −3,922,000 |
| Budget request, fiscal year 2010 | −43,000 |

#### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $14,525,000 for fiscal year 2010, to remain available until expended, for personnel and other services relating to the structural and mechanical care of the Supreme Court building and grounds. The Architect of the Capitol has responsibility for these functions and supervises the use of this appropriation. The recommendation is $43,000 below the request and $3,922,000 below the fiscal year 2009 level. Year-to-year changes in this appropriation largely reflect progress in the on-going comprehensive modernization of the Supreme Court building. In addition to routine maintenance expenses, the fiscal year 2010 appropriation includes funds for roof repair and perimeter security improvements.

## UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $30,384,000 |
| Budget request, fiscal year 2010 | 36,981,000 |
| Recommended in the bill | 33,577,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +3,193,000 |
| Budget request, fiscal year 2010 | −3,404,000 |

### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $33,577,000 for fiscal year 2010 for the salaries and expenses of the United States Court of Appeals for the Federal Circuit. The recommendation is $3,193,000 above the fiscal year 2009 appropriation and $3,404,000 below the request. The recommended increase includes the annualized cost of additional law clerks and other staff added in 2009, as well as the usual adjustments for pay raises and other inflationary increases.

## UNITED STATES COURT OF INTERNATIONAL TRADE

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $19,605,000 |
| Budget request, fiscal year 2010 | 21,517,000 |
| Recommended in the bill | 21,350,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +1,745,000 |
| Budget request, fiscal year 2010 | −167,000 |

### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $21,350,000 for fiscal year 2010 for the salaries and expenses of the United States Court of International Trade. The Committee recommendation is $167,000 less than the budget request and $1,745,000 above the fiscal year 2009 level. The recommendation provides inflationary and other standard adjustments, as well as an increase for rental costs.

## COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $4,801,369,000 |
| Budget request, fiscal year 2010 | 5,162,252,000 |
| Recommended in the bill | 5,080,709,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +279,340,000 |
| Budget request, fiscal year 2010 | −81,543,000 |

### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $5,080,709,000 for the operations of the courts of appeals, district courts, bankruptcy courts, the Court of Federal Claims, and probation and pretrial services offices. The recommendation is $279,340,000 above the fiscal year 2009 appropriation and $81,543,000 below the request.

The recommendation reflects the Judiciary's need for additional staff due to increased workload associated with bankruptcy filings, pretrial and probation services, and immigration caseload. The recommendation also includes funding to begin a multi-year effort to replace the Judiciary's data and voice communications infrastructure.

The Committee understands that the Judiciary's staffing, operations and maintenance, and information technology resources are allocated to the courts according to formulas that are approved by the Judicial Conference of the United States and equitably distribute resources based on the workload of each district. The Committee believes this is the optimal method of making such allocations and expects the Judiciary to continue to allocate its resources using this system. The Committee also expects the Administrative Office of the U.S. Courts to periodically update the formulas to ensure their accuracy.

VACCINE INJURY COMPENSATION TRUST FUND

| | |
|---|---|
| Appropriation, fiscal year 2009 | $4,253,000 |
| Budget request, fiscal year 2010 | 5,428,000 |
| Recommended in the bill | 5,428,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +1,175,000 |
| Budget request, fiscal year 2010 | – – – |

COMMITTEE RECOMMENDATION

The Committee recommends a reimbursement of $5,428,000 for fiscal year 2010 from the Vaccine Injury Compensation Trust Fund to cover expenses of the Claims Court associated with processing cases under the National Childhood Vaccine Injury Act of 1986. This amount is $1,175,000 above the amount available in fiscal year 2009 and equal to the request.

DEFENDER SERVICES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $849,400,000 |
| Budget request, fiscal year 2010 | 982,646,000 |
| Recommended in the bill | 982,699,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +133,299,000 |
| Budget request, fiscal year 2010 | +53,000 |

COMMITTEE RECOMMENDATION

This account provides funding for the operation of the Federal Public Defender and Community Defender organizations and for compensation and reimbursement of expenses of panel attorneys appointed pursuant to the Criminal Justice Act for representation in criminal cases.

The Committee recommends an appropriation of $982,699,000 for fiscal year 2010. The recommendation is $133,299,000 above the fiscal year 2009 level and $53,000 above the request. The recommendation is intended to cover pay and other standard adjustments, as well as cost increases resulting from increased caseload and changes in case mix. The small increase above the initial budget request reflects updated estimates provided in May by the Administrative Office of the Courts.

In addition, the Committee recommendation adopts the request by the Judiciary for funds to increase the hourly rate for panel defense attorneys in non-capital cases from $110 to $139 per hour, which reflects the full estimated "catch up" cost-of-living adjustment authorized by the Criminal Justice Act. (Panel attorneys in capital cases are paid at substantially higher hourly rates, which would be adjusted for annual inflation under the recommended bill.)

In justifying its request, the Judicial Conference stated that "the Judiciary believes that the necessary improvement to panel representation cannot be accomplished absent a substantial increase in the panel attorney hourly rate for non-capital appointments". The Judiciary budget justifications also state that, "[s]urvey findings confirmed the substantial level of difficulty courts have in finding and retaining qualified counsel to accept appointments in non-capital cases, and linked much of the problem with the low hourly rate". The Judiciary's submission notes that the hourly rate for a panel attorney must cover the overhead cost of a law practice as well as a reasonable remuneration for the lawyer, and that current rates are considerably lower than what panel attorneys typically receive for private representations, meaning there is a substantial "opportunity cost" to taking a court appointment to represent a defendant who cannot afford a private lawyer. Similar arguments were advanced at the Committee's hearing on the judicial branch budget request.

The Committee finds these arguments persuasive, and recognizes the importance of adequate representation in ensuring fair and effective justice in criminal cases.

FEES OF JURORS AND COMMISSIONERS

| | |
|---|---|
| Appropriation, fiscal year 2009 | $62,206,000 |
| Budget request, fiscal year 2010 | 63,401,000 |
| Recommended in the bill | 62,275,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +69,000 |
| Budget request, fiscal year 2010 | −1,126,000 |

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $62,275,000 for payments to jurors, which is $69,000 above the fiscal year 2009 level and $1,126,000 less than the request. The reduction below the initial request reflects updated information provided by the Administrative Office of the U.S. Courts in May, which indicated that available carryover balances will be higher than initially estimated.

COURT SECURITY

(INCLUDING TRANSFERS OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | $428,858,000 |
| Budget request, fiscal year 2010 | 463,642,000 |
| Recommended in the bill | 457,353,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +28,495,000 |
| Budget request, fiscal year 2010 | −6,289,000 |

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $457,353,000 for Court Security in fiscal year 2010 to provide for necessary expenses of security and protective services in courtrooms and adjacent areas. This is an increase of $28,495,000 above the fiscal year 2009 level and $6,289,000 below the request. Bill language is included allowing up to $15,000,000 to remain available until expended.

The recommendation includes adjustments for pay costs and similar items, additional court security officers, and increases for security equipment, information technology improvements, and space for special projects for the United States Marshals Service.

## ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $79,049,000 |
| Budget request, fiscal year 2010 | 83,963,000 |
| Recommended in the bill | 83,075,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +4,026,000 |
| Budget request, fiscal year 2010 | −888,000 |

The Administrative Office of the United States Courts (AO) provides administrative and management support to the United States Courts, including the probation and bankruptcy systems. It also supports the Judicial Conference of the United States in determining Federal Judiciary policies, in developing methods to assist the courts to conduct business efficiently and economically, and in enhancing the use of information technology in the courts.

In fiscal year 2008, the Committee included a provision which authorizes the Judiciary to contract directly for repairs under $100,000. This provision was included in the fiscal year 2009 bill and is included in this bill as well. The Committee requests that the Judiciary report back on the utilization of this authority including an analysis of any cost savings.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $83,075,000 for the salaries and expenses of the AO, which is $4,026,000 above the fiscal year 2009 level and $888,000 below the request.

## FEDERAL JUDICIAL CENTER

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $25,725,000 |
| Budget request, fiscal year 2010 | 27,486,000 |
| Recommended in the bill | 27,328,000 |
| Bill compared with:. | |
| Appropriation, fiscal year 2009 | +1,603,000 |
| Budget request, fiscal year 2010 | −158,000 |

The Center improves the management of Federal Judicial dockets and court administration through education for judges and staff, and research, evaluation, and planning assistance for the courts and the Judicial Conference.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $27,328,000 for the salaries and expenses of the Federal Judicial Center for fiscal year 2010, which is $1,603,000 above the fiscal year 2009 level and $158,000 below the request.

## JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

| | |
|---|---|
| Appropriation, fiscal year 2009 | $76,140,000 |
| Budget request, fiscal year 2010 | 82,374,000 |
| Recommended in the bill | 82,374,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | 6,234,000 |
| Budget request, fiscal year 2010 | – – – |

These funds cover the estimated annuity payments to be made to retired bankruptcy judges, magistrate judges, Claims Court judges, and spouses and dependent children of deceased judicial officers.

COMMITTEE RECOMMENDATION

The Committee provides $82,374,000 for payments to the Judicial Officers' Retirement Fund, the Judicial Survivors' Annuities Fund, and the Claims Court Judges Retirement Fund for fiscal year 2010. This amount is the same as the budget request and $6,234,000 above the fiscal year 2009 level. These payments are considered mandatory for budget scorekeeping purposes.

## UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $16,225,000 |
| Budget request, fiscal year 2010 | 17,056,000 |
| Recommended in the bill | 16,837,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +612,000 |
| Budget request, fiscal year 2010 | −219,000 |

The purpose of the Commission is to establish, review, and revise sentencing guidelines, policies, and practices for the Federal criminal justice system. The Commission is also required to monitor the operation of the guidelines and to identify and report necessary changes to the Congress.

COMMITTEE RECOMMENDATION

The Committee recommends $16,837,000 for the salaries and expenses of the United States Sentencing Commission for fiscal year 2010, which is $612,000 above the fiscal year 2009 appropriation and $219,000 below the request.

## ADMINISTRATIVE PROVISIONS—THE JUDICIARY

Section 301. The Committee continues language to permit funds in the bill for salaries and expenses for the Judiciary to be available for employment of experts and consultant services as authorized by 5 U.S.C. 3109.

Section 302. The Committee continues language that permits up to 5 percent of any appropriation made available for fiscal year 2010 to be transferred between Judiciary appropriations accounts provided that no appropriation shall be decreased by more than 5 percent or increased by more than 10 percent by any such transfer except in certain circumstances. In addition, the language provides that any such transfer shall be treated as a reprogramming of funds under section 608 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

Section 303. The Committee continues language authorizing not to exceed $11,000 to be used for official reception and representation expenses incurred by the Judicial Conference of the United States.

Section 304. The Committee continues language requiring a financial plan for the Judiciary within 90 days of enactment of this Act.

Section 305. The Committee continues language enabling the Federal Judiciary to contract for repairs under $100,000.

Section 306. The Committee continues language to authorize a court security pilot program.

Section 307. The Committee includes language extending temporary judgeships in Ohio and Kansas.

## TITLE IV—DISTRICT OF COLUMBIA

### FEDERAL FUNDS

#### FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

| | |
|---|---|
| Appropriation, fiscal year 2009 | $35,100,000 |
| Budget request, fiscal year 2010 | 35,100,000 |
| Recommended in the bill | 35,100,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | – – – |
| Budget request, fiscal year 2010 | – – – |

The Resident Tuition Support program was created by the District of Columbia College Access Act of 1999 to provide District college-bound students the opportunity to expand their higher education choices. The program receives its funding through a Federal appropriation which is deposited into a dedicated account under the control of the District of Columbia Chief Financial Officer. This program grants up to $10,000 annually for undergraduate District students to attend eligible four-year public universities and colleges nationwide at in-state tuition rates. Grants up to $2,500 per year are available for students to attend private institutions in the D.C. metropolitan area as well as public two-year community colleges.

#### COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $35,100,000 for the resident tuition support program, the same as the fiscal year 2009 appropriation and equal to the budget request. The District of Columbia is expected to adhere to the authorizing statute with regard to the administrative expenses associated with this program.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS

| | |
|---|---|
| Appropriation, fiscal year 2009 | $39,177,000 |
| Budget request, fiscal year 2010 | 15,000,000 |
| Recommended in the bill | 15,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | −24,177,000 |
| Budget request, fiscal year 2010 | −−− |

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $15,000,000 for emergency planning and security costs, $24,177,000 below the fiscal year 2009 appropriation and equal to the budget request. These funds are for emergency planning and security costs related to the presence of the Federal Government in the District of Columbia and surrounding jurisdictions. The decrease below the fiscal year 2009 level is due to adjustments made to reflect one-time costs associated with the January 2009 presidential inauguration events.

The Committee recognizes the extra burden that certain agencies within the District of Columbia government face due to the Federal presence in the city, particularly the Metropolitan Police Department (MPD). The accompaniment of police officers to support the motorcade travel of the President, the Vice President and the First Lady requires resources for which the MPD historically has not been covered by the Federal Government.

The Committee continues the requirement that a detailed justification be submitted with the budget request in future years, as well as a report detailing any deviation from the plan outlined in the justification no later than 60 days after the end of the fiscal year.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

| | |
|---|---|
| Appropriation, fiscal year 2009 | $248,409,000 |
| Budget request, fiscal year 2010 | 248,952,000 |
| Recommended in the bill | 268,920,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +20,511,000 |
| Budget request, fiscal year 2010 | +19,968,000 |

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $268,920,000 for operation of the District of Columbia Courts, $20,511,000 above the fiscal year 2009 appropriation and $19,968,000 above the fiscal year 2010 budget request. This amount includes $12,022,000 for the Court of Appeals, $108,524,000 for the Superior Court, $65,114,000 for the Court System, and $83,260,000 for capital improvements to courthouse facilities. The aforementioned amounts are reflective of adjustments requested by the District of Columbia Courts to consolidate space lease and utilities costs in the Court System program.

The recommended level includes funding above the President's budget request to open a third drop-in center in the District that will provide tutoring, counseling, and mentoring services for juveniles on probation; address increased facilities maintenance needs; improve the Courts' performance management system; and to acquire additional warehouse space. Funds above the President's request for the Courts' Capital Program are provided for the C Street

expansion of the Moultrie Courthouse and for perimeter security initiatives on the court campus.

The Committee notes that the fiscal year 2010 request includes $15,000,000 as a final Federal payment to complete work on renovating the cell block at the Moultrie Courthouse. The Committee appreciates the responsiveness of the District of Columbia Courts in addressing the conditions at the cell block on a priority basis.

DEFENDER SERVICES IN THE DISTRICT OF COLUMBIA COURTS

| | |
|---|---|
| Appropriation, fiscal year 2009 | $52,475,000 |
| Budget request, fiscal year 2010 | 52,475,000 |
| Recommended in the bill | 55,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +2,525,000 |
| Budget request, fiscal year 2010 | +2,525,000 |

COMMITTEE RECOMMENDATION

The Committee recommends $55,000,000 for Defender Services in District of Columbia Courts, $2,525,000 above the fiscal year 2009 appropriation and $2,525,000 above the budget request.

The recommendation includes funding sufficient to annualize in fiscal year 2010 the rate increase to $90 per hour approved in fiscal year 2009 for attorneys in the Defender Services program.

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

| | |
|---|---|
| Appropriation, fiscal year 2009 | $203,490,000 |
| Budget request, fiscal year 2010 | 212,408,000 |
| Recommended in the bill | 212,408,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +8,918,000 |
| Budget request, fiscal year 2010 | – – – |

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $212,408,000 for the Court Services and Offender Supervision Agency (CSOSA), $8,918,000 above the fiscal year 2009 appropriation and the same as the budget request. Of the amounts provided, $153,856,000 is for the Community Supervision Sex Offender Registration and $58,552,000 is for the Pretrial Services Agency. Increased funds over fiscal year 2009 are provided for pay and non-pay inflationary costs, as well as for initiatives to enhance monitoring of high-risk offenders and defendants using cellular electronic monitoring and global positioning satellite technology.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE

| | |
|---|---|
| Appropriation, fiscal year 2009 | $35,659,000 |
| Budget request, fiscal year 2010 | 37,316,000 |
| Recommended in the bill | 37,316,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +1,657,000 |
| Budget request, fiscal year 2010 | – – – |

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $37,316,000 for the Public Defender Service for the District of Columbia, $1,657,000 above the fiscal year 2009 appropriation and the same as the budget request.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

| | |
|---|---|
| Appropriation, fiscal year 2009 | $16,000,000 |
| Budget request, fiscal year 2010 | 20,000,000 |
| Recommended in the bill | 20,400,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +4,400,000 |
| Budget request, fiscal year 2010 | 400,000 |

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $20,400,000 to the District of Columbia Water and Sewer Authority (WASA), $4,400,000 above the fiscal year 2009 appropriation and $400,000 above the budget request. Of the amount recommended, $20,000,000 is to continue implementation of the Combined Sewer Overflow Long-Term Plan. Funding for this project will be matched 100 percent by WASA.

The District of Columbia Task Force on Water Quality, comprised of a diverse group of stakeholders that includes health advocates and a number of local and Federal government entities, has identified the need for an independent study of the lead levels in the District's drinking water. The recommendation includes $400,000 for the District of Columbia Department of the Environment for the costs associated with study design and related outreach materials; water sampling in hundreds of homes throughout the District; lab analysis of the water samples; analysis of the sampling results; and production of a final report. Ascertaining the current level of lead in the drinking water is an important public health issue in the District of Columbia and the Committee looks forward to the results of the study.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

| | |
|---|---|
| Appropriation, fiscal year 2009 | $1,774,000 |
| Budget request, fiscal year 2010 | 1,774,000 |
| Recommended in the bill | 2,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +226,000 |
| Budget request, fiscal year 2010 | +226,000 |

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $2,000,000 to the Criminal Justice Coordinating Council (CJCC), $226,000 above the fiscal year 2009 appropriation and $226,000 above the budget request. These funds are to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia. Similar to prior years, the Committee directs the CJCC to submit performance measures in an annual report. Funds are available until expended.

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

| | |
|---|---|
| Appropriation, fiscal year 2009 | – – – |
| Budget request, fiscal year 2010 | 500,000 |
| Recommended in the bill | 500,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +500,000 |
| Budget request, fiscal year 2010 | – – – |

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment at the budget request level to support two judicial commissions, $295,000 for the Commission on Judicial Disabilities and $205,000 for the Judicial Nomination Commission. These two commissions provide support to the District of Columbia Court of Appeals and Superior Court through reviewing and investigating judicial misconduct complaints and recommending candidates to the President of the United States for nomination to the District of Columbia bench. Funds are available through September 30, 2011.

FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

| | |
|---|---|
| Appropriation, fiscal year 2009 | 4,888,000 |
| Budget request, fiscal year 2010 | – – – |
| Recommended in the bill | 1,700,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | –3,188,000 |
| Budget request, fiscal year 2010 | 1,700,000 |

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $1,700,000 for the Chief Financial Officer (CFO) of the District of Columbia, $3,188,000 below fiscal year 2009 and $1,700,000 above the request. These funds are for education, social service, and economic development initiatives in the District of Columbia. The Committee directs each grantee to submit a comprehensive budget and a report on the activities to be carried out with the funds no later than 60 days after enactment of this Act. The District CFO will submit a comprehensive report no later than June 1, 2010, to the Committee on Appropriations highlighting which grantees did not comply with the reporting requirements. The Committee requires that any funds to these grantees must be spent primarily in the District of Columbia to benefit District residents.

| *Recipient/Purpose* | *Amount* |
|---|---|
| Living Classrooms of the National Capital Region, Washington, DC, Education and job skills training for disadvantaged young adults | $100,000 |
| National Building Museum, Washington, DC, Education programs and exhibitions | 150,000 |
| Safe Kids USA, Washington, DC, Safety services for families in need | 125,000 |
| Samaritan Ministry of Greater Washington, Washington, DC, Next Step Program | 100,000 |
| The Washington Center, Washington, DC, Construction and build out of academic space | 125,000 |
| Washington Hospital Center, Washington, DC, Trauma center and other critical hospital upgrades | 50,000 |
| Whitman-Walker Clinic, Washington, DC, health care services | 100,000 |
| Youth Power Center, Washington, DC, Tutoring and Mentoring Program Expansion | 100,000 |

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

| | |
|---|---|
| Appropriation, fiscal year 2009 | $54,000,000 |
| Budget request, fiscal year 2010 | 74,400,000 |
| Recommended in the bill | 74,400,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +20,400,000 |
| Budget request, fiscal year 2010 | – – – |

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $74,400,000 for school improvement, $20,400,000 above fiscal year 2009 and the same as the budget request. These funds are allocated as follows: $42,200,000 to improve public school education in the District of Columbia, $20,000,000 to expand quality charter schools, and $12,200,000 to the Secretary of Education for opportunity scholarships for low-income children in the District of Columbia for the 2010–2011 school year, of which $1,000,000 is for administrative expenses.

The funding recommendation supports the President's proposal, also supported by the District of Columbia's Mayor and Council Chairman, that opportunity scholarships funded in this bill for the 2010–2011 school year be limited to current program participants only.

FEDERAL PAYMENT FOR CONSOLIDATED LABORATORY FACILITY

| | |
|---|---|
| Appropriation, fiscal year 2009 | $21,000,000 |
| Budget request, fiscal year 2010 | 15,000,000 |
| Recommended in the bill | 15,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | –6,000,000 |
| Budget request, fiscal year 2010 | – – – |

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $15,000,000 for a consolidated bioterrorism and forensics laboratory, $6,000,000 below the fiscal year 2009 appropriation and the same as the budget request. The Committee notes that the recommended level represents the final Federal payment needed in order to complete work on this important project.

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD

| | |
|---|---|
| Appropriation, fiscal year 2009 | – – – |
| Budget request, fiscal year 2010 | 2,000,000 |
| Recommended in the bill | 2,375,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +2,375,000 |
| Budget request, fiscal year 2010 | +375,000 |

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $2,375,000, $375,000 above the budget request, to support costs associated with the D.C. National Guard. As a Federal entity, the D.C. National Guard responds to the orders of the President of the United States, who is the Commander-in-Chief of the D.C. National Guard, pursuant to the District of Columbia Official Code 49–409 and Executive Order No. 11485 (October 1, 1969). The District's Mayor is not authorized to deploy the Guard under any circumstances. The Federal

payment will be used to support civilian administrative personnel working for the D.C. National Guard. Military members of the Guard are paid for through the Department of Defense appropriation.

The Committee acknowledges the unique role of the D.C. National Guard in addressing emergencies that may occur as a result of the presence of the Federal Government and includes $375,000 for the D.C. National Guard to pay the costs of a tuition assistance program for Guard members who are non-District residents.

The District of Columbia National Guard and the entire community of the District of Columbia lost a dedicated leader and public servant when Major General David F. Wherley, Jr. was killed in the tragic Metrorail train crash which occurred on June 22, 2009. General Wherley was a former commander of the DC National Guard. During that service, he was in frequent contact with the Committee to further the ability of the DC National Guard to serve the citizens of the District of Columbia, as well as the Nation's elected leadership. Among a number of initiatives, General Wherley advocated on behalf of the Capital Guardians for funding for a retention and college access program to ensure that members of the District of Columbia National Guard may enjoy some of the same benefits for their service as members of the National Guard in neighboring states. To honor his service to the District of Columbia and his commitment to those he worked with, the Committee seeks to dedicate this program to his memory by naming it the "Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program".

FEDERAL PAYMENT FOR HOUSING FOR THE HOMELESS

| | |
|---|---|
| Appropriation, fiscal year 2009 | – – – |
| Budget request, fiscal year 2010 | 19,200,000 |
| Recommended in the bill | 19,200,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +19,200,000 |
| Budget request, fiscal year 2010 | – – – |

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment for housing for the homeless of $19,200,000, the same as the budget request. This funding will support the District's "Housing First" program which seeks to reduce homelessness by providing permanent housing to District residents in need. The first phase of this program is to assess chronically homeless individuals and families with histories of homelessness who are living on the streets, in shelters and other institutions. The second phase is to place individuals and families into long-term housing. The third phase is to provide effective case management to ensure that individuals and families are connected to support services and achieve the highest degree of stabilization and self-sufficiency possible. The District estimates this funding will be sufficient to find permanent housing for 150 currently homeless families. This Federal payment will be matched with $10,071,000 in local funds that will be used to support residents that have already been placed in permanent supportive housing. The Committee directs that beginning March 31, 2010 the District submit to the Committee quarterly reports detailing the number of

individuals and families provided housing through this Federal payment. Funds are available through September 30, 2011.

FEDERAL PAYMENT FOR YOUTH SERVICES

| | |
|---|---|
| Appropriation, fiscal year 2009 | – – – |
| Budget request, fiscal year 2010 | 5,000,000 |
| Recommended in the bill | 5,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +5,000,000 |
| Budget request, fiscal year 2010 | – – – |

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $5,000,000 for youth services, the same as the budget request. These funds will be used for the District's "Reconnecting Disconnected Youth" initiative which seeks to significantly reduce the number of young people not currently connected to positive school or work activities or at risk of becoming disconnected from these critical influences. This initiative addresses two priorities: (1) providing young people who have dropped out of school with job training and access to general educational development (GED) programs, and (2) improving the services provided to court-involved youth and their families. This Federal payment will be matched with a total of $11,500,000 in local funds and grants. Funds are available through September 30, 2011.

FEDERAL PAYMENT FOR PUBLIC HEALTH SERVICES

| | |
|---|---|
| Appropriation, fiscal year 2009 | – – – |
| Budget request, fiscal year 2010 | – – – |
| Recommended in the bill | 4,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +4,000,000 |
| Budget request, fiscal year 2010 | +4,000,000 |

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $4,000,000 for HIV/AIDS prevention initiatives. This funding was not requested in the President's budget, but was proposed by the Mayor of the District of Columbia. The District is in the midst of an HIV/AIDS epidemic. Based on the national HIV/AIDS case reporting system, the District currently has the highest HIV/AIDS rate in the country—nearly twice as high as New York City and five times as high as Detroit. Estimates indicate that between 3 to 5 percent of the adult residents in the District are currently living with HIV or AIDS. The District has developed policies and programs to provide innovative HIV/AIDS prevention, care, and support services on a citywide basis. However, District resources are insufficient to permit broad implementation of these programs. This Federal payment will enable the District to provide testing, counseling, and other prevention services in communities most affected by the spread of HIV/AIDS. The Committee directs the District of Columbia to provide a spending plan for these funds within 45 days of enactment of this Act. Funds are available through September 30, 2011.

### DISTRICT OF COLUMBIA FUNDS

The Committee recommends a total of $8,858,278,000 for the operating expenses of the District of Columbia as contained in the fiscal year 2010 budget and financial plan transmitted to the Mayor by the District of Columbia Council on June 5, 2009. Of the total, $5,721,742,000 is from local funds, $2,575,447,000 is from Federal grant funds, $556,429,000 is from other funds, and $4,660,000 is from private funds. An additional $125,274,000 is available from prior year funds, and an increase of $2,963,810,000 is for capital construction projects.

## TITLE V—INDEPENDENT AGENCIES

### ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

#### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $1,500,000 |
| Budget request, fiscal year 2010 | 2,625,000 |
| Recommended in the bill | 1,500,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | – – – |
| Budget request, fiscal year 2010 | – 1,125,000 |

The Administrative Conference of the United States is an independent agency and advisory committee which was created to study administrative processes in order to recommend improvements to Congress and Federal agencies.

#### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $1,500,000 for the Administrative Conference of the United States, the same amount appropriated in fiscal year 2009 and $1,125,000 below the budget request. The Conference was reauthorized in July 2008 and received $1,500,000 in fiscal year 2009 appropriations. As of June 2009, a Chairman to head the Conference has not been named, no staff have been hired, and no fiscal year 2009 funds have been expended. In light of this, the Committee does not recommend the funding increase proposed in the budget request.

### CONSUMER PRODUCT SAFETY COMMISSION

#### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $105,404,000 |
| Budget request, fiscal year 2010 | 107,000,000 |
| Recommended in the bill | 113,325,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +7,921,000 |
| Budget request, fiscal year 2010 | +6,325,000 |

The Consumer Product Safety Act established the Consumer Product Safety Commission (CPSC), an independent Federal regulatory agency, to reduce unreasonable risk of injury associated with consumer products. Its primary responsibilities and overall goals are: to protect the public against unreasonable risk of injury associated with consumer products; to develop uniform safety standards for consumer products, minimizing conflicting State and local regulations; and to promote research into prevention of product-related deaths, illnesses, and injuries.

COMMITTEE RECOMMENDATION

The Committee recommends $113,325,000 for the Consumer Product Safety Commission for fiscal year 2010, an increase of $7,921,000 above the amount appropriated in fiscal year 2009 and $6,325,000 above the request level.

The recommendation provides funding for the ongoing implementation and enforcement of recently enacted consumer protection legislation. Funding is provided for increased workload associated with the Consumer Product Safety Improvement Act, including the hiring of an additional 28 FTE.

The recommendation includes $7,280,000 for the continued implementation and enforcement of the Virginia Graeme Baker Pool and Spa Safety Act—representing the fiscal year 2009 funding level adjusted for inflation. Within this amount, $4,045,000 is provided for the public information and education program, the same as in fiscal year 2009 and $3,045,000 more than the budget request. The bill also includes funding for enforcement of the Children's Gasoline Burn Prevention Act.

The Committee strongly supports the CPSC's Import Safety Initiative which positions CPSC investigators at key ports of entry to stop defective products from entering the United States. The Committee supports expansion of this initiative in fiscal year 2010 and includes funding to hire 10 FTE to further enhance the CPSC presence at key ports.

The Committee is concerned regarding reports of health and other problems that may be related to drywall imported from China. The Committee understands that the CPSC has received reports of these problems from 18 states and the District of Columbia with the majority of reports coming from Florida residents. The problem is believed to stem from the unprecedented increase in new construction that occurred in 2006 and 2007 which strained domestic drywall production and led to the importing of drywall from China. The Committee commends the CPSC for its efforts to address the drywall problem and understands the CPSC has diverted fiscal year 2009 resources from other priorities in order to address this issue. To assist the CPSC in further identifying and addressing the origins of the drywall problem, the Committee includes funding above the request level for this purpose. The Committee expects to be kept apprised of CPSC work on the drywall issue.

The Consumer Product Safety Improvement Act of 2008 was signed into law on August 14, 2008 and is considered to be the most significant piece of consumer protection legislation enacted since the CPSC was established in the early 1970s. The legislation received nearly unanimous bipartisan support in Congress. Congress passed this legislation in the wake of a massive number of consumer product recalls in 2007 and 2008—more than 20 million—many of which involved toys manufactured in China. The Committee strongly supports this legislation but is aware of concerns surrounding implementation of certain aspects of the law. The Committee believes there may be some products subject to the strict lead ban in the Act that likely were not intended to be included. The Committee urges the CPSC to continue considering ex-

emptions for products that, based on CPSC's determination, present no real risk of lead exposure to children.

Funding is included for two additional CPSC commissioners and associated staff as authorized under the Consumer Product Safety Improvement Act of 2008.

The bill also includes language that limits official reception and representation expenses to no more than $2,000 in fiscal year 2010.

## ELECTION ASSISTANCE COMMISSION

### SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | $17,959,000 |
| Budget request, fiscal year 2010 | 16,530,000 |
| Recommended in the bill | 17,959,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | – – – |
| Budget request, fiscal year 2010 | +1,429,000 |

The Election Assistance Commission (EAC) was established by the Help America Vote Act of 2002 (HAVA) and is charged with implementing provisions of that Act relating to the reform of Federal election administration throughout the United States, including the development of voluntary voting systems guidelines, the certification and testing of voting systems, studies of election administration issues, and the implementation of election reform payments to States as well as grant programs related to election reform.

### COMMITTEE RECOMMENDATION

The Committee recommends $17,959,000 for EAC salaries and expenses, the same as the fiscal year 2009 enacted level and an increase of $1,429,000 above the budget request. The recommendation also provides for transfer of $3,500,000 to the National Institute of Standards and Technology for election reform activities—$500,000 less than the transfer in fiscal year 2009 but $250,000 more than proposed by the Administration.

Also included in this recommendation is $750,000 for the Help America Vote College Program and $300,000 for mock election programs—in both cases the same level of funding as provided in fiscal year 2009. The Administration did not propose funds for either of these programs in fiscal year 2010. The college program, first implemented during the 2004 election, recruits and trains young people in colleges, universities, and community colleges to serve as nonpartisan poll workers, helping to address a nationwide poll worker shortage and recruit the next generation of workers. Mock election programs promote participation in elections through voter education activities for students and their parents. Both programs are competitive grant programs.

The Committee encourages the use of voting machines in student elections. This will allow students, the nation's voters of tomorrow, to become familiar with voting processes and technologies so that when they turn 18, they will be comfortable with their civic duties. Groups involved in student mock elections should work with local election authorities to promote the use of voting machines by students.

The biennial Election Administration and Voting Survey (better known as the Election Day Survey), provides the Election Assistance Commission with important information about significant issues in the administration of elections. However, since 2004 the survey has not collected information on voting system performance or voting system malfunctions. The Committee believes the collection of this type of information would be helpful to elected officials and voting system manufacturers in determining how to improve the reliability of voting systems and processes. The Committee urges the Election Assistance Commission to help develop a system of standardized best practices for states and localities to collect information on voting system performance and malfunctions, and to work to develop questions on these issues for future Election Day Surveys.

The Committee directs the Government Accountability Office to study and report to the Committee regarding the costs and benefits of implementing the Weekend Voting Act (H.R. 254), including the anticipated costs to state and federal election administration officials, the effects on polling places and the estimated increase in voter turnout.

ELECTION REFORM PROGRAMS

| | |
|---|---|
| Appropriation, fiscal year 2009 | $106,000,000 |
| Budget request, fiscal year 2010 | 52,000,000 |
| Recommended in the bill | 106,000,000 |
| Bill compared with. | |
| Appropriation, fiscal year 2009 | – – – |
| Budget request, fiscal year 2010 | +54,000,000 |

This appropriation provides for grant programs authorized by the Help America Vote Act of 2002 (HAVA) and for related grant programs to improve the administration of elections.

COMMITTEE RECOMMENDATION

The Committee recommendation includes $106,000,000 for Election Reform programs, the same as the fiscal year 2009 enacted level and an increase of $54,000,000 above the budget request. Of this amount, $100,000,000 is for grants available to States for assistance in meeting the requirements of HAVA relating to voting systems, voter registration, provisional ballots, and other election administration activities.

In addition, $4,000,000 is provided for grants for research on voting technology improvements as authorized by the Help America Vote Act, $1,000,000 less than provided for this purpose in fiscal year 2009. The Committee directs the EAC to use the appropriated amount to fund research into technological solutions for voting systems that ensure accessibility for voters with disabilities so that such voters can vote privately and independently, including through the use of official paper ballots. The Committee further directs that technological solutions developed through this federally funded research be non-proprietary and be made available to the public, including to voting system manufacturers.

The recommendation also includes $2,000,000 for continuation of a pilot program, administered by the EAC, to provide grants to States and units of local government to develop and document best practices for quality and cost-effective pre-election logic and accu-

racy testing of voting systems and post-election voting system verification. The goal of logic and accuracy testing is to ensure that voting system equipment, including tabulation equipment that will be used in an upcoming election is properly prepared to support the election. Testing should also include assessments of the completeness, accuracy and usability of ballots. Post-election voting system verification should assess the adequacy of controls in place prior to and during the election that can detect and correct, or prevent, anomalies from occurring in voting systems. Jurisdictions would report on voting system equipment failures during the election as well as on procedural incidents that involved voting equipment. This pilot program was begun in fiscal year 2009 with funding of $1,000,000.

## FEDERAL COMMUNICATIONS COMMISSION

### SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | $341,875,000 |
| Budget request, fiscal year 2010 | 335,794,000 |
| Recommended in the bill | 335,794,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | −6,081,000 |
| Budget request, fiscal year 2010 | − − − |

The mission of the Federal Communications Commission (FCC) is to implement the Communications Act of 1934 in a manner that promotes competition, innovation, and deregulation in the communications industry and the availability of high quality communications services for all Americans.

### COMMITTEE RECOMMENDATION

The bill includes total budget authority of $335,794,000 for the salaries and expenses of the FCC for fiscal year 2010, of which $334,794,000 is to be derived from offsetting collections, resulting in a direct appropriation of $1,000,000. Although the operating level for fiscal year 2010 is $6,081,000 below the current year as requested, the bill actually funds a $15,000,000 upgrade to the information and communications technology systems at the commission and other programmatic increases and adjustments for inflation. There were one-time items in fiscal year 2009 of almost $30,000,000 that will not be repeated in fiscal year 2010.

The Committee recommendation includes bill language, similar to that included in previous Appropriations Acts, which allows: (1) up to $4,000 for official reception and representation expenses; (2) purchase and hire of motor vehicles; (3) special counsel fees; (4) collection of $334,794,000 in section 9 fees; (5) the sum appropriated to be reduced as section 9 fees are collected; (6) a prohibition on amounts collected in excess of $334,794,000 from being available for obligation; (7) a prohibition on remaining offsetting collections from prior years from being available for obligation; and (8) retention of $85,000,000 of proceeds from the use of a competitive bidding system.

The Committee stresses the importance of providing all persons living under the American flag, including those living in the United States territories, equal access to communications services. The

Communications Act of 1934 established the FCC to "make available, so far as possible, to *all the people of the United States,* without discrimination on the basis of race, color, religion, national origin, or sex, a rapid, efficient, Nation-wide, and world-wide wire and radio communication service with adequate facilities at reasonable charges" (emphasis added). The Committee is aware that certain communication services, such as satellite radio services, are not available on a comparable basis to persons living under the American flag outside of the contiguous 48 States. Satellite radio services are currently unavailable or have limited availability in Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, Alaska, and Hawaii. The FCC is directed to report back to the Committee by January 31, 2010 with a detailed comparison of the technical and practical availability of all communications services under its jurisdiction in the contiguous 48 States, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, Alaska, and Hawaii.

The Committee appreciates that in 2008 the Commission raised $19,592,000,000 in the 700 MHZ auction. The sale of this spectrum should have a significant impact on the next phase of wireless broadband innovation. However, the Committee is very concerned that the auction for the D Block did not meet its $1,300,000,000 reserve price established in advance of the auction. The D Block spectrum was set aside for the creation of a public/private partnership to solve public safety's interoperability problems allowing police, fire and other first responders to better communicate with one another during an emergency. The 9/11 Commission identified the need to increase the assignment of spectrum for first responders in its July 2004 report and it is disappointing the Federal Government has yet to fully address this critical need. The Committee understands that the Commission is evaluating the options for how to proceed with this auction. The Committee urges the Commission to rework the rules for this critical spectrum auction expeditiously so that first responders have an interoperable communications network as soon as possible.

In September 2008, the Financial Services Subcommittee held a hearing on the difficulties that some public, educational, and governmental (PEG) stations have been having in obtaining equal access to basic cable channels as required by law. The Acting Chairman of the FCC testified before the Subcommittee in April 2009 that PEG stations had filed three complaints claiming that they were being denied appropriate access to cable channels and that the commission had begun creating the record necessary to make a decision relatively soon. The Committee urges the FCC to resolve those complaints as soon as practicable.

The Committee believes that the Universal Service Fund (USF) must have effective audits of the use of more than $7 billion in funds from ratepayers. The recommendation this year does not include a transfer from the USF for additional audits and oversight activities because substantial carry-over funds remain available from earlier appropriations. The Committee is concerned by reports that some recipients of USF moneys have been the subject of unduly burdensome audits and that the results of those audits have not been effectively presented to improve expenditures from the USF going forward. This is a period of transition for the Commission and its Inspector General. The Committee urges the new lead-

ership to re-evaluate the auditing process to make sure that the auditing process is not unduly onerous and that lessons learned from audits get translated into better performance in the future.

## FEDERAL DEPOSIT INSURANCE CORPORATION

### OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | $27,495,000 |
| Budget request, fiscal year 2010 | 37,942,000 |
| Recommended in the bill | 37,942,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +10,447,000 |
| Budget request, fiscal year 2010 | – – – |

Funding for the Office of the Inspector General at the Federal Deposit Insurance Corporation is provided pursuant to 31 U.S.C. 1105(a)(25), which requires a separate appropriation account for appropriations for each Office of Inspector General of an establishment defined under section 11(2) of the Inspector General Act of 1978.

### COMMITTEE RECOMMENDATION

The Committee recommends a transfer of $37,942,000 from the Deposit Insurance Fund and the FSLIC Resolution Fund to finance the Office of Inspector General (OIG) for fiscal year 2010, an increase of $10,447,000 above the amount transferred in fiscal year 2009 and the same as the budget request. The increase is provided to enable the OIG to respond to workload needs associated with the increase in bank failures, the increase in resolution and receivership activity, and new FDIC programs and activities established in response to the current downturn in the economy that impact the Deposit Insurance Fund.

## FEDERAL ELECTION COMMISSION

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $63,618,000 |
| Budget request, fiscal year 2010 | 64,000,000 |
| Recommended in the bill | 65,100,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +1,482,000 |
| Budget request, fiscal year 2010 | +1,100,000 |

The Federal Election Commission administers the disclosure of campaign finance information, enforces limitations on contributions and expenditures, supervises the public funding of Presidential elections, and performs other tasks related to Federal elections.

### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $65,100,000 for the Federal Election Commission, an increase of $1,482,000 over the amount appropriated in fiscal year 2009 and $1,100,000 over the budget request. The increase above the budget request is intended to fully fund adjustments needed to cover increased pay, rent, information technology and similar costs in order to maintain current services.

## FEDERAL LABOR RELATIONS AUTHORITY

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $22,674,000 |
| Budget request, fiscal year 2010 | 24,773,000 |
| Recommended in the bill | 24,773,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +2,099,000 |
| Budget request, fiscal year 2010 | – – – |

Established by title VII of the Civil Service Reform Act of 1978, the Federal Labor Relations Authority (FLRA) serves as a neutral arbiter in the labor activities of non-postal Federal employees, Departments and agencies, and Federal unions on matters outlined in the Act, including collective bargaining and the settlement of disputes. Establishment of the FLRA gives full recognition to the role of the Federal Government as an employer. Under the Foreign Service Act of 1980, the FLRA also addresses similar issues affecting Foreign Service personnel by providing full staff support for the Foreign Service Impasse Disputes Panel and the Foreign Service Labor Relations Board.

### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $24,773,000 for the Federal Labor Relations Authority, an increase of $2,099,000 above the amount appropriated in fiscal year 2009 and the same as the budget request. The Committee's recommendation provides for an additional 18 FTE as requested by the Authority. The Committee expects that the increased staffing and funding resources provided will be used to clear case backlogs and implement management initiatives to reduce attrition and improve employee morale.

## FEDERAL TRADE COMMISSION

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $259,200,000 |
| Budget request, fiscal year 2010 | 287,200,000 |
| Recommended in the bill | 291,700,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +32,500,000 |
| Budget request, fiscal year 2010 | +4,500,000 |

The mission of the Federal Trade Commission (FTC) is to enforce a variety of Federal antitrust and consumer protection laws. Under these laws, the Commission seeks to ensure that the nation's markets are competitive, function vigorously and efficiently, and are free from undue governmental and private restrictions. The Commission also seeks to improve the operation of the marketplace by eliminating deceptive and unfair practices. Appropriations for both the Antitrust Division of the Department of Justice and the Commission are partially financed with Hart-Scott-Rodino Act premerger filing fees.

### COMMITTEE RECOMMENDATION

The Committee recommends total budget authority of $291,700,000 for the salaries and expenses of the FTC for fiscal year 2010, which is $32,500,000 above the fiscal year 2009 level

and $4,500,000 above the request. The Committee assumes that $110,000,000 of collections from Hart-Scott-Rodino premerger filing fees and $19,000,000 of collections from Do-Not-Call list fees will partially offset the appropriation requirement for this account.

The Committee notes that, of the recommended increase, $15,000,000 is to cover one-time relocation costs associated with the upcoming expiration of the lease on a building occupied by the FTC.

During the current economic downturn, the FTC has a particularly important role in protecting consumers against unfair and deceptive financial practices in areas such as "foreclosure rescue", credit repair, debt collection, and debt negotiation and settlement. The Commission also continues to have important roles in a wide variety of other fields, including prevention of false and deceptive advertising, protection of privacy, and regulation of anti-competitive behavior in energy, health care, and other sectors.

The Committee recommends an increase of $4,500,000 above the budget request to strengthen the FTC's capacity to protect consumers and prevent anti-competitive practices.

The Committee is extremely concerned by the Federal Trade Commission's decision that small-sized health care providers are subject to the Red Flags Rule issued on November 9, 2007 to implement the Fair and Accurate Credit Transactions Act of 2003. Health care providers have informed the Committee that the cost of compliance with the Red Flags Rule has the potential to be excessively burdensome on small health care providers and that this decision is not in compliance with the Regulatory Flexibility Act, which mandates that Federal agencies consider the potential economic impact of regulations of small entities and determine less burdensome alternatives. The Committee also understands that the FTC has reached a different conclusion and believes the costs of compliance will be minimal. In addition, the Committee understands that the FTC has delayed implementation until August 1, 2009 and has developed a small business compliance guide and template for low risk entities. While the Committee appreciates that the FTC has taken some steps to address the concerns of small businesses, the Committee believes more needs to be done. The Committee requests the FTC to further delay implementation while it works with the health care provider and small business communities to minimize the resulting burdens on providers and firms that present low risk for identity theft problems, including by better defining and narrowing, as far as possible, the circumstances under which the rule applies to these entities.

The Committee is aware that the FTC recently filed lawsuits against three companies believed to be responsible for more than one billion illegal telemarketing phone calls, many of which were to numbers registered on the National Do Not Call Registry. These companies utilized a technique known as "call spoofing" to disguise the source of the call on caller ID devices, often making the call appear to come from a trusted source. The FTC alleges these calls generated more than $10 million in fraudulent proceeds for the three companies. The Committee is concerned about this trend and encourages the FTC to carefully monitor reports of call spoofing and to fully prosecute further violations of the Do Not Call Registry.

## GENERAL SERVICES ADMINISTRATION

The Committee notes that the General Services Administration's (GSA) Federal Supply Service is required to award contracts to commercial firms under terms and conditions that mirror commercial practices for the supplies and services through its Multiple Award Schedule. Recently, some Federal agencies have announced savings through the improvement of the process of purchasing office supplies outside of GSA's schedules. Therefore, the Committee directs the Government Accountability Office (GAO) to conduct a review of the ten largest Federal agencies on the level of funds spent on office supplies during fiscal year 2009 through the GSA schedules and outside of these schedules; a comparison of prices paid; and a cost-benefit analysis of alternative options. GAO is directed to submit a report to the Committee on this review within 180 days of enactment of this Act.

### FEDERAL BUILDINGS FUND

| | |
|---|---|
| Limitations on Availability of Revenue: | |
| Limitation on availability, fiscal year 2009 | $8,427,771,000 |
| Limitation on availability, budget estimate, fiscal year 2010 | 8,530,685,000 |
| Recommended in the bill | 8,465,585,000 |
| Bill compared with: | |
| Availability limitation, fiscal year 2009 | +37,814,000 |
| Availability limitation, fiscal year 2010 estimate | −65,100,000 |

The Federal Buildings Fund (FBF) finances the activities of the Public Buildings Service, which provides space and services for Federal agencies in a relationship similar to that of landlord and tenant. The FBF, established in 1975, replaces direct appropriations by using income derived from rent assessments, which approximate commercial rates for comparable space and services. The Committee makes funds available through a process of placing limitations on obligations from the FBF as a way of allocating funds for various FBF activities. The Committee may also appropriate funds into the FBF as a way of covering the difference between the total revenues coming into the FBF and the total limitation on the expenditure from the FBF.

### COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $8,465,585,000 for the Fund, an increase of $37,814,000 above the fiscal year 2009 enacted levels, a decrease of $65,100,000 below the request.

To carry out the purposes of the Federal Buildings Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 592), the revenues and collections deposited into the Fund, shall be available for necessary expenses in the aggregate amount of $8,465,585,000 of which: $722,537,000 is for construction (including funds for sites and expenses and associated design and construction services), $400,276,000 is for repairs and alterations, $140,525,000 is for installment acquisition payments (including payments on purchase contracts), $4,861,871,000 is for rental of space; and $2,340,376,000 is for building operations.

GSA is directed to expand the use of on-site renewable energy in Federal buildings, in order to reduce greenhouse gas emissions and moderate energy price fluctuations.

CONSTRUCTION AND ACQUISITION

| | |
|---|---|
| Limitations on Availability of Revenue: | |
| Limitation on availability, fiscal year 2009 | $746,317,000 |
| Limitation on availability, budget estimate, fiscal year 2010 | 657,637,000 |
| Recommended in the bill | 722,537,000 |
| Bill compared with: | |
| Availability limitation, fiscal year 2009 | −23,780,000 |
| Availability limitation, fiscal year 2010 request | +64,900,000 |

The construction and acquisition activity funds site, design, construction, and management and inspection costs for construction of new Federal facilities.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $722,537,000 for construction and acquisition, a decrease of $23,780,000 below the fiscal year 2009 enacted level and $64,900,000 above the request. Funding is included for the following projects:

| | |
|---|---|
| White Oak, MD, Food and Drug Administration Consolidation | $137,871,000 |
| Washington, DC, Columbia Plaza | 100,000,000 |
| Washington, DC, Southeast Federal Center Remediation | 15,000,000 |
| Lakewood, CO, Denver Federal Center Remediation | 9,962,000 |
| Miami, FL, Federal Bureau of Investigation Field Office Consolidation | 190,675,000 |
| El Paso, TX, Tornillo-Guadalupe Land Port of Entry | 91,565,000 |
| Calexico, CA, Calexico West Land Port of Entry | 9,437,000 |
| Madawaska, ME, Land Port of Entry | 50,127,000 |
| Savannah, GA United States Courthouse | 7,900,000 |
| San Antonio, TX, United States Courthouse | 4,000,000 |
| Greenbelt, MD, United States Courthouse | 10,000,000 |
| Mobile, AL, United States Courthouse | 96,000,000 |

The Committee has not recommended funding for courthouse construction projects requested by the President for Yuma, AZ and Lancaster, PA—both of which apparently had originally been planned for "build to suit" leases. The Committee appreciates the Administration's interest in re-evaluating build versus lease decisions and in pursuing a policy of direct construction wherever doing so makes economic sense. In the long-run, such an approach is likely to produce significant savings for the taxpayers. However, the courthouses in Yuma and Lancaster appear nowhere on the priority lists submitted to Congress by the Judicial Conference of the United States, and the Committee has instead chosen to provide funding for projects which are on the Judicial Conference priority list.

The bill includes design funding for four courthouse construction projects, along with partial construction funding for one of these, in Mobile, Alabama. The focus on design this year reflects, in part, recognition that GSA's construction management resources are currently stretched thin by Recovery Act projects.

The Committee is concerned about the cost of new courthouses, and encourages GSA to use the design process to explore opportunities for cost savings. In deciding which projects move to the construction stage first, the Committee expects to consider factors such as the cost per square foot and the extent to which savings have been achieved.

The Committee prohibits the General Services Administration from using any of the nearly $400,000,000 in funding which has been appropriated for the courthouse project for the Central District of California, Los Angeles division for any other purpose. Fur-

ther, should the land purchased for the courthouse project be sold, the Committee prohibits the General Services Administration from using the proceeds of the sale of the land for any purpose other than addressing the space needs of the LA division of the Central District of California.

The Committee is concerned about the number of years required for construction of land ports of entry, and urges GSA to make every effort to streamline, avoid duplication, and increase efficiency in the completion of these projects, including coordination and cooperation with other appropriate Federal agencies.

Concerns have been brought to the Committee's attention about a lack of community planning regarding certain GSA work. With respect to the San Ysidro Land Port of Entry, the Committee directs GSA to work with the surrounding community to develop a design plan that incorporates the interests of surrounding commercial and business areas and that incorporates community-supported pedestrian, parking and transit design elements before beginning construction.

REPAIRS AND ALTERATIONS

| | |
|---|---|
| Limitations on Availability of Revenue: | |
| Limitation on availability, fiscal year 2009 | $692,374,000 |
| Limitation on availability, budget estimate, fiscal year 2010 | 496,276,000 |
| Recommended in the bill | 400,276,000 |
| Bill compared with: | |
| Availability limitation, fiscal year 2009 | −292,098,000 |
| Availability limitation, fiscal year 2010 request | −96,000,000 |

The repairs and alterations activity funds design, construction and management and inspection for the repair, alteration, and modernization of existing real estate assets. It funds projects to improve health and safety, recapture vacant non-revenue producing Government-owned and leased space, and various special programs.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $400,276,000 for repairs and alterations, a decrease of $292,098,000 below the fiscal year 2009 enacted level and $96,000,000 below the request. The recommendation includes the following full-scope repair and alteration projects:

| | |
|---|---|
| Washington, DC, New Executive Office Building | $30,276,000 |
| Washington, DC, Eisenhower Executive Office Building (roof replacement) | 15,000,000 |
| Washington, DC, East Wing Infrastructure Replacement | 35,000,000 |

The budget request for full-scope repair and alteration included four projects related to the Executive Office of the President. The Committee believes that this request exceeds what can prudently be funded this year, given other priorities, and has reduced the dollar amount of the request by more than half, from $176,276,000 to $80,276,000. Full funding has been provided for two projects considered most urgent (New Executive Office Building repairs and Eisenhower Executive Office Building roof repairs), partial funding has been provided for a third, and the Eisenhower Executive Office Building courtyard structure project has been deferred.

With respect to the infrastructure replacement in the East Wing of the White House, the Committee recognizes the economies and reduced disruption that could come from undertaking this project at roughly the same time as work on the West Wing. While the Committee has not provided the full $121,000,000 requested for this project, it has included $35,000,000, with the intent that the funds be used to undertake underground work and other tasks that can most efficiently be done in conjunction with other pending White House projects.

In addition to the full-scope projects, the bill includes $20,000,000 each for the Fire and Life Safety program, Energy and Water Retrofit and Conservation Measures, and Federal High-Performance Green Buildings, along with $260,000,000 for basic repairs and alterations.

The Committee directs that additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations. The amounts provided in this or any prior Act for "Repairs and Alterations" may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate.

INSTALLMENT ACQUISITION PAYMENTS

| | |
|---|---|
| Limitations on Availability of Revenue: | |
| Limitation on availability, fiscal year 2009 | $149,570,000 |
| Limitation on availability, budget estimate, fiscal year 2010 | 140,525,000 |
| Recommended in the bill | 140,525,000 |
| Bill compared with: | |
| Availability limitation, fiscal year 2009 | −9,045,000 |
| Availability limitation, fiscal year 2010 request | − − − |

The installment acquisition payments activity funds interest payment for facilities constructed under the Public Building Amendment of 1972 and lease-purchase agreements since 1987, a total of 80 projects.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $140,525,000 for installation acquisition payments, a decrease of $9,045,000 below the fiscal year 2009 enacted level and the same as the budget request.

RENTAL OF SPACE

| | |
|---|---|
| Limitations on Availability of Revenue: | |
| Limitation on availability, fiscal year 2009 | $4,642,156,000 |
| Limitation on availability, budget estimate, fiscal year 2010 | 4,879,871,000 |
| Recommended in the bill | 4,861,871,000 |
| Bill compared with: | |
| Availability limitation, fiscal year 2009 | +219,715,000 |
| Availability limitation, fiscal year 2010 request | −18,000,000 |

The rental of space program funds lease payments, temporary space for Federal employees during major repair and alteration projects, and relocations from Federal buildings due to forced moves and relocations as a result of health and safety conditions. The reduction below the request reflects anticipated carryover, as

well as the expectation of some savings in rental costs in the current real estate market.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $4,861,871,000 for rental of space, an increase of $219,715,000 above the fiscal year 2009 enacted level and $18,000,000 below the request.

The Committee continues to be concerned about the allocation of leased General Services Administration office space in the Greater Washington, D.C. Metropolitan area. Evidence indicates that there is a disparity between the leased space awarded in Prince George's County and in nearby jurisdictions in the Greater Washington, D.C. Metropolitan area. Specifically, the Committee is concerned with the lack of space awarded around Washington Metropolitan Area Transit Authority stations in Prince George's County, Maryland.

The Committee is also aware of concerns about the possible location of a new leased facility for the Customs and Immigration Service (CIS) in Portland, Oregon—in particular, concerns that locating the facility outside the central business district could create a hardship for clients and have detrimental effects on the downtown area. The Committee therefore asks GSA to take whatever steps may be possible to seek a suitable location for this facility within the central business district.

BUILDING OPERATIONS

| | |
|---|---|
| Limitations on Availability of Revenue: | |
| Limitation on availability, fiscal year 2009 | $2,197,354,000 |
| Limitation on availability, budget estimate, fiscal year 2010 | 2,356,376,000 |
| Recommended in the bill | 2,340,376,000 |
| Bill compared with: | |
| Availability limitation, fiscal year 2009 | +143,022,000 |
| Availability limitation, fiscal year 2010 request | −16,000,000 |

The building operations activity funds cleaning, maintenance, utilities, fuel, grounds, maintenance, space acquisitions and assignment services in government-owned facilities and in leased space when not provided by the lessor.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $2,340,376,000 for building operations, an increase of $143,022,000 above the fiscal year 2009 enacted level and $16,000,000 below the budget request.

The Committee continues to be concerned about increases in charges from other agencies for security, especially for vacant space. The agencies are encouraged to develop an equitable agreement regarding such charges.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

| | |
|---|---|
| Appropriation, fiscal year 2009 | $54,578,000 |
| Budget request, fiscal year 2010 | 65,165,000 |
| Recommended in the bill | 63,165,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +8,587,000 |
| Budget request, fiscal year 2010 | −2,000,000 |

This appropriations account provides for government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; government-wide policy support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109.

COMMITTEE RECOMMENDATION

The Committee recommends $63,165,000, an increase of $8,587,000 above fiscal year 2009 and $2,000,000 below the request. The recommendation includes $3,000,000 for the Office of Federal High-Performance Green Buildings. The Committee is fully supportive of the Office, but has reduced fiscal year 2010 funding $1,000,000 below the request because of substantial carryover balances expected to be available.

OPERATING EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $70,645,000 |
| Budget request, fiscal year 2010 | 71,881,000 |
| Recommended in the bill | 72,881,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +2,236,000 |
| Budget request, fiscal year 2010 | +1,000,000 |

This account provides appropriations for activities that are not feasible for a user fee arrangement. Included under this heading are personal property utilization and donation activities, select management and administration activities and support of government-wide emergency management activities, and the Civilian Board of Contract Appeals.

COMMITTEE RECOMMENDATION

The Committee recommends $72,881,000, which is $2,236,000 above the fiscal year 2009 level and $1,000,000 more than the request. The recommendation reflects increases for pay and other inflationary costs.

The Committee has included $1,000,000 above the budget request for a payment to the Oklahoma City National Memorial Foundation, as authorized by 16 U.S.C. 450ss-1. That law authorizes limited Federal payments to match non-Federal contributions, and the Committee understands that non-Federal funds have already been provided that are more than sufficient to draw down the additional $1,000,000 being appropriated.

The Committee acknowledges that Public Service Recognition Week, a program of the Public Employees Roundtable, has educated America about the value of the career workforce, which carries out the daily operations of government. This program has existed for over 10 years and plays an important role in the education of our nation's youth by providing them with timely information about their government. The Committee supports the GSA budget request to provide $150,000 in administrative and logistical assistance to Public Service Recognition Week activities.

OFFICE OF INSPECTOR GENERAL

| | |
|---|---|
| Appropriation, fiscal year 2009 | $54,000,000 |
| Budget request, fiscal year 2010 | 60,080,000 |
| Recommended in the bill | 60,080,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +6,080,000 |
| Budget request, fiscal year 2010 | – – – |

This appropriation provides agency-wide audit and investigative functions to identify and correct GSA management and administrative deficiencies that create conditions for existing or potential instances of fraud, waste, and mismanagement. The audit function provides internal audit and contract audit services. Contract audits provide professional advice to GSA contracting officials on accounting and financial matters relative to the negotiation, award, administration, repricing, and settlement of contracts. Internal audits review and evaluate all facets of GSA operations and programs, test internal control systems, and develop information to improve operating efficiencies and enhance customer services. The investigative function provides for the detection and investigation of improper and illegal activities involving GSA programs, personnel, and operations.

COMMITTEE RECOMMENDATION

The Committee recommends $60,080,000, an increase of $6,080,000 above fiscal year 2009 the same as the request.

ELECTRONIC GOVERNMENT FUND

(INCLUDING TRANSFER OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | – – – |
| Budget request, fiscal year 2010 | 33,000,000 |
| Recommended in the bill | 33,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +33,000,000 |
| Budget request, fiscal year 2010 | – – – |

The appropriation provides support for interagency electronic government ("e-Gov") initiatives that utilize the Internet or other electronic methods as a means to increase Federal government accessibility, efficiency, and productivity.

COMMITTEE RECOMMENDATION

The Committee recommends $33,000,000 for the "e-Gov" account for fiscal year 2010, the same as the budget request, an increase of $33,000,000 over fiscal year 2009. The Committee expects GSA to submit a detailed expenditure plan prior to obligation of funds under this account. The plan should describe the projects selected, and the budget, timeline, objectives and expected benefits for each project.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

| | |
|---|---|
| Appropriation, fiscal year 2009 | $2,934,000 |
| Budget request, fiscal year 2010 | 3,756,000 |
| Recommended in the bill | 3,756,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +822,000 |
| Budget request, fiscal year 2010 | – – – |

This appropriation provides support consisting of pensions, office staffs, and related expenses for former Presidents Jimmy Carter, George H.W. Bush, Bill Clinton, and George W. Bush. The account also funds pension and postal franking privileges for the widows of former Presidents Gerald Ford and Ronald Reagan. Also, this appropriation is authorized to provide funding for security and travel related expenses for each former President and the spouse of a former President pursuant to section 531 of Public Law 103–329.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $3,756,000 for allowances and office staff of former Presidents, an increase of $822,000 above the fiscal year 2009 enacted level and the same as the budget request. The following table describes the distribution of the funds:

FISCAL YEAR 2010 BUDGET ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

[Dollars in thousands]

| | Carter | GH Bush | Clinton | GW Bush | Widows | Total |
|---|---|---|---|---|---|---|
| Personnel Compensation | $96 | $96 | $96 | $150 | $0 | $438 |
| Personnel Benefits | 2 | 64 | 70 | 102 | 0 | 238 |
| Benefits for Former Presidents | 199 | 199 | 210 | 210 | 0 | 818 |
| Travel | 2 | 56 | 5 | 80 | 0 | 143 |
| Rental Payments to GSA | 102 | 175 | 579 | 345 | 0 | 1201 |
| Communications: | | | | | | |
| Telephone | 10 | 17 | 7 | 85 | 0 | 119 |
| Postage | 15 | 13 | 14 | 20 | 14 | 76 |
| Printing | 5 | 14 | 18 | 26 | 0 | 63 |
| Other Services | 75 | 112 | 51 | 162 | 0 | 400 |
| Supplies | 5 | 15 | 2 | 40 | 0 | 62 |
| Equipment | 7 | 69 | 36 | 86 | 0 | 198 |
| Total Obligations | $518 | $830 | $1,088 | $1,306 | $14 | $3,756 |

FEDERAL CITIZEN SERVICES FUND

| | |
|---|---|
| Appropriation, fiscal year 2009 | $36,096,000 |
| Budget request, fiscal year 2010 | 36,515,000 |
| Recommended in the bill | 36,515,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +419,000 |
| Budget request, fiscal year 2010 | – – – |

The Consumer Information Center (CIC) was established within GSA by Executive Order on October 26, 1970, to help Federal departments and agencies promote and distribute consumer information collected as a byproduct of the Government's program activities.

The Federal Information Center (FIC) program was established within the GSA in 1966, and was formalized by Public Law 95–491 in 1980. The program's purpose is to provide the public with direct information about all aspects of Federal programs, regulations, and services. To accomplish this mission, contractual services are used to respond to public inquiries via a nationwide toll-free telephone call center.

In 2000, the CIC assumed responsibility for the operations of the FIC program with the resulting organization being officially named the Federal Consumer Information Center. The Federal Consumer Information Center combines the nationwide toll-free telephone as-

sistance program and the database of the FIC with the CIC website and publications distribution programs.

During fiscal year 2002, the Federal Consumer Information Center became part of GSA's newly established Office of Citizen Services and Communications and was renamed the Federal Citizen Information Center (FCIC). The new Office serves as a central Federal gateway for citizens, businesses, other governments, and the media to obtain information and services from the government. FCIC assumed operational control of the FirstGov.gov website in fiscal year 2002.

Public Law 98–63, enacted July 30, 1983, established a revolving fund for the CIC. Under this fund, FCIC activities are financed from the following: annual appropriations from the general funds of the Treasury, reimbursements from agencies for distribution of publications, user fees collected from the public, and any other income incident to FCIC activities. All are available as authorized in appropriation acts without regard to fiscal year limitations.

Section 507 of the fiscal year 2009 bill authorized a change in the account name to the Federal Citizen Services Fund.

COMMITTEE RECOMMENDATION

For fiscal year 2010, the Committee recommends $36,515,000, an increase of $419,000 over the level for fiscal year 2009 and the same as the budget request.

The appropriation will be augmented by reimbursements from Federal agencies for distribution of consumer publications, user fees from the public, and other income.

The bill includes a limitation of $61,000,000 on the availability of the revolving fund. Any revenues accruing to this fund in excess of this amount shall remain in the fund and are not available for expenditure except as authorized in appropriation Acts.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

Section 501. The Committee continues the provision providing authority for the use of funds for the hire of motor vehicles.

Section 502. The Committee continues the provision providing that funds made available for activities of the Federal Buildings Fund may be transferred between appropriations with advance approval of the Congress.

Section 503. The Committee continues the provision prohibiting the use of funds for developing courthouse construction requests that do not meet GSA standards and the priorities of the Judicial Conference.

Section 504. The Committee continues the provision providing that no funds may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided, to any agency which does not pay the requested rent.

Section 505. The Committee continues the provision that permits GSA to pay small claims (up to $250,000) made against the government.

Section 506. The Committee continues the provision requiring the Administrator to ensure that the delineated area of procure-

ment for all lease agreements is identical to the delineated area included in the prospectus unless prior notice is given to the Committees.

Section 507. The Committee continues the provision authorizing relief and disaster organizations to use GSA procurement schedules.

## MERIT SYSTEMS PROTECTION BOARD

### SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | $41,390,000 |
| Budget request, fiscal year 2010 | 42,918,000 |
| Recommended in the bill | 42,918,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +1,528,000 |
| Budget request, fiscal year 2010 | – – – |

The Merit Systems Protection Board (MSPB) is an independent, quasi-judicial agency established to protect the civil service merit system. The MSPB adjudicates appeals primarily involving personnel actions, certain Federal employee complaints, and retirement benefits issues. The MSPB reports to the President whether merit systems are sufficiently free of prohibited employment practices.

### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $42,918,000 for the Merit Systems Protection Board, an increase of $1,528,000 above the amount appropriated in fiscal year 2009 and the same as the budget request. This amount includes up to $2,579,000 in transfer from the Civil Service Retirement and Disability Fund. The recommendation provides funding for mandatory pay raises, increased rent payments, and other non-personnel cost increases.

## MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

### MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY TRUST FUND

(INCLUDING TRANSFER OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | $3,750,000 |
| Budget request, fiscal year 2010 | 2,200,000 |
| Recommended in the bill | 2,200,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | – 1,550,000 |
| Budget request, fiscal year 2010 | – – – |

The Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992, Public Law 102–259, established the Foundation in recognition of Congressman Morris K. Udall as a champion for Native American and Alaskan Native rights, and for his leadership in encouraging a greater awareness of our nation's environment, public lands and natural resources. The Trust Fund supports the Foundation's scholarship, internship and research grant programs that promote educational opportunities and careers related to the environment, Na-

tive health care and tribal public policy. The Fund also allows the Foundation to carry out its mission of providing management and leadership training to tribes and tribal leaders through the University of Arizona's Udall Center for Studies in Public Policy, Native Nations Institute.

COMMITTEE RECOMMENDATION

The Committee recommends $2,200,000 for the Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund, which is the same as the President's request and $1,550,000 below fiscal year 2009. The Committee allows the Foundation to transfer up to 60 percent to carry out its activities.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

| | |
|---|---|
| Appropriation, fiscal year 2009 | $2,100,000 |
| Budget request, fiscal year 2010 | 3,800,000 |
| Recommended in the bill | 3,800,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +1,700,000 |
| Budget request, fiscal year 2010 | – – – |

The United States Institute for Environmental Conflict Resolution was established as part of the Morris K. Udall Foundation through the Environmental Policy and Conflict Resolution Act of 1998, Public Law 105–156. The Institute provides assessment, mediation and environmental conflict resolution services in order to resolve environmental disputes among Federal agencies. The Act also established the Environmental Dispute Resolution Fund within Treasury to assist the Foundation in operating the Institute.

COMMITTEE RECOMMENDATION

The Committee recommends $3,800,000 for the Environmental Dispute Resolution Fund, which is the same as the President's request and an increase of $1,700,000 above fiscal year 2009.

## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $330,308,000 |
| Budget request, fiscal year 2010 | 339,770,000 |
| Recommended in the bill | 339,770,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +9,462,000 |
| Budget request, fiscal year 2010 | – – – |

This appropriation provides the National Archives and Records Administration (NARA) with funds for its basic operations dealing with management of the Federal Government's archives and records, services to the public, operation of Presidential libraries, and review for declassification of classified security information.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $339,770,000 for the operating expenses of NARA, the same as the budget request and an increase of $9,462,000 above the fiscal year 2009 enacted level.

*NARA Information Security*.—The Committee is greatly disturbed by the news of the loss of a computer hard drive from the

NARA facility in College Park, Maryland. This hard drive contains more than one terabyte of information. Given the extreme sensitivity of much of this information, it is of utmost importance that NARA adhere to proper information security procedures. Among other things, the missing hard drive includes information relating to White House and Secret Service operating procedures and personally identifying information (including social security numbers) of White House staff and visitors. The Committee notes that NARA has begun a review of its internal controls and is offering a reward for information leading to the recovery of the hard drive. The Committee directs NARA to report to the Committee, within 30 days of enactment of this Act, on improvements made or planned to NARA's information security posture, to ensure the security of sensitive information.

*NARA and the U.S. Territories.*—The Committee strongly commends NARA for its special exhibits and public programs, held throughout the year, which explore many facets of America's history and peoples. The Committee encourages NARA to continue these efforts and also to include exhibits and public programs exploring the unique histories and contributions of the U.S. territories.

OFFICE OF INSPECTOR GENERAL

| | |
|---|---|
| Appropriation, fiscal year 2009 | – – – |
| Budget request, fiscal year 2010 | 4,100,000 |
| Recommended in the bill | 4,100,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +4,100,000 |
| Budget request, fiscal year 2010 | – – – |

The Office of Inspector General (OIG) provides objective audits and investigations and serves as an independent, internal advocate to promote economy, efficiency, and effectiveness at NARA. Previously, funding for this office was included as part of NARA's Operating Expenses appropriation.

COMMITTEE RECOMMENDATION

The Committee recommends $4,100,000 for the OIG, the same as the request and an increase of $1,048,000 over the comparable fiscal year 2009 level. In prior years, funding for the OIG was included in the Operating Expenses account.

Included in the recommendation is $500,000 for the requested increase in criminal investigator and program auditor staff to allow the OIG to carry out its expanding audit and investigative responsibilities.

ELECTRONIC RECORDS ARCHIVES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $67,008,000 |
| Budget request, fiscal year 2010 | 85,500,000 |
| Recommended in the bill | 85,500,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +18,492,000 |
| Budget request, fiscal year 2010 | – – – |

The Electronic Records Archives appropriation supports all direct NARA actions and activities associated with this major project for preserving digitally created records for archival purposes, storing

and managing them electronically, and ensuring appropriate long-term access.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $85,500,000 for the Electronic Records Archives (ERA) project, an increase of $18,492,000 above the fiscal year 2009 enacted level and the same as the budget request. Consistent with previous years, the release of the funds is subject to the approval by the Committees on Appropriations of an expenditure plan that has first been reviewed by the Government Accountability Office (GAO).

Although the Committee is agreeing at this time to provide the requested amount for this important effort, and although there is evidence of progress in the ERA project, the Committee continues to be deeply concerned about the overall direction of ERA and the efforts of NARA and the project contractor. Despite spending $40,000,000 to develop the capability to ingest and search presidential records, NARA has successfully ingested only a small percentage of the George W. Bush Administration's electronic records, and relied on other, less expensive systems to support most searches for electronic presidential records since the transition.

In addition, the Committee is disappointed that the full-year ERA expenditure plan for fiscal year 2009 was not delivered to the Committee until halfway through fiscal year 2009, and once submitted, appeared to be a less than complete report. As GAO has also noted, the cost, schedule, and performance data included in the expenditure plan did not provide a clear picture of ERA system progress. For a significant portion of the fiscal year 2009 funds, the expenditure plan did not specify the outcomes expected by NARA, as NARA was still negotiating these details with the project contractor even as late as the second half of fiscal year 2009. The plan revised several project milestones by pushing deadlines into the future, while at the same time failing to provide specific information as to what functionality will be included in future increments and at what cost.

The Committee expects clear and substantial progress in all of these areas and better performance from both NARA and the project contractor. Future funding requests will be evaluated accordingly. The Committee expects better planning and contractor oversight from NARA, as well as more timely submission of the expenditure plan, which should also include the projected total cost of the ERA project. The cost, schedule, and performance data in the expenditure plan should provide a clear picture of ERA system progress, showing in specific detail the system functionality that will be delivered with the funding appropriated. The Committee continues its directive that NARA report to the Committee on a quarterly basis on the progress of ERA, showing summary measures of project performance against ERA cost and schedule estimates. As recommended by GAO, NARA should strengthen the earned value management process by following the practices described in GAO's guide. The Committee further directs NARA to immediately report to both the Committee and to GAO any potential delays, cost overruns, or other problems associated with ERA development.

REPAIRS AND RESTORATION

| | |
|---|---|
| Appropriation, fiscal year 2009 | $50,711,000 |
| Budget request, fiscal year 2010 | 27,500,000 |
| Recommended in the bill | 27,500,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | −23,211,000 |
| Budget request, fiscal year 2010 | −−− |

This appropriation provides for the repair, alteration, and improvement of Archives facilities and Presidential libraries nationwide. It enables the National Archives to maintain its facilities in proper condition for visitors, researchers, and employees, and also maintain the structural integrity of the buildings.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $27,500,000 for repairs and restoration, the same as the budget request and $23,211,000 below the fiscal year 2009 enacted level. Included in the amount is the requested $17,500,000 to complete the renovation of the Franklin D. Roosevelt Presidential Library in Hyde Park, NY, which NARA's capital improvements plan has identified as NARA's highest priority capital improvement need.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION GRANTS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | $11,250,000 |
| Budget request, fiscal year 2010 | 10,000,000 |
| Recommended in the bill | 13,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +1,750,000 |
| Budget request, fiscal year 2010 | +3,000,000 |

The National Historical Publications and Records Commission (NHPRC) program provides for grants to preserve and publish records that document American history. Administered within the National Archives and Records Administration, the NHPRC helps state, local, and private institutions preserve non-federal records, helps publish the papers of major figures in American history, and helps archivists and records managers improve their techniques, training, and ability to serve a range of information users.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $13,000,000 for the National Historical Publications and Records Commission grants program, an increase of $3,000,000 above the request and $1,750,000 above the fiscal year 2009 enacted level. Included in the amount is $4,500,000, as requested by the President, for the initiative to provide online access to the papers of the Founding Fathers.

## NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

Some of the Nation's credit unions have been caught up in the current financial crisis, either by their investments in troubled assets or the inability of their borrowers to service their credit union debts because of income losses. For many years, this Committee

imposed a limitation on the Central Liquidity Facility (CLF) lending activity to member credit unions from borrowed funds. In fiscal year 2008, that limitation was $1,500,000,000. In the wake of the financial crisis in the fall of 2008, the Committee did not impose a limitation on CLF borrowing for fiscal year 2009 and it left only the limitation under the Federal Credit Union Act. By June 2009, the CLF had borrowed more than $20 billion. Because of uncertainties surrounding the current financial crisis, the Committee does not impose a limitation for fiscal year 2010. The Committee raised the limit on administrative expenses of the CLF to no more than $1,250,000 in fiscal year 2009 and continues that limit in fiscal year 2010.

The Committee believes that the financial difficulties of lower income Americans deserve at least as much attention as those of large corporations and higher income Americans. The Nation's Community Development Credit Unions who serve those lower income Americans have also been under stress from the economic and financial crisis. The Committee urges the NCUA to consider the financial needs of lower income Americans and the credit unions that serve them as it administers the CLF, the Community Development Revolving Loan Fund, and other policy levers under its control and as it develops other future policies.

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

| | |
|---|---|
| Appropriation, fiscal year 2009 | $1,000,000 |
| Budget request, fiscal year 2010 | 1,000,000 |
| Recommended in the bill | 1,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | – – – |
| Budget request, fiscal year 2010 | – – – |

The Community Development Revolving Loan Fund Program (CDRLF) was established in 1979 to assist officially designated "low-income" credit unions in providing basic financial services to low-income communities. Low-interest loans and deposits are made available to assist these credit unions. Loans or deposits are normally repaid in five years, although shorter repayment periods may be considered. Technical assistance grants are also available to low-income credit unions. Earnings generated from the CDRLF are available to fund technical assistance grants in addition to funds provided for specifically in appropriations acts. Grants are available for improving operations as well as addressing safety and soundness issues.

COMMITTEE RECOMMENDATION

For fiscal year 2010, the Committee recommends $1,000,000 for the National Credit Union Administration's Community Development Revolving Loan Fund for technical assistance grants. While the Administration and NCUA have not requested additional funds for loans in fiscal year 2010, the Committee expects the CDRLF to continue making loans from their available funds derived from repaid loans and interest earned on previous loans to designated credit unions.

## OFFICE OF GOVERNMENT ETHICS

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $13,000,000 |
| Budget request, fiscal year 2010 | 13,665,000 |
| Recommended in the bill | 14,415,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +1,415,000 |
| Budget request, fiscal year 2010 | +750,000 |

The Office of Government Ethics (OGE), established by the Ethics in Government Act of 1978, partners with other executive branch Departments and agencies to foster high ethical standards. The OGE issues and monitors rules, regulations, and memoranda pertaining to the prevention and resolution of conflicts of interest, post-employment restrictions, standards of conduct, and financial disclosure for executive branch employees.

### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $14,415,000 for the Office of Government Ethics, an increase of $1,415,000 above the amount appropriated in fiscal year 2009 and $750,000 above the request level. Funding is provided above the request level to allow the OGE to hire additional staff to address workload needs resulting from Executive Order 13490. This order outlines the new Administration's ethics rules for presidential appointees and the workload associated with implementing the order has added significantly to OGE's mission. The Committee recommendation includes the $275,000 requested to begin work on the "Ethics.gov" website. Once completed, this publically-accessible website will serve as an online clearinghouse for Executive Branch ethics documents.

## OFFICE OF PERSONNEL MANAGEMENT

### SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009: | |
| General fund | $92,829,000 |
| Transfer from trust funds | 118,082,000 |
| Budget request, fiscal year 2010: | |
| General fund | 94,970,000 |
| Transfer from trust funds | 113,238,000 |
| Recommended in the bill: | |
| General fund | 97,970,000 |
| Transfer from trust funds | 113,238,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009: | |
| General fund | +5,141,000 |
| Transfer from trust funds | −4,844,000 |
| General fund | +3,000,000 |
| Transfer from trust funds | —— |

The Office of Personnel Management (OPM) is the Federal Government agency responsible for management of Federal human resources policy and oversight of the merit civil service system. Although individual agencies are increasingly responsible for personnel operations, OPM provides a Government-wide policy framework for personnel matters, advises and assists agencies (often on

a reimbursable basis), and ensures that agency operations are consistent with requirements of law, with emphasis on such issues as veterans preference. OPM oversees examining of applicants for employment, issues regulations and policies on hiring, classification and pay, training, investigations, and many other aspects of personnel management, and operates a reimbursable training program for the Federal Government's managers and executives. OPM is also responsible for administering the retirement, health benefits and life insurance programs affecting most Federal employees, retired Federal employees, and their survivors.

COMMITTEE RECOMMENDATION

The Committee recommends a general fund appropriation of $97,970,000 for OPM, an increase of $5,141,000 above the fiscal year 2009 level and $3,000,000 above the budget request. The recommendation includes $5,908,000 for the Enterprise Human Resources Integration project and $1,364,000 for the Human Resources Line of Business project.

The Committee also recommends $113,238,000 for administrative expenses to be transferred from the appropriate trust funds. The amount includes $9,364,000 for the cost of implementing the new integrated financial system and $4,248,000 for automating the retirement recordkeeping systems.

Additional funds above the request level are provided for new initiatives to expand the recruitment and hiring of veterans government-wide, and to streamline Federal hiring. The Committee recognizes and appreciates the unique talents that former members of our armed forces can bring to the Federal civilian workforce and strongly supports OPM's efforts to increase the number of veterans in government service. The Committee directs that OPM submit a report in February 2011, concurrent with its fiscal year 2012 budget submission, detailing by agency the number of veterans hired in the Executive Branch during fiscal year 2010 through this initiative. For comparison purposes, the report should include the same information for veterans hired in fiscal years 2008 and 2009.

Additional funds above the request level are also provided to create a central "registry" of qualified applicants for the most recruited positions in the Federal government in order to streamline Federal hiring practices.

The fiscal year 2010 request reflects a base decrease of $11 million associated with OPM's decision to re-evaluate the future of its retirement systems modernization effort, formerly known as the RetireEZ program. Problems with RetireEZ are well documented including the October 2008 cancellation of a $290 million contract due to contract performance issues. While the Committee commends OPM's new leadership for putting on hold requests for funding enhancements for retirement modernization until a full review of previous efforts can be completed, the Committee remains concerned with the findings of a GAO report commissioned by this Committee last year and completed in April 2009. GAO identified chronic problems in OPM's retirement modernization program and stated that OPM is not currently positioned to effectively manage its retirement modernization initiative. GAO cited significant management weaknesses in five areas that are important to the success of OPM's retirement modernization program: cost estimating,

earned value management, requirements management, testing, and program oversight. The Committee directs OPM to continue submitting quarterly reports on the retirement modernization program and directs OPM to include GAO on distribution of this report. Further, the Committee directs that future work on the retirement modernization program move forward within the framework of the six recommendations made by GAO in its April 2009 report (OPM concurred with all six recommendations). The Committee expects that future work on retirement modernization will receive that highest level of attention possible from OPM leadership in order to ensure success of the program.

The Committee is concerned regarding recent incidents of fraud in OPM's investigative services program involving the submission of fabricated background investigations by OPM investigative staff and contractors. This program provides personnel background investigative services to determine individuals' suitability for Federal civilian, military, contract employment and eligibility for access to classified national security information. The background investigations are performed by 6,300 Federal and contract investigators working throughout the United States and abroad. Given the national security implications associated with individuals potentially accessing classified information without being properly vetted, OPM is directed to report to the Committee within 60 days of enactment of this Act on the number of fraud cases involving fabricated background investigations, the number of cases prosecuted in Federal court (including case disposition), and what, if any, quality control measures OPM has implemented to prevent further fraud in this program as well as to ensure early detection of fabricated reports.

The Committee recommendation includes funding for the continued implementation of the Intergovernmental Personnel Act Mobility Program which provides for the temporary assignment of personnel between the Federal Government and state and local governments, colleges and universities, Indian tribal governments, federally funded research and development centers, and other eligible organizations.

The Committee appreciates the importance of OPM's Federal Human Capital Survey in providing data for independent analyses of Federal employee satisfaction. OPM shall continue to make agencies' survey data publicly available in a consistent and consolidated format, and in a timely manner.

As part of the effort to recruit talented Federal workers, the Committee strongly urges OPM to increase its efforts to encourage Federal agencies to reach out to diverse populations in their recruitment efforts. The most recent annual Federal Equal Opportunity Recruitment Program Report to Congress notes that minorities continue to make gains in representation within the Federal workforce. However, the report also notes that women and Hispanics lag in representation within the Federal workforce as compared to the civilian labor force. The Committee urges OPM to continue to look for ways to diversify the Federal workforce.

The Committee further believes that Federal agencies should increase recruitment efforts within the United States territories. The territories are home to thousands of U.S. citizens who may not be fully aware of the employment opportunities that exist within the

Federal Government. Some agencies have taken steps to recruit from the territories, but others have not yet. OPM should spearhead the effort to encourage individual agency human resource offices to take advantage of the talent pool that exists in the U.S. territories.

The Committee notes that according to the Centers for Medicare and Medicaid Services, the U.S. spends more on healthcare per capita than any other nation, a trend likely to continue. While the Committee is strongly supportive of the Federal Employee Health Benefit Program (FEHB) it remains concerned about the financial burden that increasing health care costs are having on Federal workers and their families. Virtually all plans offered under the FEHB are increasing the out-of-pocket deductibles required of Federal workers, retirees and their families. Because of the burden these costs pose to Federal workers, the Committee directs OPM to consider alternatives to paying healthcare deductibles out-of-pocket at the time of service, and the feasibility and the cost of implementing any such alternatives. Alternatives considered should include allowing Federal employees to voluntarily enroll in a payroll deduction credit program that would allow them to repay healthcare expenses over time through pre-tax payroll deductions at low, affordable rates. The Committee expects the Director of OPM to submit a report detailing consideration of alternatives within 120 days of enactment of this Act.

## OFFICE OF INSPECTOR GENERAL

### SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009: | |
| General fund | $1,828,000 |
| Transfer from trust funds | 18,755,000 |
| Budget request, fiscal year 2010: | |
| General fund | 2,136,000 |
| Transfer from trust funds | 20,428,000 |
| Recommended in the bill: | |
| General fund | 3,148,000 |
| Transfer from trust funds | 20,428,000 |
| Bill compared with: | |
| General fund | +1,320,000 |
| Transfer from trust funds | +1,673,000 |
| Budget request, fiscal year 2010: | |
| General fund | +1,012,000 |
| Transfer from trust funds | – – – |

This appropriation provides agency-wide audit, investigative, evaluation, and inspection functions to identify management and administrative deficiencies, which may create conditions for fraud, waste and mismanagement. The audits function provides internal agency audit, insurance audit, and contract audit services. Contract audits provide professional advice to agency contracting officials on accounting and financial matters regarding the negotiation, award, administration, repricing, and settlement of contracts. Internal audits review and evaluate all facets of agency operations, including financial statements. Evaluation and inspection services provide detailed technical evaluations of agency operations. Insurance audits review the operations of health and life insurance carriers,

health care providers, and insurance subscribers. The investigative function provides for the detection and investigation of improper and illegal activities involving programs, personnel, and operations.

COMMITTEE RECOMMENDATION

The Committee recommends a general fund appropriation of $3,148,000 for the Office of Inspector General (OIG) of the Office of Personnel Management, an increase of $1,320,000 above the amount appropriated in fiscal year 2009 and $1,012,000 above the request level. In addition, the recommendation provides $20,428,000 from appropriate trust funds, which is $1,673,000 above the fiscal year 2009 level and equal to the request.

The $1,012,000 above the request is recommended to enable the OIG to hire additional staff in order to improve its statutory oversight over OPM's revolving fund programs. OIG's resources have not kept pace with the expansion of OPM's revolving fund programs, particularly the increase in the number of background investigations associated with the transfer of the Department of Defense, Defense Security Service's personnel security function to OPM in 2005. Since that transfer the OIG has been conducting criminal investigations of OPM investigative staff and contractors involving the fabrication of background reports. The Committee commends the OIG for aggressively investigating and prosecuting these cases and directs the OIG to utilize the additional funds provided to hire needed staff to continue its important work in this area.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

| | |
|---|---|
| Appropriation, fiscal year 2009 | $9,533,000,000 |
| Budget request, fiscal year 2010 | 9,814,000,000 |
| Recommended in the bill | 9,814,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +281,000,000 |
| Budget request, fiscal year 2010 | – – – |

This appropriation covers: (1) the Government's share of the cost of health insurance for annuitants as defined in sections 8901 and 8906 of title 5, United States Code; (2) the Government's share of the cost of health insurance for annuitants who were retired when the Federal employees health benefits law became effective, as defined in the Retired Federal Employees Health Benefits Act of 1960; and (3) the Government's contribution for payment of administrative expenses incurred by the Office of Personnel Management in administration of the Act.

COMMITTEE RECOMMENDATION

The Committee recommends a mandatory appropriation estimated at $9,814,000,000 for the Government Payment for Annuitants, Employees Health Benefits, an increase of $281,000,000 above the fiscal year 2009 enacted level.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES LIFE INSURANCE

| | |
|---|---|
| Appropriation, fiscal year 2009 | $46,000,000 |
| Budget request, fiscal year 2010 | 48,000,000 |
| Recommended in the bill | 48,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +2,000,000 |
| Budget request, fiscal year 2010 | – – – |

This appropriation finances the Government's share of premiums, which is one-third the cost, for basic life insurance for annuitants retiring after December 31, 1989, and who are less than 65 years old.

COMMITTEE RECOMMENDATION

The Committee recommends a mandatory appropriation estimated at $48,000,000 for the Government Payment for Annuitants, Employees Life Insurance, an increase of $2,000,000 above the fiscal year 2009 enacted level.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

| | |
|---|---|
| Appropriation, fiscal year 2009 | $10,550,000,000 |
| Budget request, fiscal year 2010 | 10,276,000,000 |
| Recommended in the bill | 10,276,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | – 274,000,000 |
| Budget request, fiscal year 2010 | – – – |

This appropriation provides for payment of annuities, including the payment of annuities under special acts for persons employed on the construction of the Panama Canal or their widows and widows of employees of the Lighthouse Service; payment of the Federal Government share of retirement costs of the unfunded liability resulting from any statute authorizing new or liberalized benefits, extension of retirement coverage, or pay increases; transfers for interest on unfunded liability and payment of military service annuities covering interest on the unfunded liability and annuity disbursements for military service; payments for spouse equity providing survivor annuities to eligible former spouses of annuitants who died between September 1978 and May 1986 and did not elect survivor coverage; and transfers for payment of FERS supplemental liability covering annual amortization payments financing supplemental liabilities for FERS.

COMMITTEE RECOMMENDATION

The Committee recommends a mandatory appropriation estimated at $10,276,000,000 for the Payment to Civil Service Retirement and Disability Fund, a decrease of $274,000,000 below the fiscal year 2009 enacted level.

## OFFICE OF SPECIAL COUNSEL

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $17,468,000 |
| Budget request, fiscal year 2010 | 18,495,000 |
| Recommended in the bill | 18,495,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +1,027,000 |
| Budget request, fiscal year 2010 | – – – |

The Office of Special Counsel (OSC): (1) investigates Federal employee allegations of prohibited personnel practices (including reprisal for whistleblowing) and, when appropriate, prosecutes before the Merit Systems Protection Board; (2) provides a channel for whistleblowing by Federal employees; and (3) enforces the Hatch Act. The Office may transmit whistleblower allegations to the agency head concerned and require an agency investigation and a report to the Congress and the President when appropriate.

### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $18,495,000 for the Office of Special Counsel, an increase of $1,027,000 above the amount appropriated in fiscal year 2009 and the same as the budget request. The increased funding provides for standard pay and non-pay adjustments as well as higher projected rent costs associated with starting a new 10-year space lease with the General Services Administration in October 2009.

## POSTAL REGULATORY COMMISSION

### SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | $14,043,000 |
| Budget request, fiscal year 2010 | 14,333,000 |
| Recommended in the bill | 14,333,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +290,000 |
| Budget request, fiscal year 2010 | – – – |

The Postal Accountability and Enhancement Act (PAEA) of 2006, Public Law 109–435, authorized the Postal Regulatory Commission to receive appropriations by transfer from the Postal Service Fund beginning in fiscal year 2010, and required the Commission to submit to Congress a budget of its expenses. The Commission establishes and maintains the U.S. Postal Service's ratemaking systems, measures service and performance, ensures accountability, and has stronger enforcement mechanisms, including the authority to issues subpoenas.

### COMMITTEE RECOMMENDATION

The Committee recommends $14,333,000, equal to the President's request and $290,000 above fiscal year 2009, for the operations of the Commission.

## PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $1,500,000 |
| Budget request, fiscal year 2010 | 2,000,000 |
| Recommended in the bill | 2,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +500,000 |
| Budget request, fiscal year 2010 | – – – |

Under Public Law 110–53, the Implementing Recommendations of the 9/11 Commission Act of 2007, the Privacy and Civil Liberties Oversight Board (PCLOB) was reconstituted as an independent agency within the Executive Branch. The purpose of the PCLOB is to (1) analyze and review actions the Executive Branch takes to protect the nation from terrorism, ensuring that the need for such actions is balanced with the need to protect privacy and civil liberties; and (2) ensure that liberty concerns are appropriately considered in the development and implementation of laws, regulations, and policies related to efforts to protect the nation against terrorism.

### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $2,000,000 for the PCLOB, $500,000 over the fiscal year 2009 level and the same as the requested level.

## SECURITIES AND EXCHANGE COMMISSION

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $960,000,000 |
| Budget request, fiscal year 2010 | 1,026,000,000 |
| Recommended in the bill | 1,036,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +76,000,000 |
| Budget request, fiscal year 2010 | +10,000,000 |

The primary mission of the Securities and Exchange Commission (SEC) is to protect investors, maintain the integrity of the securities markets, and assure adequate information on the capital markets is made available to market participants and policy makers. This includes monitoring the rapid evolution of the capital markets, ensuring full disclosure of all appropriate financial information, regulating the nation's securities markets, and preventing fraud and malpractice in the securities and financial markets.

### COMMITTEE RECOMMENDATION

The Committee recommendation includes $1,036,000,000 for the SEC, including $1,025,780,000 from new fee collections and $10,220,000 from prior year balances. This total funding level is $76,000,000 above the resources provided in fiscal year 2009 and $10,000,000 above the request.

The U.S. economy is experiencing the worst economic downturn since the Great Depression of the 1930s. Experts believe that, among other factors, some problems under the purview of the SEC have contributed to this downturn, including inadequate regulation of investment banks, hedge funds, private equity funds, ratings agencies, and accounting firms. When the new SEC Chairman tes-

tified before the Financial Services Subcommittee, she promised that, with the additional funding requested, the SEC could become more aggressive in rule-making for new and expanding financial instruments and organizations, investigations and enforcement.

The Committee not only funds the full request, but it provides $10 million more than the request to enhance capital market rule-making, oversight, enforcement, and investor protection activities, including investigations of fraud, market manipulation, insider trading, Ponzi schemes and other investment scams. In particular, the SEC should be able to direct additional resources to improved oversight of hedge funds, private equity funds, and other investment arrangements that recent experience shows have had inadequate oversight and regulation.

The current financial crisis presents an opportunity for the SEC. As both financial firms and securities law firms reduce staff, the SEC should be able to recruit experienced securities lawyers and financial analysts who can help unravel fraud and regulatory end-runs in increasingly complex financial arrangements.

The Committee is concerned that the SEC failed to prevent several massive Ponzi schemes. The SEC even conducted investigations of the Bernard Madoff enterprises and apparently failed to uncover the fraud estimated by prosecutors to cost investors $65 billion in wealth they thought they had. The Committee looks forward to the Inspector General's report on how the SEC failed to uncover Mr. Madoff's fraud. The Committee expects the SEC to strengthen the expertise of its staff so that such schemes cannot miss detection in the future.

The Committee is also concerned by reports that the Inspector General's Office at the SEC is investigating two SEC attorneys for insider trading.

For the first time, the Committee designates a specific amount for the Office of the Inspector General at the SEC. The Committee believes that an agency as large, as influential, and as subject to pressures for corruption as the SEC should not have its IG budget set by agency leadership rather than by Congress. For fiscal year 2010, the Committee recommends funding for the IG at no less than $4.4 million, an amount that should allow the number of full time equivalent employees to increase from 11 in fiscal year 2008 to 16 in the current fiscal year to 19 in fiscal year 2010, as requested by the SEC's Inspector General.

The Committee expects additional resources to be provided to the Office of Investor Education and Advocacy to expand investor education and financial literacy activities. The Committee believes that increased investor education will help investors make informed decisions and avoid financial fraud.

The Committee recommendation also includes bill language requested by the President that: (1) allows for the rental of space; (2) makes up to $3,500 available for official reception and representation expenses; (3) makes up to $20,000 available for a permanent secretariat for the International Organization of Securities Commissions; and (4) makes up to $100,000 available for expenses of meetings and consultations with foreign governmental and regulatory officials.

The SEC shall issue such regulations as may be necessary to ensure that all companies sold on U.S. exchanges operating in State

Department-designated terrorist-sponsoring states are disclosing such activities to investors;

The SEC's Office of Global Security Risk within the Division of Corporation Finance shall report within 90 days and every six months thereafter on the steps it has taken to carry out its mandate as established in House Report 108–221, specifically:

(1) establishing a process by which the SEC identifies all companies on U.S. exchanges operating in State Department-designated terrorist-sponsoring states;

(2) ensuring that all companies sold on U.S. exchanges operating in State Department-designated terrorist-sponsoring states are disclosing such activities to investors;

(3) implementing enhanced disclosure requirements based on the asymmetric nature of the risk to corporate share value and reputation stemming from business interests in these higher risk countries;

(4) coordinating with other government agencies to ensure the sharing of relevant information across the Federal government; and

(5) initiating a global dialogue to ensure that foreign corporations whose shares are traded in the United States are properly disclosing their activities in State Department-designated terrorist-sponsoring states to American investors.

## SELECTIVE SERVICE SYSTEM

### SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $22,000,000 |
| Budget request, fiscal year 2010 | 24,400,000 |
| Recommended in the bill | 24,150,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +2,150,000 |
| Budget request, fiscal year 2010 | -250,000 |

The Selective Service System was established by the Selective Service Act of 1948. The basic mission of the System is to be prepared to supply manpower to the Armed Forces adequate to ensure the security of the United States during a time of national emergency. Since 1973, the Armed Forces have relied on volunteers to fill military manpower requirements, but selective service registration was reinstituted in July, 1980.

### COMMITTEE RECOMMENDATION

For fiscal year 2010, the Committee recommends $24,150,000 for the Selective Service System, an increase of $2,150,000 above the amount appropriated in fiscal year 2009 and $250,000 below the budget request.

## SMALL BUSINESS ADMINISTRATION

The Small Business Administration (SBA) assists small businesses through programs involving loans, grants, and contracting preferences. These programs maintain and strengthen an economy that depends on small businesses for 60 to 80 percent of job creation. SBA programs also serve disadvantaged populations so that their small business enterprises may overcome economic and social obstacles to success.

The recommendation provides a total of $847,987,000 for the Small Business Administration. This amount is $68,687,000 above the budget request. Detailed guidance for the SBA appropriations accounts is presented below.

SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $386,896,000 |
| Budget request, fiscal year 2010 | 422,000,000 |
| Recommended in the bill | 428,387,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +41,491,000 |
| Budget request, fiscal year 2010 | +6,387,000 |

COMMITTEE RECOMMENDATION

The Committee recommends $428,387,000 for the salaries and expenses of the SBA, which is $41,491,000 above the current year and $6,387,000 above the request.

Of the amount provided under this heading, $271,088,000 in new budget authority is provided for the operating expenses of the SBA. In addition, a total of $162,000,000 from other SBA accounts may be transferred to and merged with the salaries and expenses account for indirect operating costs. This amount consists of $153,000,000 from the Business Loans Program Account and $9,000,000 from the Disaster Loans Program Account for administrative expenses related to those accounts. The Committee also anticipates that the SBA will have an additional $12,402,000 in fee receipts and $1,000,000 in reimbursable amounts from other agencies available for operating expenses. This will result in a total availability of $446,490,000 for the operating expenses of the SBA.

The Committee recommendation for salaries and expenses includes a total of $157,299,000 for non-credit initiatives as follows:

[In thousands of dollars]

| | |
|---|---|
| Small Business Development Centers | $110,000 |
| Veterans Business Development | 1,500 |
| SCORE | 5,148 |
| Women's Business Centers | 14,000 |
| National Women's Business Council | 1,000 |
| Drug Free Workplace | 1,030 |
| Microloan Technical Assistance | 10,000 |
| PRIME | 8,000 |
| Native American Outreach | 1,040 |
| 7(j) Technical Assistance | 3,397 |
| HUBZone | 2,184 |
| Total, non-credit initiatives | 157,299 |

The SBA shall not reduce these non-credit programs from the amounts specified above and the SBA shall not merge any of the non-credit programs without advance written approval from the Committee. Further, the Committee directs the SBA to support no less than the fiscal year 2009 level of funding for the National Ombudsman; the Office of Advocacy, including support for the Advocacy Database; international trade programs; and the defense transition program.

The Committee recommendation includes an increase of $19,387,000 above the request level for non-credit programs. Fund-

ing above the request level was provided for Small Business Development Centers, PRIME, Veterans Business Development, Women's Business Centers, and the National Women's Business Council.

The Committee continues to support the work of the SBA Microloan Program and the community-based intermediary microlenders that provide loans and technical assistance to small businesses unable to secure the credit they need through conventional lenders. The Committee recommends $13 million for the Microloan program in fiscal year 2010, the same as the request. This amount includes $3 million in loan subsidy to support an estimated $25 million in new lending, and $10 million for technical assistance. This funding recommendation comes on top of the $22.5 million provided in fiscal year 2009 for the Microloan Program ($2.5 million in subsidy to support $21 million in new lending, and $20 million for technical assistance), and the $30 million provided in the American Recovery and Reinvestment Act (ARRA) of 2009 ($6 million in subsidy to support $50 million in new lending, and $24 million for technical assistance).

The funding provided under ARRA was intended to increase access to capital for micro-entrepreneurs who are facing a tight credit market as conventional lenders pull back on small business lending. The Committee is therefore concerned that as of June 2009, more than four months after ARRA was enacted, none of the ARRA microloan funding has been used to make new loans or to provide technical assistance. The Committee requests that SBA work closely with microloan intermediaries to accelerate the availability of ARRA funds to borrowers. The Committee directs SBA to provide a report within 30 days of enactment of this Act detailing SBA's obligation plan, by quarter, for spending both ARRA microloan funding as well as the fiscal year 2010 microloan funding provided in this bill.

The Committee also recognizes that in this economic downturn intermediary microlenders are spending more time providing assistance and support to their existing business borrowers including facilitating loan work-outs and refinancings. The Committee urges the SBA to consider using a portion of its ARRA funds to provide emergency technical assistance grants to intermediary microlenders to allow these lenders to service borrowers and maintain healthy loan portfolios.

As mentioned above, the bill includes $10,000,000 for microloan technical assistance which is $10,000,000 below the fiscal year 2009 enacted level and equal to the budget request. SBA has informed the Committee that the $10,000,000 requested for fiscal year 2010, combined with anticipated unobligated carryforward balances from the $24,000,000 in microloan technical assistance funding provided in the American Recovery and Reinvestment Act of 2009, will be sufficient to support fiscal year 2010 program needs.

The Committee recommendation includes $10,000,000 to remain available until September 30, 2011 for costs associated with a possible relocation of SBA headquarters to another building. If a relocation is required, SBA may use this funding for appropriate relocation expenses, provided that SBA submits to the Committee for approval a spending plan for these funds prior to any obligations

being incurred. If a relocation is not required, the Committee directs SBA to reflect the full $10,000,000 as an unobligated carryforward balance in its fiscal year 2011 budget request to be used as a partial offset to appropriations needs in that fiscal year.

The Committee recommendation provides $15,000,000 of the $20,000,000 requested by the SBA to begin work on new initiatives that will (1) expand services available to veterans wanting to start a small business, (2) create a "ready reserve" program involving teams of SBA experts and other government specialists that will deploy to economically distressed communities to assist in creating new jobs, and (3) provide support to small businesses participating in regional economic clusters by coordinating activities across Federal agencies. The Committee directs SBA to submit a detailed spending plan for this funding within 60 days of enactment of this Act. Obligation of funds for these initiatives will be contingent upon Committee approval of such a spending plan.

The Committee recommendation provides for 80 additional FTEs to address SBA workload needs but provides six months funding for the new positions instead of the 12 months funding requested.

The Committee remains concerned with SBA's administration of the HUBZone program. In March 2009 the Government Accountability Office (GAO) issued a report detailing fraud and abuse in SBA's HUBZone Program. GAO identified 19 firms in four metropolitan areas that received nearly $30,000,000 in Federal HUBZone contracts in fiscal years 2006 and 2007 even though the firms clearly did not meet HUBZone program requirements. GAO also found that SBA failed to promptly remove firms from the HUBZone program that GAO identified as ineligible in a July 2008 report on HUBZones, leading to an additional $25,000,000 in HUBZone contracts to these firms. The Committee finds continued fraud and abuse in this program unacceptable and is concerned that improprieties in the HUBZone program may extend beyond the four metropolitan areas examined by GAO. The Committee directs SBA to submit a report no later than June 1, 2010 detailing SBA's efforts to strengthen administration of the HUBZone program and improve internal controls. The report should also detail SBA enforcement and debarment actions taken against companies found to be misrepresenting themselves as HUBZone certified.

The Committee recognizes the important role local arts organizations can play in creating jobs and revitalizing economically distressed communities in addition to contributing to the local culture. The Committee believes that local arts organizations are an untapped resource for job creation because many local arts groups may not be aware of the various SBA programs they may be eligible for when launching arts-related enterprises or assisting creative sector entrepreneurs. The Committee urges the SBA to expand its outreach activities to include local arts organizations and creative sector enterprises around the country to educate them on the range of SBA programs and services that are available to them.

OFFICE OF INSPECTOR GENERAL

| | |
|---|---|
| Appropriation, fiscal year 2009 | $16,750,000 |
| Budget request, fiscal year 2010 | 16,300,000 |
| Recommended in the bill | 16,300,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | −450,000 |
| Budget request, fiscal year 2010 | −−− |

COMMITTEE RECOMMENDATION

The Committee recommends $16,300,000 for the Office of Inspector General of the SBA, which is $450,000 below the amount appropriated in fiscal year 2009 and equal to the budget request. In addition, $1,000,000 will be available by transfer from the Disaster Loans Program Account.

SURETY BOND GUARANTEES REVOLVING FUND

| | |
|---|---|
| Appropriation, fiscal year 2009 | $2,000,000 |
| Budget request, fiscal year 2010 | 1,000,000 |
| Recommended in the bill | 1,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | −1,000,000 |
| Budget request, fiscal year 2010 | −−− |

COMMITTEE RECOMMENDATION

The Committee recommends a total of $1,000,000 for the Surety Bond Guarantees Revolving Fund, which is $1,000,000 below the fiscal year 2009 level and the same as the requested level. The Committee notes that the Surety Bond program is not covered by the Federal Credit Reform Act, and that SBA requests an appropriation only when projections show that the reserves need to be replenished to cover estimated future liabilities. The amount provided should be sufficient to address anticipated costs.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | $140,980,000 |
| Budget request, fiscal year 2010 | 236,000,000 |
| Recommended in the bill | 236,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +95,020,000 |
| Budget request, fiscal year 2010 | −−− |

COMMITTEE RECOMMENDATION

The SBA Business Loans Program serves as an important source of capital for America's small businesses. The recommendation supports up to $17,500,000,000 for the 7(a) business loan program, up to $7,500,000,000 for the 504 certified development company program, up to $3,000,000,000 for Small Business Investment Company (SBIC) debentures, and up to $12,000,000,000 for the Secondary Market Guarantee Program. These program levels are the same as in the request.

The Committee recommends a total of $236,000,000 in new budget authority for the Business Loans Program Account, which is $95,020,000 above the fiscal year 2009 level and equal to the budget request. Of the amount appropriated, $153,000,000 is for administrative expenses related to business loan programs, the same as

the requested level. The amount provided for administrative expenses may be transferred to and merged with the appropriation for SBA salaries and expenses to cover the common overhead expenses associated with business loans.

The recommendation includes $80,000,000 for the subsidy cost of the 7(a) business loan guarantee program. This funding will make 7(a) loans more affordable and will increase the attractiveness of these loans to more small businesses. This will help to stimulate small business investment and will contribute to economic growth. The effect of small businesses on the economy is considerable. Firms employing fewer than 500 employees comprise about 99.7 percent of all businesses in the nation and employ roughly half of all private sector employees. Small businesses have created 60 to 80 percent of all new jobs over the past ten years. The subsidy funding provided in this account will help to ensure the continued strength of the small business sector.

The recommendation also includes $3,000,000 in loan subsidy for the Microloan Program. The amount provided is estimated to support $25,000,000 in microloans.

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | – – – |
| Budget request, fiscal year 2010 | 104,000,000 |
| Recommended in the bill | 104,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +104,000,000 |
| Budget request, fiscal year 2010 | – – – |

COMMITTEE RECOMMENDATION

As required by the Federal Credit Reform Act of 1990, the Congress is required to appropriate an amount sufficient to cover the subsidy costs associated with all direct loan obligations and loan guarantee commitments made in fiscal year 2010, as well as the administrative expenses of the loan programs. The Committee recommends a total of $104,000,000 for these purposes for fiscal year 2010 which is $104,000,000 above fiscal year 2009 and equal to the budget request.

The recommendation includes $102,310,000 for administrative expenses to carry out the disaster loans program for fiscal year 2010. Of this amount, $1,000,000 is for the Office of Inspector General for audits and reviews of the disaster loans program and $1,310,000 for administrative expenses associated with the implementation of pilot programs to test two disaster loan guaranty programs established in the Food, Conservation, and Energy Act of 2008 (Public Law 110–246).

The recommendation supports a disaster loan volume of $1,100,000,000 in direct lending. This level reflects SBA's 10-year average of annual disaster loan activity. SBA estimates there will be sufficient unobligated balances in subsidy budget authority from fiscal year 2009 to support this $1,100,000,000 in new loan volume, thus no subsidy was included in the fiscal year 2010 budget request. The Committee recommendation includes $1,690,000 in disaster loan subsidy associated with the aforementioned pilot projects.

The Committee directs the Small Business Administration to continue providing updates on available resources for the disaster loans program on a monthly basis.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

Section 510. The Committee continues an administrative provision for the Small Business Administration that authorizes transfer of up to 5 percent of any appropriation to other appropriations, provided that transfers not increase an appropriation by more than 10 percent. The provision also requires that transfers be treated as a reprogramming of funds.

Section 511. The Committee continues an administrative provision which provides funds for initiatives related to small business development and entrepreneurship, including programmatic and construction activities, to be awarded as follows:

| Recipient/Purpose | Amount |
|---|---|
| Agriculture & Land-based Training Association, Salinas, CA, Farmworker to Farmer Business Incubator | $110,000 |
| Agudath Israel of America, New York, NY, Mentoring and training services | 150,000 |
| Alabama Small Business Institute of Commerce, Rainbow City, AL, for small business training | 100,000 |
| Alabama Technology Network, Birmingham, AL, for the Alabama Center for Advanced Woodworking Technology | 350,000 |
| Albuquerque Hispano Chamber of Commerce, Albuquerque, NM, ''Dos Mundos'' small business assistance program | 200,000 |
| Altoona-Blair County Development Corporation, Altoona, PA, for the I–99 Entrepreneurial Institute | 100,000 |
| American Cities Foundation, Inc, Philadelphia, PA, Reaching and Impacting Small Entrepreneurs (Project RISE) | 225,000 |
| Arkansas State University—Newport, Newport, AR, Arkansas Commercial Driver Training Institute | 200,000 |
| Baltimore City Schools, Baltimore, MD, Career and Technology Pathways | 300,000 |
| Barry University, Miami Shores, FL, for community and economic development | 100,000 |
| Benedictine University, Lisle, IL, for women's entrepreneurial education and workforce development | 250,000 |
| Boise State University, Boise, ID, for a research and economic development and entrepreneurial initiative | 400,000 |
| Bronx Shepherds Restoration Corporation, Bronx, NY, business training programs | 75,000 |
| Brooklyn Hispanic Chamber of Commerce, Brooklyn, NY, Business incubator program | 60,000 |
| Buffalo Niagara International Trade Foundation, Buffalo, NY, to support small businesses | 250,000 |
| Bunker Hill Community College, Boston, MA, Workforce Development Initiative for Internationally Educated Nurses | 150,000 |
| California State University, Dominguez Hills, Carson, CA, Online access to business and other educational programs | 150,000 |
| Center for Economic Growth, Albany, NY, Watervliet Innovation Center | 150,000 |
| Cen-Tex African American Chamber of Commerce, Waco, TX, Center for Business Excellence | 200,000 |
| Central Brooklyn Housing Contractor Association, Brooklyn, NY, Business Incubation and Development Program | 150,000 |
| Central Oregon Community College, Bend, OR, for a technology education center | 100,000 |
| Chamber South, South Miami, FL, to encourage economic production | 100,000 |
| Chicanos Por La Causa, Inc., Phoenix, AZ, Buckeye Small Business Incubator | 200,000 |
| City of Alcoa, TN, for the Pellissippi Research Centre | 100,000 |
| City of Alma, GA, for business and infrastructure development | 500,000 |
| City of Bardstown, KY, for downtown streetscape economic development | 100,000 |
| City of Berkeley, CA, East Bay Green Jobs Project | 250,000 |
| City of College Park, GA, Entrepreneurial Development Center | 150,000 |
| City of Loma Linda and City of Grand Terrace, CA, for an infrastructure expansion project to promote small business | 900,000 |
| City of Montrose, CO, Montrose Higher Education and Technology Park | 200,000 |
| City of Myrtle Beach, SC, for the Myrtle Beach International Trade and Conference Center | 100,000 |
| City of Palmdale, CA, for the South Valley WorkSource Center | 100,000 |
| City of San Jose, CA, Silicon Valley Minority/Immigrant Business Support Initiative | 200,000 |
| City of Valparaiso, IN, Entech Innovation Center Tech Park | 250,000 |
| Cleary University, Howell, MI, for a multi-media center | 100,000 |
| Clemson University, Clemson, SC, for the Advanced Materials Innovation Center | 100,000 |
| Commerce Lexington, Lexington, KY, Central Kentucky Small Business Assistance Initiative | 200,000 |
| Community Action Committee of the Lehigh Valley, Bethlehem, PA, to help small businesses identify and implement energy efficiency improvements | 100,000 |

| Recipient/Purpose | Amount |
|---|---|
| Community Economic Development Fund, Meriden, CT, Small Business Training Institute and Individualized Small Business Technical Assistance Expansion | 250,000 |
| Consortium for Worker Education, New York, NY, Financial training and guidance programs | 150,000 |
| Consumer Credit Counseling Service of Delaware Valley, Philadelphia, PA, Financial Counseling for Economic Security | 35,000 |
| County of Essex, Newark, NJ, Resource Center for Small Businesses | 205,000 |
| County of Passaic, Paterson, NJ, Economic Development Department | 125,000 |
| Cuban American National Council/NJ Regional Office, Union City, NJ, Financial Education and Home Ownership Program | 70,000 |
| Delta Foundation, Greenville, MS, Mississippi Delta business growth development program | 150,000 |
| Detroit Renaissance, Detroit, MI, Detroit Creative Corridor Center | 175,000 |
| Downtown West Plains, Inc., West Plains, MO, for the Ozarks Small Business Incubator | 500,000 |
| East Los Angeles Community Union, Los Angeles, CA, TELACU Neighborhood Stabilization Corporation | 500,000 |
| Economic Development Council of Tallahassee/Leon County, Inc., Tallahassee, FL, Tallahassee Small Business Incubator | 450,000 |
| Economic Growth Connection of Westmoreland, Greensburg, PA, Defense Procurement Assistance Program | 125,000 |
| El Pajaro Community Development Corporation, Watsonville, CA, Commercial Kitchen Business Incubator | 90,000 |
| Fairplex Trade and Conference Center, Los Angeles, CA | 350,000 |
| First Community Development Corporation (FCDC), Inglewood, CA, Computer Lab Resource Center | 150,000 |
| Florida Department of Citrus, Lakeland, FL, Abscission chemical for improved citrus harvesting | 100,000 |
| Florida Gulf Coast University, Fort Myers, FL, for a small business software development program | 261,000 |
| Florida Institute of Technology, Melbourne, FL, for Activity Based Total Accountability | 100,000 |
| Foothill Workforce Investment Board, Pasadena, CA, Small Business Assistance Program | 150,000 |
| Fort Stockton Economic Development Corporation, Fort Stockton, TX, Fort Stockton Small Business Development Program | 100,000 |
| Girl Scouts of the USA, New York, NY, for a national program to improve financial literacy | 101,000 |
| Grambling State University, Grambling, LA, for the Greater North Louisiana Community Development Corporation | 300,000 |
| Greater Des Moines Partnership, Des Moines, IA, for the Central Iowa Business Innovation Zone | 185,000 |
| Greater Syracuse Chamber of Commerce, Syracuse, NY, Clean Tech Startup Camp | 200,000 |
| Hispanic Business Education & Training, Inc. (HBET), Oakland, CA, Hispanic Business Education and Training Program | 50,000 |
| Hispanic Chamber of Commerce of Metro Orlando, FL, Small business training, assistance and outreach | 200,000 |
| Housing Options and Geriatric Association Resources, Inc., Bronx, NY, Economic and community development program for elderly persons | 75,000 |
| Hudson Valley Agribusiness Development Corporation, Hudson, NY, Hudson Valley Food Processing Incubator Facility | 350,000 |
| Hunter College, New York, NY, for the Roosevelt House Institute Public Policy Institute, Financial Literacy Project | 75,000 |
| I–70 Northwest Development Corporation, St Louis, MO, North St. Louis Community Food and Health Center | 100,000 |
| Idaho TechConnect Inc., Nampa, ID, Proof of Concept Center | 285,000 |
| Illinois Institute of Technology, Chicago, IL, for business assistance programs | 100,000 |
| Illinois Science and Technology Coalition, Chicago, IL, Illinois Nanotechnology Collaborative | 150,000 |
| Illinois State University, Normal, IL, for an export project | 100,000 |
| Illinois Valley Community College, Oglesby, IL, Technology and Workforce Development Center | 200,000 |
| Indianhead Community Action Agency, Ladysmith, WI, Solar Business Revolving Loan Fund | 450,000 |
| Iowa Valley Community College District, Marshalltown, IA, for an education and training center | 500,000 |
| Laredo Community College, Laredo, TX, Small Business Center | 150,000 |
| Liberty University, VA, Lynchburg, VA, Central Virginia WiMAX broadband internet service for education and economic development—Feasibility Study | 200,000 |
| Lock Haven University Small Business Development Center, Lock Haven, PA, Tax Compliance Resource Program | 50,000 |
| Long Beach Community College District, Long Beach, CA, for business training for Watts-Willowbrook | 50,000 |
| Los Angeles City College Foundation, Los Angeles, CA, East Hollywood Entrepreneurial Training and Small Business Program | 150,000 |
| Macomb County, MI, for a business accelerator | 100,000 |
| Manhattan Chamber of Commerce Foundation, New York, NY, Small business training and assistance related to international opportunities | 75,000 |
| Maryland Technology Development Corporation (TEDCO), Columbia, MD, Rural Business Innovation Initiative—Eastern Shore | 200,000 |
| Maverick County Development Corporation, Eagle Pass, TX, Maverick County Small Business Development Program | 100,000 |
| MDC Inc., Chapel Hill, NC, for services related to small business entrepreneurship | 225,000 |
| Metropolitan Council on Jewish Poverty, New York, NY, Employment and training programs | 150,000 |
| Miami Dade College, Miami, FL, Institute for Intermodal Transportation | 300,000 |
| Miami-Dade Chamber of Commerce, Miami, FL, Technical Assistance and Economic Development Center | 150,000 |
| Montana State University Bozeman, MT, HTAP: High-Technology Assistance Program | 133,000 |

| Recipient/Purpose | Amount |
|---|---|
| Montana World Trade Center, Missoula, MT, Montana Growth through Trade | 134,000 |
| Montgomery County, MD, Rockville, MD, Green Business Incubator | 150,000 |
| Mount Hope Housing Company, Inc., Bronx, NY, training program | 75,000 |
| Mount Vernon Chamber of Commerce, Mount Vernon, NY, Mount Vernon Small Business Incubator | 150,000 |
| National Association of Development Organizations, Washington, DC, Small Business Development and Entrepreneurial Enhancement Initiative | 200,000 |
| National Latino Education Institute, Chicago, IL, Vocational Training Initiative | 150,000 |
| National Urban League, New York, NY, Restore Our Homes-Homeownership Center in Chicago | 100,000 |
| Neighborhood Development Center, Saint Paul, MN, University Avenue Business Preparation Collaborative | 200,000 |
| New Agrarian Center, Oberlin, OH, Urban Agriculture Business Development | 125,000 |
| New Orleans Redevelopment Authority, New Orleans, LA, to encourage commercial investments | 250,000 |
| New York City College of Technology, Brooklyn, NY, Brooklyn Small Business Development Center | 115,000 |
| New York College of Environmental Science & Forestry, Syracuse, NY, for the New York Forest Community Economic Assistance Program | 100,000 |
| New York Industrial Retention Network, New York, NY, Technical assistance and financing for manufacturers for energy conservation projects | 60,000 |
| Newport Chamber of Commerce, Middletown, RI, Industrial Park of Tiverton | 80,000 |
| North Carolina Biotechnology Center, Research Triangle Park, NC, Entrepreneurship and Research & Development Training Initiative | 130,000 |
| North Carolina Rural Economic Development Center, Raleigh, NC, Rural Business Finance Program | 120,000 |
| Northeast Alabama Community College, Rainsville, AL, for industrial systems technology and machining training | 335,000 |
| Northeast Entrepreneur Fund, Virginia, MN, Greenstone Group | 200,000 |
| Northeast Ohio Technology Coalition, Cleveland, OH, for Tech Leaders II: Job Creation through Industry Cluster Development | 250,000 |
| Northern Arizona Center for Emerging Technologies, Flagstaff, AZ, Arizona Clean Energy Accelerator | 200,000 |
| Northern Dauphin Revitalization Project, Inc., Elizabethville, PA, Job creation initiative | 100,000 |
| Northside Economic Opportunity Network (NEON), Minneapolis, MN, North Minneapolis Small Business Capacity Building Program | 150,000 |
| NYS Small Business Development Center at Rockland County Community College , Suffern, NY, Training for displaced workers to start or expand small business | 125,000 |
| Oakland African American Chamber of Commerce Foundation, Oakland,, CA, Economic Vitality of Minority Businesses in Oakland | 50,000 |
| Oakland Chinatown Chamber of Commerce, Oakland, CA, Economic Vitality of Asian Minority Business Program | 50,000 |
| Operation Get Ahead, Hempstead, NY, Job readiness and employment programs | 150,000 |
| Operation New Hope, Inc., Jacksonville, FL, for a prison re-entry job training program that works with small business owners | 790,000 |
| Our Lady of the Lake University, San Antonio, TX, Hispanic Leadership and Entrepreneurship Training Institute | 100,000 |
| Pace University Lienhard School of Nursing, White Plains, NY, nursing workforce education and training initiative | 125,000 |
| Pasadena City College, Pasadena, CA, Small Business and Entrepreneur Assistance Program | 150,000 |
| Philadelphia Development Partnership, Philadelphia, PA, Southeastern Pennsylvania Micro Business Center | 65,000 |
| Pinellas County Board of County Commissioners, Clearwater, FL, for the Business Assistance Partnership Network | 262,000 |
| Port of Bremerton, Port Orchard, WA, Sustainable Energy and Economic Development Incubator | 250,000 |
| Pratt Institute, Brooklyn, NY, ''Green'' Community Career & Business Training Center | 85,000 |
| Prince George's, Upper Marlboro, MD, Small Business Initiative | 150,000 |
| Progreso Latino, Central Falls, RI, Small business capacity building assistance | 120,000 |
| Project Ezrah Needs, Inc., Englewood, NJ, Employment and financial counseling and assistance | 100,000 |
| River District Association, Rockford, IL, to develop and recruit small businesses | 100,000 |
| SEKTDA, Somerset, KY, for economic and small business development in Southern and Eastern Kentucky | 685,000 |
| Southwest Brooklyn Industrial Development Corporation, Brooklyn, NY, Plan Ahead Brooklyn | 80,000 |
| Southwest Georgia United Empowerment Zone, Inc., Vienna, GA, Capitalization and overhead of Community Development Financial Institution | 100,000 |
| Southwestern Adventist University, Keene, TX, Entrepreneurship Resources Center | 200,000 |
| Suffolk County Community College, Brentwood, NY, Green Technology Workforce Initiative | 200,000 |
| SUNY Fredonia, Fredonia, NY, Small business incubator | 150,000 |
| TechRanch at Montana State University, Bozeman, MT, Technology Based Economic Development Center | 133,000 |
| Texas State University System, San Marcos, TX, Center for Entrepreneurial Action | 150,000 |
| The Bi-National Sustainability Laboratory (BNSL), El Paso, TX, Partnership for Innovation and Security | 150,000 |
| The Bodega Association of the United States, Inc, New York, NY, education, training and other small business assistance | 200,000 |
| The Citizens Advice Bureau, Bronx, NY, for economic and community development programs for homeless adults | 100,000 |
| The Export Consortium, Columbia, SC, the I–95 Corridor Project | 150,000 |
| The Pittsburgh Life Sciences Greenhouse, Pittsburgh, PA, Tech Belt Life Sciences Greenhouse | 100,000 |

| Recipient/Purpose | Amount |
|---|---|
| The Progress Fund, Greensburg, PA, Technical Assistance for Small Businesses | 125,000 |
| Thomas More College, Crestview Hills, KY, for training programs in health care management | 100,000 |
| Thorpe Family Residence, Inc. (TFR), Bronx, NY, Economic and community development residential services programs and capital costs | 75,000 |
| Township of Woodbridge, NJ, for the Pennval Road Green Technology Incubator | 250,000 |
| UMASS Dartmouth, Fall River, MA, Advanced Technical & Manufacturing Center | 325,000 |
| United Way for Southeastern Michigan, Detroit, MI, Ex-Offender Entrepreneurship Program | 250,000 |
| University of Alabama, Tuscaloosa, AL, for the Preparing the Workforce of the Future project | 100,000 |
| University of Arkansas, Fayetteville, AR, for a research and technology park | 100,000 |
| University of Connecticut, Storrs, CT, Farmington Technology Incubation Center | 150,000 |
| University of Delaware, Newark, DE, for the Delaware Small Business and Technology Development Center | 100,000 |
| University of Georgia, Public Service and Outreach, Athens, GA, for an applied research demonstration project to bolster workforce development | 100,000 |
| University of Guam, Mangilao, GU, Center for Regional Economic Development | 150,000 |
| University of Memphis, TN, for an entrepreneurial training program | 685,000 |
| University of Missouri System, Columbia, MO, for the Extension Community Economic and Entrepreneurial program | 249,000 |
| University of Nebraska at Omaha, NE, Nebraska's Micro-Enterprise Center | 250,000 |
| University of South Carolina, Columbia, SC, Innovista Center for Entrepreneurial Development | 100,000 |
| University of Texas at Brownsville, TX, Global Marketing and Logistics Certification Program | 150,000 |
| University of Toledo, OH, Renewable Energy Business Incubator communication infrastructure | 75,000 |
| University of West Florida, Pensacola, FL, for the Turnaround Business Assistance Program | 262,000 |
| University of West Georgia, Carrollton, GA, for a small business incubator | 100,000 |
| University of Wisconsin, Whitewater, WI, Small Business Development Center | 100,000 |
| Urban League of Philadelphia, PA, Urban League Entrepreneurship Center | 100,000 |
| Vermont Community Colleges, Waterbury, VT, Career Readiness and Supervision Certification | 150,000 |
| Village of Olympia Fields, Olympia Fields, IL, South Suburban Coalition Economic Development Demonstration Project | 100,000 |
| Wayne State University, Mt. Clemens, MI, Law School Small Business Clinic | 100,000 |
| West Chester University of Pennsylvania, Entrepreneurial Leadership Center | 150,000 |
| West Jefferson Medical Center, Marrero, LA, Workforce Training and Development Initiative | 100,000 |
| Western Massachusetts Enterprise Fund, Holyoke, MA, Financial and Technical Assistance for Development Enterprises | 250,000 |
| Western Nevada Development District, Carson City, NV, to promote small business development efforts | 250,000 |
| Western Reserve Port Authority, Vienna, OH, Western Reserve Economic Development Initiative | 200,000 |
| Western Reserve Resource Conservation and Development Council, Painesville, OH, for a green job and watershed management training program | 150,000 |
| Women at Work, Pasadena, CA, Career Technology Training for Low-Income Women | 150,000 |
| Women's Business Development Center (WBDC), Stamford, CT, for services to small businesses and entrepreneurs | 200,000 |
| YMCA of Long Island, Inc., Holtsville, NY, Diversity Training Program at the Brookhaven-Roe YMCA | 100,000 |

## UNITED STATES POSTAL SERVICE

### PAYMENT TO THE POSTAL SERVICE FUND

| | |
|---|---|
| Appropriation, fiscal year 2009 | $29,000,000 |
| Budget request, fiscal year 2010 | 29,000,000 |
| Recommended in the bill | 29,000,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | ––– |
| Budget request, fiscal year 2010 | ––– |

The United States Postal Service (USPS) is funded almost entirely by Postal rate payers rather than tax payers. Funds provided to the Postal Service in the Payment to the Postal Service Fund include appropriations for revenue forgone in providing free mail for the blind and people with disabilities, for overseas absentee voting, and for reconciliation adjustments on the basis of estimated mail volume for prior fiscal years. The Revenue Forgone Reform Act of 1993, Public Law 103–123, also authorized the reimbursement of insufficient appropriations to the Postal Service for fiscal years 1991 and 1993, and for additional revenues it would have received

between 1993 and 1998 in the absence of certain rate phasing provisions applied by this Act.

COMMITTEE RECOMMENDATION

The Committee recommends appropriations totaling $118,328,000 for Payment to the Postal Service Fund, which is the same as the President's request. $89,328,000 is an advance appropriation for fiscal year 2010.

The Committee recommends the Postal Service explore potential revenues and savings that may be derived from vehicle-to-grid partnerships with entities engaged in energy production and storage as well as with electric vehicle manufacturers. Further, the Committee recommends the Postal Service investigate the capacity of USPS vehicle maintenance centers to generate and use revenue derived from the service of electric vehicles.

The Committee is concerned about the condition of postal facilities in a number of municipalities including Hemet and Indio, California. The Committee recommends that the Postal Service, working with local officials and community leaders, evaluate the needs of these communities and report back to the Committee on Appropriations regarding its findings.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

| | |
|---|---|
| Appropriation, fiscal year 2009 | $239,356,000 |
| Budget request, fiscal year 2010 | 244,397,000 |
| Recommended in the bill | 244,397,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +5,041,000 |
| Budget request, fiscal year 2010 | – – – |

The Postal Accountability and Enhancement Act (PAEA) of 2006, Public Law 109–435, authorized the Postal Service Office of Inspector General (OIG) to receive funding by transfer out of the Postal Service Fund beginning in fiscal year 2010. The OIG conducts audits, reviews and investigations, and keeps Congress informed on the efficiency and economy of Postal Service programs and operations.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $244,397,000, equal to the President's request and $5,041,000 more than the previous fiscal year's operating budget.

## UNITED STATES TAX COURT

SALARIES AND EXPENSES

| | |
|---|---|
| Appropriation, fiscal year 2009 | $48,463,000 |
| Budget request, fiscal year 2010 | 49,242,000 |
| Recommended in the bill | 49,242,000 |
| Bill compared with: | |
| Appropriation, fiscal year 2009 | +779,000 |
| Budget request, fiscal year 2010 | – – – |

The U.S. Tax Court adjudicates controversies involving deficiencies in income, estate, and gift taxes. The Court also has jurisdiction to determine deficiencies in certain excise taxes to issue de-

claratory judgments in the areas of qualifications of retirement plans, exemption of charitable organizations, and to decide certain cases involving disclosure of tax information by the Commissioner of the Internal Revenue Service.

COMMITTEE RECOMMENDATION

The Committee recommends $49,242,000 for the U.S. Tax Court, the same as the budget request and $779,000 above the amount provided in fiscal year 2009.

## TITLE VI—GENERAL PROVISIONS, THIS ACT

Section 601. The Committee continues the provision prohibiting pay and other expenses for non-Federal parties in regulatory or adjudicatory proceedings funded in this Act.

Section 602. The Committee continues the provision prohibiting obligations beyond the current fiscal year and prohibits transfers of funds unless expressly so provided herein.

Section 603. The Committee continues the provision limiting procurement contracts for consulting service expenditures to contracts that are matters of public record and available for public inspection.

Section 604. The Committee continues the provision prohibiting transfer of funds in this Act without express authority.

Section 605. The Committee continues the provision prohibiting the use of funds to engage in activities that would prohibit the enforcement of section 307 of the 1930 Tariff Act.

Section 606. The Committee continues the provision concerning compliance with the Buy American Act.

Section 607. The Committee continues the provision prohibiting the use of funds by any person or entity convicted of violating the Buy American Act.

Section 608. The Committee continues the provision specifying reprogramming procedures. The provision requires that agencies or entities funded by the Act notify the Committee and obtain prior approval from the Committee for any reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) reorganizes offices, programs, or activities. The provision also directs the agencies funded by this Act to submit operating plans for the Committee's review within 60 days of the bill's enactment.

Section 609. The Committee continues the provision providing that fifty percent of unobligated balances may remain available for certain purposes.

Section 610. The Committee continues the provision providing that funds for the Executive Office of the President may not be used to request any official background investigation from the Federal Bureau of Investigation except with the express consent of the

individual involved or in extraordinary circumstances involving national security.

Section 611. The Committee continues the provision requiring that cost accounting standards not apply to a contract under the Federal Employee Health Benefits Program.

Section 612. The Committee continues the provision regarding non-foreign area cost of living allowances.

Section 613. The Committee continues the provision prohibiting the expenditure of funds for abortion under the Federal Employees Health Benefits Program (FEHBP).

Section 614. The Committee continues the provision making exceptions to the preceding prohibition on use of funds for abortion where the life of the mother is in danger or the pregnancy is a result of an act of rape or incest.

Section 615. The Committee continues the provision waiving restrictions on the purchase of non-domestic articles, materials, and supplies in the case of acquisition by the Federal Government of information technology.

Section 616. The Committee continues the provision prohibiting officers or employees of any regulatory agency or commission funded by this Act from accepting travel payments or reimbursements from a person or entity regulated by such agency or commission.

Section 617. The Committee continues the provision giving the Public Company Accounting Oversight Board (PCAOB) the authority to use funds collected from monetary penalties for a scholarship program established by the Sarbanes-Oxley Act of 2002. The Committee urges the PCAOB to give consideration to supporting scholarship opportunities for students from populations, such as ethnic minorities and women, that have been historically underrepresented in the accounting profession.

Section 618. The Committee includes a provision clarifying that, for purposes of agricultural and medical trade with Cuba, during fiscal year 2010 the term "payment of cash in advance" as specified in section 908(b)(1) of the Trade Sanctions Reform and Export Enhancement Act of 2000 shall be interpreted as payment before the transfer of title to, and control of, the exported items to the Cuban purchaser.

Section 619. The Committee includes a provision that excludes youth off-highway vehicles from the lead bans included in the Consumer Product Safety Improvement Act.

Section 620. The Committee includes a provision that expedites the transfer of the Old Naval Hospital property in Washington, D.C. from the General Services Administration to the District of Columbia government. The Committee agrees that the citizens of the District of Columbia will be well served by the rehabilitation and renovation of the Old Naval Hospital on Pennsylvania Avenue, SE into a community center, and support its quick transfer of title from the Federal Government to the District of Columbia separate from any other property conveyance.

The Committee notes that title VI of the Financial Services and General Government Appropriations Act, 2009 made permanent changes in law in sections 616, 618, 623, 624, 625 and 626.

## TITLE VII—GENERAL PROVISIONS, GOVERNMENT-WIDE

### DEPARTMENTS, AGENCIES, AND CORPORATIONS

Section 701. The Committee continues the provision requiring agencies to administer a policy designed to ensure that all of its workplaces are free from the illegal use of controlled substances.

Section 702. The Committee continues the provision regarding price limitations on vehicles to be purchased by the Federal Government. Price limitations are updated consistent with the President's budget request.

Section 703. The Committee continues the provision allowing funds made available to agencies for travel to also be used for quarter allowances and cost-of-living allowances.

Section 704. The Committee continues the provision prohibiting the government, with certain specified exceptions, from employing non-U.S. citizens whose posts of duty would be in the continental U.S.

Section 705. The Committee continues the provision ensuring that agencies will have authority to pay GSA bills for space renovation and other services.

Section 706. The Committee continues the provision allowing agencies to finance the costs of recycling and waste prevention programs with proceeds from the sale of materials recovered through such programs.

Section 707. The Committee continues the provision providing that funds may be used to pay rent and other service costs in the District of Columbia.

Section 708. The Committee continues the provision prohibiting interagency financing of groups absent prior statutory approval.

Section 709. The Committee continues the provision prohibiting the use of funds for enforcing regulations disapproved in accordance with the applicable law of the U.S.

Section 710. The Committee continues the provision limiting the pay increases of certain prevailing rate employees.

Section 711. The Committee continues the provision limiting the amount of funds that can be used for redecoration of offices under certain circumstances.

Section 712. The Committee continues the provision to allow for interagency funding of national security and emergency telecommunications initiatives.

Section 713. The Committee continues the provision requiring agencies to certify that a Schedule C appointment was not created solely or primarily to detail the employee to the White House.

Section 714. The Committee continues the provision prohibiting the payment of any employee who prohibits, threatens or prevents another employee from communicating with Congress.

Section 715. The Committee continues the provision prohibiting Federal training not directly related to the performance of official duties.

Section 716. The Committee continues the provision prohibiting the expenditure of funds for implementation of agreements in nondisclosure policies unless certain provisions are included.

Section 717. The Committee continues the provision prohibiting, other than for normal and recognized executive-legislative relation-

ships, propaganda, publicity and lobbying by executive agency personnel in support or defeat of legislative initiatives.

Section 718. The Committee continues the provision prohibiting any Federal agency from disclosing an employee's home address to any labor organization, absent employee authorization or court order.

Section 719. The Committee continues the provision prohibiting funds to be used to provide non-public information such as mailing or telephone lists to any person or organization outside the government without the approval of the Committees on Appropriations.

Section 720. The Committee continues the provision prohibiting the use of funds for propaganda and publicity purposes not authorized by Congress.

Section 721. The Committee continues the provision directing agency employees to use official time in an honest effort to perform official duties.

Section 722. The Committee continues the provision authorizing the use of funds to finance an appropriate share of the Federal Accounting Standards Advisory Board.

Section 723. The Committee continues the provision, with technical modifications, authorizing agencies to transfer funds (not to exceed $17,000,000) to the Government-wide Policy account of GSA to finance an appropriate share of various government-wide boards and councils.

Section 724. The Committee continues the provision that permits breast feeding in a Federal building or on Federal property if the woman and child are authorized to be there.

Section 725. The Committee continues the provision that permits interagency funding of the National Science and Technology Council and provides for a report on the budget and resources of the National Science and Technology Council. The report should include the entire budget of the National Science and Technology Council.

Section 726. The Committee continues the provision requiring documents involving the distribution of Federal funds to indicate the agency providing the funds and the amount provided.

Section 727. The Committee continues, with modification, the provision prohibiting the use of funds to monitor personal access or use of Internet sites or to collect, review, or obtain any personally identifiable information relating to access to or use of an Internet site. The changes eliminate ambiguity about the sites affected and the exception for voluntary submission of personally identifiable information.

Section 728. The Committee continues a provision requiring health plans participating in the FEHBP to provide contraceptive coverage and provides exemptions to certain religious plans.

Section 729. The Committee continues the provision providing recognition of the U.S. Anti-Doping Agency as the official anti-doping agency.

Section 730. The Committee continues a provision allowing funds for official travel to be used by departments and agencies, if consistent with OMB Circular A–126, to participate in the fractional aircraft ownership pilot program.

Section 731. The Committee continues a provision prohibiting funds for implementation of OPM regulations limiting detailees to

the Legislative Branch, and implementing limitations on the Coast Guard Congressional Fellowship Program.

Section 732. The Committee continues the provision that restricts the use of funds for Federal law enforcement training facilities.

Section 733. The Committee continues and modifies the provision concerning transfers or reimbursements for "E-Government" initiatives.

Section 734. The Committee continues a provision that prohibits the use of funds to begin or announce a study or public-private competition regarding the conversion to contractor performance of any function performed by civilian Federal employees pursuant to Office of Management and Budget Circular A–76 or any other administrative regulation, directive, or policy. The provision extends a one-year moratorium on new A–76 studies for another year so that the new Administration may have an opportunity to review and develop Federal workforce policies.

Section 735. The Committee continues the provision that prohibits Executive Branch agencies from creating prepackaged news stories that are broadcast or distributed in the United States unless the story includes a clear notification within the text or audio of that news story that the prepackaged news story was prepared or funded by that Executive Branch agency. This provision confirms the opinion of the Government Accountability Office dated February 17, 2005 (B–304272).

Section 736. The Committee continues the provision prohibiting use of funds in contravention of section 552a of title 5, United States Code (the Privacy Act) and regulations implementing that section.

Section 737. The Committee continues the provision requiring agencies to evaluate the creditworthiness of an individual before issuing the individual a government travel charge card and limits agency actions accordingly.

Section 738. The Committee continues, with modification, the provision to require the Office of Management and Budget to submit a report on budget information relating to Great Lakes restoration activities. The provision requires the report to be submitted no later than 45 days after submission of the President's budget.

Section 739. The Committee continues a provision prohibiting funds from being used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation.

Section 740. The Committee continues a provision prohibiting the Office of Personnel Management or any other agency from using funds to implement regulations changing the competitive areas under reductions-in-force for Federal employees.

Section 741. The Committee expects the Federal Government to lead by example and can do so by conducting its business in an environmentally, economically, fiscally sound and scientifically defensible manner. To that end, Section 748 of Part D of the Omnibus Appropriations Act, 2009 made permanent Executive Order 13423, relating to energy and water efficiency and use of renewable fuels in the Federal Government. Because the new Administration has indicated its interest in making more rapid progress than provided for in Executive Order 13423, this section sets that executive order

as a floor for Administration efforts to curb emissions of greenhouse gases, water use, toxic waste, etc.

Section 742. The Committee continues a provision that requires the Director of OMB to submit a report by department and agency of the number of civilian, military and contract workers.

Section 743. The Committee adds a new provision that requires all non-defense departments and agencies to develop an inventory of contracts for services listing, among other things, the functions performed, the contractor, the date the contract began, whether the contract was awarded on a noncompetitive basis or performed poorly, whether inherently governmental functions are being performed, and whether activities closely associated with inherently governmental functions are being performed. After a review of the inventory, the department or agency must develop a plan for appropriate consideration of performing the work within the department or agency.

Section 744. The Committee includes a new provision directing the Attorney General to transmit to Congress, within 14 days of enactment, records regarding notification of rights under Miranda v. Arizona given to captured foreign terrorism suspects.

Section 745. The Committee includes a new provision to reinstate the same legal rights of auto dealers to remain in business that they had before the companies filed for bankruptcy in the case of auto companies partially owned by the Federal Government.

Section 746. The Committee continues the provision concerning the non-application of these general provisions to title IV and to title VIII.

The Committee notes that title VII of the Financial Services and General Government Appropriations Act, 2009 made permanent changes in law in sections 735, 736, 748, 749, and 751. Section 748 was further modified by section 741 of this Act, as explained above.

## TITLE VIII

### GENERAL PROVISIONS—DISTRICT OF COLUMBIA

Section 801. The Committee continues the provision that specifies that an appropriation for a particular purpose or object shall be considered as the maximum amount that may be expended for said purpose or object.

Section 802. The Committee continues the provision that permits funds for travel and payment of dues.

Section 803. The Committee continues the provision that appropriates funds for refunding overpayments of taxes collected and for paying settlements and judgments against the District of Columbia government.

Section 804. The Committee continues the provision that prohibits the use of appropriated Federal funds for publicity or propaganda purposes.

Section 805. The Committee modifies the provision that establishes reprogramming and transfer requirements with respect to notification requirements for reprogramming of Federal funds and execution of local funds reprogrammings.

Section 806. The Committee continues the provision specifying that appropriations shall be applied only to the objects for which they were made except as otherwise permitted by law.

Section 807. The Committee continues the provision prohibiting the use of Federal funds to provide salaries or other costs associated with the offices of United States Senator or Representative.

Section 808. The Committee continues the provision that restricts the use of official vehicles to official duties and not between a residence and workplace, with certain exceptions.

Section 809. The Committee continues the provision that prohibits the use of Federal funds by the Attorney General of the District or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

Section 810. The Committee continues the provision that includes a "conscience clause" on legislation that pertains to contraceptive coverage by health insurance plans.

Section 811. The Committee modifies the provision relating to medical marijuana so that it prohibits only the use of Federal funds and does not continue to suspend implementation of the Legalization of Marijuana for Medical Treatment Initiative of 1998.

Section 812. The Committee modifies the provision prohibiting use of funds for abortion so that it applies only to Federal and not local funds.

Section 813. The Committee adds a new provision at the request of the District of Columbia requiring the CFO to submit a revised operating budget for all agencies in the D.C. government, no later than 30 calendar days after the enactment of this Act that realigns budgeted data with anticipated actual expenditures.

Section 814. The Committee adds a new provision at the request of the District of Columbia requiring the CFO to submit a revised operating budget for D.C. Public Schools, no later than 30 calendar days after the enactment of this Act that realigns school budgets to actual school enrollment.

Section 815. The Committee continues the provision authorizing the transfer of local funds to capital and enterprise funds.

Section 816. The Committee includes a provision to limit the geographic location of needle exchange programs in the District of Columbia.

Section 817. The Committee continues the provision which limits references to "this Act" as referring to only this title and title IV.

The Committee has not continued the prohibitions on use of Federal funds for implementation of D.C. employee health benefits for domestic partners or any system of domestic partnership registration.

The Committee notes that the following sections of title VIII of the Financial Services and General Government Appropriations Act, 2009 made permanent changes in law and therefore are not repeated in this year's bill: Sections 808, 814, 816, 817, 818, 822, and 823.

## HOUSE OF REPRESENTATIVES REPORT REQUIREMENTS

The following items are included in accordance with various requirements of the Rules of the House of Representatives.

## CONSTITUTIONAL AUTHORITY

Clause 3(d)(1) of rule XIII requires each committee report on a public bill or joint resolution to contain a statement citing the specific powers granted to Congress in the Constitution to enact the law proposed by the bill or joint resolution.

The Committee on Appropriations bases its authority to report this legislation on clause 7 of section 9 of article I of the Constitution of the United States, which states "No money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law. . . ."

Appropriations contained in this Act are made pursuant to this specific power granted by the Constitution.

## STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII, the following is a statement of general performance goals and objectives for which this measure authorizes funding:

The Committee on Appropriations considers program performance, including a program's success in developing and attaining outcome-related goals and objectives, in developing funding recommendations.

## CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3(f)(1)(A) of rule XIII of the Rules of the House of Representatives, the following statements are submitted describing the effect of provisions proposed in the accompanying bill which may be considered, under certain circumstances, to change the application of existing law, either directly or indirectly. The bill provides that appropriations shall remain available for more than one year for a number of programs for which the basic authorizing legislation does not explicitly authorize such extended availability. The bill provides, in some instances, for funding of agencies and activities where legislation has not yet been finalized. In addition, the bill carries language, in some instances, permitting activities not authorized by law, or exempting agencies from certain provisions of law, but which has been carried in appropriations acts for many years.

The bill includes several limitations on official entertainment, reception and representation expenses. Similar provisions have appeared in many previous appropriations Acts. The bill includes a number of limitations on the purchase of automobiles or office furnishings that also have appeared in many previous appropriations Acts. Language is included in several instances permitting certain funds to be credited to the appropriations recommended.

## TITLE I—DEPARTMENT OF THE TREASURY

Language is included for Departmental Offices, "Salaries and Expenses", that provides funds for operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas; official reception and representation expenses; unforeseen emergencies of a confidential nature; Treasury-wide financial au-

dits and the period of availability and the transfer of these funds; information technology modernization requirements; secure space requirements; critical infrastructure protection and compliance policy programs; modernization of the Office of Debt Management's information technology; and specifying certain amounts for individual offices of the Departmental Offices and specifying transfer authority among offices.

Language is included for the Department-wide Systems and Capital Investments Program that provides funds for the development and acquisition of automatic data processing equipment, software, and services; repairs to the Treasury Annex Building; provides transfer authority; limits the availability of funds; and restricts the use of funds to support or supplement IRS Operations Support or IRS Business Systems Modernization.

Language is included for the Office of Inspector General, "Salaries and Expenses", that provides funds to carry out the provisions of the Inspector General Act of 1978, specifies amounts for official travel expenses (including the hire of vehicles), official reception and representation expenses, and unforeseen emergencies of a confidential nature.

Language is included for the Treasury Inspector General for Tax Administration, "Salaries and Expenses", that provides funds to carry out the provisions of the Inspector General Act of 1978, including the purchase and hire of motor vehicles and services authorized by 5 U.S.C. 3109; and specifies amounts for travel expenses, official reception and representation expenses, and unforeseen emergencies of a confidential nature.

Language is included for the Financial Crimes Enforcement Network, "Salaries and Expenses", that provides funds for hire of motor vehicles; the travel and training of non-federal and foreign government personnel attending meetings involving domestic or foreign financial law enforcement, intelligence, and regulation; official reception and representation expenses; the purchase of personal services contracts; and assistance to Federal law enforcement agencies with or without reimbursement. Language is also included that limits the availability of certain amounts.

Language is included for the Financial Management Service, "Salaries and Expenses", that provides a certain amount for official reception and representation expenses and limits the availability for systems modernization funds.

Language is included for the Alcohol and Tobacco Tax and Trade Bureau, "Salaries and Expenses", that provides funds for the hire of passenger motor vehicles and laboratory assistance to state and local agencies with or without reimbursement. Language is also included that specifies the amounts for official reception and representation expenses and cooperative research and development.

Language is included for the U.S. Mint, "United States Mint Public Enterprise Fund" that identifies the source of funding for the operations and activities of the U.S. Mint and specifies the level of funding for circulating coinage and protective service capital investments.

Language is included for the Bureau of the Public Debt, "Administering the Public Debt" that specifies funds for official reception and representation expenses and systems modernization; and provides that appropriations from the General Fund will be reduced

as fees are collected, and that a portion of the funds are to be derived from the Oil Spill Liability Trust Fund for administration of the Fund.

Language is included for the Community Development Financial Institutions Fund Program Account that provides for services authorized by 5 U.S.C. 3109 but at certain rates; and specific amounts for: Native American initiatives, the financial counseling grants pilot program authorized by Public Law 110–289, the Capital Magnet Fund, administrative expenses, the cost of direct loans, and administrative expenses to carry out the direct loan program. Language is included clarifying the cost of direct loans and the cost of modifying direct loans, and specifying the limitation on gross obligations for the principal amount of direct loans. Language is included waiving the CDFI matching requirement and the limit on the amount of assistance for individual CDFIs, along with language giving the Secretary flexibility in determining the leveraging requirement for the Capital Magnet Fund program.

Language is included under Internal Revenue Service, "Taxpayer Services" that provides funds for pre-filing assistance and education, filing and account services, taxpayer advocacy services, services authorized by 5 U.S.C. 3109; and dedicating funding for the Tax Counseling for the Elderly Program, low-income taxpayer clinic grants, Community Volunteer Income Tax Assistance grants, and operating expenses of the Taxpayer Advocate Service.

Language is included for Internal Revenue Service, "Enforcement" that provides funds to determine and collect owed taxes, provide legal and litigation support, conduct criminal investigations, enforce criminal statutes, purchase and hire of vehicles, provide services authorized by 5 U.S.C. 3109; dedicating funding for the Interagency Crime and Drug Enforcement program and associated transfer authority; and dedicating a specific amount for enhanced tax enforcement activities.

Language is included for the Internal Revenue Service, "Operations Support" that provides funds for operating and supporting taxpayer services and tax law enforcement programs; rent; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; hire of passenger motor vehicles; services authorized by 5 U.S.C. 3109; and dedicating funding for information technology support, research, the IRS Oversight Board, official reception and representation expenses, and support for enhanced tax enforcement activities.

Language is included for Internal Revenue Service, "Business Systems Modernization" that provides for the business systems modernization program, including capital asset acquisition of information technology, including management and related contractual costs and IRS labor costs of said acquisitions, contractual costs associated with operations authorized by 5 U.S.C. 3109, and places certain restrictions on the use of the funds.

Language is included for the Internal Revenue Service, "Health Insurance Tax Credit Administration" to implement the health insurance tax credit included in the Trade Act of 2002 (Public Law 107–210).

TITLE II—EXECUTIVE OFFICE OF THE PRESIDENT

Language under "Compensation of the President", provides that unused amounts of the President's expense allowance will revert to the Treasury; mandates funds are only available for their stated purpose; and specifies an amount for an expense allowance.

Language under The White House, "Salaries and Expenses", provides funds for services authorized by 5 U.S.C. 3109 and 3 U.S.C. 105 and 107, subsistence expenses, hire of vehicles, newspapers, periodicals, teletype news service, travel, and official entertainment expenses; and sets aside a specific amount for the Office of National AIDS Policy.

Language under the Executive Residence at the White House, "Operating Expenses", provides funds for official entertainment expenses of the President, and the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House.

Language under the Executive Residence at the White House, "Reimbursable Expenses", specifies the authorized use of funds; specifies that reimbursable expenses are the exclusive authority of the Executive Residence to incur obligations and receive offsetting collections; requires the sponsors of political events to make advance payments; requires the national committee of the political party of the President to maintain $25,000 on deposit; requires the Executive Residence to ensure that amounts owed are billed within 60 days of a reimbursable event and collected within 30 days of the bill notice; authorizes the Executive Residence to charge and assess interest and penalties on late payments; authorizes all reimbursements to be deposited into the Treasury as a miscellaneous receipt; requires a report to the Committee on the reimbursable expenses within 90 days of the end of the fiscal year; requires the Executive Residence to maintain a system for tracking and classifying reimbursable events; and specifies that the Executive Residence is not exempt from the requirements of subchapter I or II of chapter 37 of title 31, United States Code.

Language under "White House Repair and Restoration" provides funds for the repair, alteration, improvement, required maintenance, resolution of safety and health issues, and continued preventative maintenance of the Executive Residence at the White House and allows funds to remain available until expended.

Language under Office of Administration, "Salaries and Expenses", provides funds for continued modernization of the information technology infrastructure within the Executive Office of the President, to remain available until expended.

Language under Office of Management and Budget, "Salaries and Expenses", provides funds for expenses, the hire of vehicles, carrying out provisions of chapter 35 of 44 U.S.C.; specifies funds for official representation expenses; prohibits the review of agricultural marketing orders; prohibits the use of funds for the purpose of altering the transcript of testimony except for non-OMB officials; prohibits the use of funds for evaluating or determining if water resource project or study reports submitted by the Chief of Engineers are in compliance with all applicable laws, regulations, and requirements; and specifies the amount of time to perform budgetary

policy reviews of water resource matters on which the Chief of Engineers has reported before the report is considered approved, and specifies notification requirements.

Language under the Office of National Drug Control Policy, "Salaries and Expenses", provides funds for expenses, research, official reception and representation expenses, participation in joint projects, and allows for the acceptance of gifts. Language is also included providing funds for policy research and evaluation and making these funds available until expended.

Language under Federal Drug Control Programs, "High Intensity Drug Trafficking Areas Program", provides for the transfer of funds to Federal agencies and departments. Language is also included regarding the availability of funds, specifying the amount of funds for auditing and associated activities, requiring each designated High Intensity Drug Trafficking Area to receive not less than the fiscal year 2009 base allocation unless the Director of the Office of National Drug Control Policy determines otherwise and submits a report to the Committees on Appropriations, and requiring reports regarding initial allocations and discretionary funding.

Language under Federal Drug Control Programs, "Other Federal Drug Control Programs" provides funds to support certain media and outreach activities, matching grants to drug-free communities (with an amount specified to be made available as directed by section 4 of Public Law 107–82, as amended by Public Law 109–469), the National Drug Court Institute, the U.S. Anti-Doping Agency, the U.S. membership dues to the World Anti-Doping Agency, the National Alliance for Model State Drug Laws, and evaluation and research related to National Drug Control Program performance measures. Language also limits the availability of funds, and provides for the transfer of some funds to other Federal departments and agencies.

Language under "Partnership Fund for Program Integrity Innovation" makes funds available for grants, contracts, cooperative agreements, and administrative costs for pilot projects, allows transfer of funds to carry out an evaluate such pilot projects, establishes certain conditions to be met prior to obligation of funds, and requires certain notifications and reports to the Committees on Appropriations.

Language under Special Assistance to the President, "Salaries and Expenses", enables the Vice President to provide assistance to the President, services authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, subsistence, and the hire for vehicles.

Language under Official Residence of the Vice President, "Operating Expenses", provides funds for operation and maintenance of the official residence of the Vice President, the hire of vehicles, official entertainment expenses and provides for the transfer of funds as necessary.

## TITLE III—THE JUDICIARY

Language is included under Supreme Court, "Salaries and Expenses" permitting certain funds to remain available until expended and specifying certain amounts for specific purposes.

Language is included under Supreme Court, "Care of the Building and Grounds" permitting funds to remain available until expended.

Language is included under Courts of Appeals, District Courts, and Other Judicial Services, "Salaries and Expenses" specifying certain funds remain available until expended for specific purposes. Language is also included providing funding from the Vaccine Injury Compensation Trust Fund for certain purposes.

Language is included under Defender Services, permitting funds to remain available until expended.

Language is included under Fees of Jurors and Commissioners, permitting funds to remain available until expended and specifying limitations for the compensation of land commissioners.

Language is included under Court Security, permitting certain funds to remain available until expended, which may be transferred to the United States Marshals Service.

Language is included under Administrative Office of the United States Courts, "Salaries and Expenses" specifying certain amounts for official reception and representation expenses.

Language is included under Federal Judicial Center, "Salaries and Expenses" extending the availability of certain funds for education and training, and specifying certain amounts for official reception and representation expenses.

Language is included under Judicial Retirement Funds, "Payment to Judiciary Trust Funds" specifying certain amounts for payments to specific trust funds.

Language is included under United States Sentencing Commission, "Salaries and Expenses" specifying certain amounts for official reception and representation expenses.

TITLE IV—DISTRICT OF COLUMBIA

Language is included under "Federal Payment for Resident Tuition Support" permitting the amount appropriated to remain available until expended; specifying conditions for the use, award, and financial accounting of funds; and requiring a quarterly financial report.

Language is included under "Federal Payment for Emergency Planning and Security Costs in the District of Columbia" providing that the amount appropriated shall remain available until expended and specifying certain amounts for certain purposes.

Language is included under "Federal Payment to the District of Columbia Courts": (1) providing all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration; (2) specifying certain amounts for specific purposes; (3) allowing funds made available for capital improvements to remain available until September 30, 2011; and (4) providing for the reallocation of funds.

Language is included under "Defender Services in the District of Columbia Courts": (1) providing that the amount appropriated shall remain available until expended; (2) authorizing funds provided in other appropriations to be used for payments under this heading; (3) specifying who shall administer these funds; and (4) providing that all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for sala-

ries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration.

Language is included under "Federal Payment to the Court Services and Offender Supervision Agency for the District of Columbia": (1) specifying certain amounts for specific purposes and programs; (2) providing that all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies; (3) authorizing the Director to accept and use gifts to support offender and defendant programs and equipment and vocational training services to educate and train offenders and defendants, and details for recording the acceptance of such gifts; and (4) authorizing the Director to charge fees to cover the costs of training and materials distributed at conferences.

Language is included under "Federal Payment to District of Columbia Public Defender Service" providing that all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies and authorizing the collection of fees for materials provided at conferences.

Language is included under "Federal Payment to the District of Columbia Water and Sewer Authority" specifying that the amount appropriated shall remain available until expended and specified amounts shall be matched by WASA and that certain amounts shall be used for certain purposes.

Language is included under "Federal Payment to the Criminal Justice Coordinating Council" specifying that the amount appropriated shall remain available until expended to support initiatives related to the coordination of Federal and local criminal justice resources.

Language is included under "Federal Payment for Judicial Commissions" specifying certain amounts for certain commissions and allowing for appropriations to remain available until September 30, 2011.

Language is included under "Federal Payment to the Office of the Chief Financial Officer of the District of Columbia" specifying that each entity receiving funds submit to the Office of the Chief Financial Officer (CFO) a report, and that the CFO submit a report to the Committees on Appropriations.

Language is included under "Federal Payment for School Improvement" providing certain amounts for specific purposes, including funds to expand quality public charter schools, public schools and opportunity scholarships in the District of Columbia.

Language is included under "Federal Payment for Consolidated Laboratory Facility" providing amounts for certain purposes, specifying that a matching amount will be provided by the District of Columbia and allowing the funds to remain available until September 30, 2011.

Language is included under "Federal Payment for the District of Columbia National Guard" providing certain amounts for certain purposes and the availability of those appropriations.

Language is included under "Federal Payment for Housing for the Homeless" specifying amounts for certain purposes and providing extended availability of those appropriations.

Language is included under "Federal Payment for Youth Services" specifying amounts for certain purposes and providing extended availability of those appropriations.

Language is included under "Federal Payment for Public Health Services" specifying amounts for certain purposes and providing extended availability of those appropriations.

Language is included under "District of Columbia Funds" (1) limiting the amount provided in this Act for the District of Columbia; (2) identifying the source of funds, including a rescission of prior year local funds; (3) establishing the District's intradistrict authority; (4) setting funds subject to the provisions of and allocated and expended as proposed in the fiscal year 2010 District of Columbia Budget and Financial Plan; (5) providing conditions for increasing the amount provided; and (6) directing the Chief Financial Officer to assure the District of Columbia meets all requirements, but prohibits the reprogramming of capital projects.

TITLE V—INDEPENDENT AGENCIES

Language is included for the Administrative Conference of the United States for expenses authorized under 5 U.S.C. 591, and for official reception and representation expenses.

Language is included for the Consumer Product Safety Commission, "Salaries and Expenses" that provides funds for expenses, the hire of motor vehicles, services as authorized by 5 U.S.C. 3109 (with a limitation on rates for individuals), nominal awards, official reception and representation expenses, and allowing $2,000,000 to remain available until September 30, 2011 for a grant program authorized by section 1405 of Public Law 110–140 (15 U.S.C. 8004).

Language is included for the Election Assistance Commission, "Salaries and Expenses" that allows for the transfer of funds to the National Institute of Standards and Technology for election reform activities. Funds are made available for the Help America Vote College Program and a grant program to support mock elections.

Language is included for the Election Assistance Commission, "Election Reform Programs" for requirements payments under part 1 of subtitle D of title II of the Help America Vote Act. Funds are also made available for grants to carry out research on voting technology improvements and for grants relating to pre-election logic and accuracy testing and post-election voting systems verification.

Language is included under the Federal Communications Commission, "Salaries and Expenses", permitting funds for uniforms and allowances therefor, official reception and representation expenses, purchase and hire of motor vehicles, and special counsel fees. Language provides for the assessment and collection of offsetting collections, authorizes retention of such collections, and provides that they remain available until expended. Language removes the availability for obligation of excess collections. Language waives existing law concerning proceeds from the use of a competitive bidding system. Language is also included regarding the transfer of funds from the Universal Service Fund.

Language is included for the Federal Deposit Insurance Corporation, "Office of Inspector General" that provides for the funds to be

derived from the Deposit Insurance Fund, and the FSLIC Resolution Fund, or any successor to these funds.

Language is included for the Federal Election Commission, "Salaries and Expenses" that specifies funds for reception and representation expenses.

Language is included for the Federal Labor Relations Authority, "Salaries and Expenses" that provides funds for services authorized by 5 U.S.C. 3109, the hire of experts and consultants, hire of motor vehicles, and the rental of conference rooms; authorizes travel payments to public members of the Federal Service Impasses Panel; and allows for fees collected to be transferred to and merged with the appropriation.

Language is included for the Federal Trade Commission, "Salaries and Expenses" permitting funds for uniforms and allowances therefor, services authorized by 5 U.S.C. 3109, official reception and representation expenses, hire of motor vehicles, and contract for collection services. Language provides for the crediting and retention of certain fees. Language also prohibits funds from being used to implement subsection (e)(2)(B) of section 43 of the Federal Deposit Insurance Act.

Language is included for the General Services Administration, "Federal Buildings Fund" that allows for revenues and collections to be deposited in the Fund; specifies the conditions under which funds made available can be used and designates certain projects that can be undertaken; limits the availability of funds; and requires the approval to change the amounts identified. Many technical provisions have been included regarding use of funds in the Federal Buildings Fund that are not specifically authorized by law. Language has been included that limits project funds available for construction and repair and alteration of buildings not authorized by law. A more detailed analysis of the Federal Buildings Funds can be found in the General Services Administration chapter of this report.

Language is included for General Services Administration, "Government-wide Policy" that provides funds for policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; and services authorized by 5 U.S.C. 3109.

Language is included for General Services Administration, "Operating Expenses" that provides funds for expenses for activities associated with personal and real property; technology management and activities; information access activities; agency-wide policy direction and management; other support services; and official reception and representation expenses.

Language is included for the General Services Administration, "Office of Inspector General" that provides funds for information and detection of fraud; and for awards in recognition of efforts that enhance the office.

Language is included for the General Services Administration, "Allowances and Office Staff for Former Presidents" that allows a portion of these funds to be transferred.

Language is included for the General Services Administration, "Expenses, Presidential Transition" that provides funds limited to

certain activities authorized under the Presidential Transition Act of 1963.

Language is included for the General Services Administration, "Federal Citizen Services Fund" that authorizes funds to be deposited in the Fund and limits the availability of funds in the Fund.

Language is included for the Merit Systems Protection Board, "Salaries and Expenses", that provides funds for services authorized by 5 U.S.C. 3109, rental of conference rooms, hire of passenger motor vehicles, direct procurement of survey printing, official reception and representation expenses, and administrative expenses to adjudicate retirement appeals, and provides for the transfer of some funds.

Language is included for the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation, "Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund", that specifies the availability of funds, specifies an amount for financial audits, and provides for the transfer of some funds.

Language is included for the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation, "Environmental Dispute Resolution Fund" that specifies the availability of funds.

Language is included for National Archives and Records Administration, "Operating Expenses", that provides funds for uniforms or allowances therefor, as authorized by 5 U.S.C. 5901 et seq., including maintenance, repairs, and cleaning, the hire of passenger motor vehicles, activities of the Public Interest Declassification Board, and the review and declassification of documents.

Language is included for National Archives and Records Administration, "Office of Inspector General" that provides funds for the hire of motor vehicles.

Language is included for National Archives and Records Administration, "Electronic Records Archives" that provides funds for the development of electronic records archives, including research, analysis, design, development and program management; and limits the availability of funds and provides certain restrictions on the use of multi-year funds.

Language is included for National Archives and Records Administration, "Repairs and Restoration" that provides funds for the repair, alteration, improvement, and provision of adequate storage; and provides that funds remain available until expended.

Language is included for National Archives and Records Administration, "National Historical Publications and Records Commission Grants Program" that provides funds for allocations and grants for historical publications and records; and provides that funds remain available until expended.

Language is included under the National Credit Union Administration, "Central Liquidity Facility" that limits gross obligations and administrative expenses.

Language is included under the National Credit Union Administration, "Community Development Credit Union Revolving Loan Fund" that provides funds for technical assistance and limits the availability of funds.

Language is included under Office of Government Ethics, "Salaries and Expenses" that provides funds for services authorized by

5 U.S.C. 3109, rental of conference rooms, hire of passenger motor vehicles, and official reception and representation expenses.

Language is included under Office of Personnel Management, "Salaries and Expenses" that provides funds for services authorized by 5 U.S.C. 3109, medical examinations for veterans, rental of conference rooms, hire of passenger motor vehicles, official reception and representation expenses, advances for reimbursements, payment of per diem and/or subsistence allowances, the Enterprise Human Resources Integration project, the Human Resources Line of Business project, and the transfer of administrative expenses; limits the availability of some funds; provides for the costs of implementing the new integrated financial system and automating the retirement recordkeeping system, directs that provisions shall not affect other authorities; prohibits funds for the Legal Examining Unit; and authorizes the acceptance of donations under certain conditions.

Language is included for Office of Personnel Management, Office of Inspector General, "Salaries and Expenses" that provides funds for services authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, rental of conference rooms, and the transfer of administrative expenses.

Language is included for Payment to Civil Service Retirement and Disability Fund that authorizes payments of certain annuities from the Civil Service Retirement and Disability Fund.

Language is included for Office of Special Counsel, "Salaries and Expenses" that provides funds for services authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms, and the hire of passenger motor vehicles.

Language is included for the Postal Regulatory Commission, "Salaries and Expenses" that provides for transfer from the Postal Service Fund.

Language is included for Securities and Exchange Commission, "Salaries and Expenses" that provides for rental of space, reception and representation expenses, a permanent secretariat for the International Organization of Securities Commissions, and consultations and meetings hosted by the Commission. Language is included that provides for the crediting of offsetting collections and unobligated balances of funds previously appropriated.

Language is included for Selective Service System, "Salaries and Expenses" that provides funds for attendance of meetings, training, uniforms, hire of passenger motor vehicles, services authorized by 5 U.S.C. 3109, and official reception and representation expenses; authorizes certain exemptions under certain conditions; and prohibits funds used in connection with the induction of any person into the Armed Forces of the United States.

Language is included for Small Business Administration, "Salaries and Expenses", that provides for hire of motor vehicles and official reception and representation expenses. Language is also included to provide authority to charge fees and credit such fees to the account without further appropriation. Language is also included to fund grants for performance with amounts set aside for the Veterans Assistance and Services Program and the Small Business Energy Efficiency. Language is also included for the Loan Modernization and Accounting System, and to allow $10,000,000 to

remain available until September 30, 2011 for costs associated with a possible headquarters relocation.

Language is included for Small Business Administration, "Business Loans Program Account", limiting commitments for certain guaranteed loan programs and for providing for the cost of direct loans and guaranteed loans. Language is also included authorizing the transfer of funds to "Salaries and Expenses" for administrative expenses.

Language is included for the Small Business Administration "Disaster loan program account" that provides for the transfer of funds to the "Office of Inspector General" and to "Salaries and Expenses" and allows funds to remain available until expended.

Language is included for the United States Postal Service, "Payment to the Postal Service Fund" that provides funds for revenue foregone; limits the availability of obligation of some funds; stipulates that mail for overseas voting and mail for the blind is free; stipulates that 6–day delivery and rural mail delivery shall continue at not less than the 1983 level; prohibits funds from being used to charge a fee to a child support enforcement agency seeking the address of a postal customer; and prohibits funds from being used to consolidate or close small rural and other small post offices.

Language is included for United States Postal Service, "Office of Inspector General" that provides for transfer from the Postal Service Fund.

Language is included for the United States Tax Court, "Salaries and Expenses" that provides funds for contract reporting and services authorized by 5 U.S.C. 3109; and that travel expenses of the judges shall be paid upon the written certificate of the judge.

## ADMINISTRATIVE AND GENERAL PROVISIONS

Sections 101, 106, 107, 201, 203, 302, 510, 723 and 815 include legislative transfer authorities.

Sections 102, 103, 104, 105, 108, 110, 115, 116, 202, 204, 301, 303, 304, 502, 503, 504, 505, 506, 507, 511, 602, 603, 604, 605, 606, 607, 608, 609, 610, 612, 617, 618, 619, 620, 701, 702, 703, 704, 705, 706, 707, 711, 713, 716, 721, 726, 727, 728, 733, 737, 740, 742, 743, 744, 745, 801, 802, 803, 804, 805, 806, 808, 809, 810, 811, 812, 813, 814, and 816 establish affirmative directions, confer new authorities, or impose new responsibilities on departments or agencies funded by the bill.

Sections 104, 109, 112, 113, 115, 708, 714, 715, 717, 718, 719, 720, 734, 736, 738, and 739 do not apply solely to the appropriations within this bill.

Sections 114 and 729 propose to state a legislative position.

Sections 306, 611, 615, 616, 624, 710, 712, 722, 723, 724, 725, 730, 731, 732, and 741 waive existing law.

Sections 305, 307, 308, 309, 310, 507, 508, and 735 amend existing law.

## APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1)(B) of rule XIII, the following table lists the appropriations in the accompanying bill that are not authorized by law.

[Dollars in thousands]

| | Last year of authorization | Authorized amount | Appropriation in last year of authorization | Appropriation in this bill |
|---|---|---|---|---|
| Title I—Department of the Treasury | | | | |
| Departmental Offices[1, 2, 3, 4] | n/a | n/a | n/a | 303,388 |
| Dept-wide Systems & Capital Investments | n/a | n/a | n/a | 9,544 |
| Office of the Inspector General | n/a | n/a | n/a | 29,700 |
| IG for Tax Administration | n/a | n/a | n/a | 149,000 |
| Financial Crimes Enforcement Network | 2005 | 35,500 | 10,416 | 102,760 |
| Financial Management Service | n/a | n/a | n/a | 244,132 |
| Alcohol & Tobacco Tax & Trade Bureau | n/a | n/a | n/a | 99,500 |
| Bureau of Public Debt | n/a | n/a | n/a | 182,244 |
| Community Development Financial Institutions Fund[5] | 1998 | 60,000 | 80,000 | 243,600 |
| Internal Revenue Service: | | | | |
| Taxpayer Services | n/a | n/a | n/a | 2,273,830 |
| Enforcement[6] | n/a | n/a | n/a | 5,504,000 |
| Operations Support | n/a | n/a | n/a | 4,082,984 |
| Business Systems Modernization | n/a | n/a | n/a | 253,674 |
| Health Ins Tax Credit Administration | 2003 | 20,000 | 70,000 | 15,512 |
| Title II—Executive Office of the President | | | | |
| Office of Management and Budget | 2003 | various | 61,988 | 92,687 |
| ONDCP: Nat'l Drug Court Institute | n/a | n/a | n/a | 1,000 |
| Fund for Program Integrity Innovation | n/a | n/a | n/a | 40,000 |
| Title IV—District of Columbia | | | | |
| Payment for Water & Sewer Authority | n/a | n/a | n/a | 20,400 |
| Payment for School Improvement[7] | n/a | n/a | n/a | 74,400 |
| Payment for Public Health Services | n/a | n/a | n/a | 4,000 |
| Payment for Housing for the Homeless | n/a | n/a | n/a | 19,200 |
| Payment for Consolidated Lab Facility | n/a | n/a | n/a | 15,000 |
| Payment for Youth Services | n/a | n/a | n/a | 5,000 |
| Payment for the D.C. National Guard | n/a | n/a | n/a | 2,375 |
| Payment to the Office of the CFO | n/a | n/a | n/a | 1,700 |
| Payment for Judicial Commissions | n/a | n/a | n/a | 500 |
| Title V—Independent Agencies | | | | |
| Election Assistance Commission: | | | | |
| Salaries and expenses. | 2005 | 10,000 | 13,888 | 17,959 |
| Election reform programs | 2005 | 600,000 | – – – | 106,000 |
| Federal Communications Commission | 1991 | such sums | 115,794 | 338,875 |
| Federal Election Commission | 1981 | 9,400 | 51,742 | 65,100 |
| Federal Trade Commission | 1998 | 111,000 | 106,500 | 259,200 |
| General Services Administration: | | | | |
| Federal Buildings Fund[8] | ([8]) | ([8]) | ([8]) | 8,465,585 |
| Office of Government Ethics | 2007 | such sums | 11,115 | 14,415 |
| Office of Special Counsel | 2007 | such sums | 15,524 | 18,495 |
| Merit Systems Protection Board | 2007 | such sums | 38,666 | 42,918 |
| Udall Foundation: | | | | |
| Environmental Dispute Resolution | 2008 | 4,000 | 2,000 | 2,100 |
| NCUA Revolving Loan Fund | 1998 | 2,000 | – – – | 1,000 |
| Securities and Exchange Commission | 2003 | 776,000 | 716,350 | 928,000 |
| Small Business Administration | ([9]) | such sums | 568,988 | 847,987 |

[1] Appropriations for International Affairs activities were permanently authorized in 31 U.S.C. sec 325(b) (1982).
[2] Appropriations for OFAC activities related to Cuba were permanently authorized in 22 U.S.C. sec 6609 (1992).
[3] Money Laundering and Financial Crimes Strategy were permanently authorized in 31 U.S.C. sec 5355 (2005).
[4] Treasury intelligence appropriations were last authorized in the FY 2005 Intelligence Authorization Act (P.L. 108–487).
[5] The Capital Magnet Fund and the financial counseling grants pilot program were authorized in Public Law 110–289.
[6] The Earned Income Tax Credit compliance program was authorized in P.L. 105–33 (2002).
[7] The last year of authorization for the D.C. opportunity scholarship program was fiscal year 2008.
[8] Deposits into the Federal buildings fund are available for real property management and related activities in the amounts specified in annual appropriation laws, as provided by 40 USC 592 .
[9] The Small Business Administration has a temporary extension of authorization through July 31, 2009 (Public Law 110–10).

## TRANSFERS OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII, the following statement is submitted describing the transfers of funds provided in the accompanying bill.

The Committee recommends the following transfers:

### TITLE I—DEPARTMENT OF THE TREASURY

Under "Departmental Offices, Salaries and Expenses", language is included authorizing transfer of up to 4 percent between program activities under certain circumstances, and authorizing transfer of greater amounts subject to the approval of the Committees on Appropriations. In addition, language is included allowing that, of the $6,787,000 for the Treasury-wide Financial Statement Audit and Internal Control program, such amounts as necessary may be transferred to the Department's offices and bureaus.

Under "Department-Wide Systems and Capital Investments Programs", language is included authorizing the transfer of amounts necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations.

Under "Community Development Financial Institutions Fund Program Account", language is included authorizing $80,000,000 to be transferred to the Capital Magnet Fund.

Under Internal Revenue Service (IRS), "Enforcement", language is included authorizing up to $10,000,000 to be transferred to "Operations Support" for the Interagency Crime and Drug Enforcement program.

Section 101 authorizes the transfer of 5 percent of any appropriation made available to the IRS (or 3 percent of IRS, "Enforcement") to any other IRS appropriation, subject to approval of the Committees on Appropriations.

Section 106 authorizes transfers, up to 2 percent, between Departmental Offices, Office of Inspector General, Financial Management Service, Alcohol and Tobacco Tax and Trade Bureau, Financial Crimes Enforcement Network, and the Bureau of the Public Debt appropriations, subject to approval of the Committees on Appropriations.

Section 107 authorizes transfers, up to 2 percent, between any appropriation made available to the IRS and the Treasury Inspector General for Tax Administration, subject to approval of the Committees on Appropriations.

Section 110 authorizes the transfer of funds from "Financial Management Service, Salaries and Expenses", to the Debt Collection Fund as necessary to cover the cost of debt collection.

### TITLE II—EXECUTIVE OFFICE OF THE PRESIDENT

Under Federal Drug Control Programs, "High-Intensity Drug Trafficking Areas Program", language is included allowing transfer of funds to other Federal departments or agencies.

Under Federal Drug Control Programs, "Other Federal Drug Control Programs", language is included allowing transfer of funds to other Federal departments or agencies.

Under "Partnership Fund for Program Integrity Innovation", language is included allowing transfer of funds to appropriate agencies to carry out pilot projects and conduct evaluations.

Under Official Residence of the Vice President, "Operating Expenses", language is included allowing the transfer of funds to other Federal departments or agencies.

Section 201 authorizes transfers of up to 10 percent among Executive Office of the President appropriations, with 15 days advance notice to the Committees on Appropriations.

Section 203 authorizes transfers of up to 2 percent among Office of National Drug Control Policy appropriations, with the advance approval of the Committees on Appropriations.

TITLE III—THE JUDICIARY

Under Courts of Appeals, District Courts, and Other Judicial Services, "Court Security", language is included authorizing transfer of funds to the United States Marshals Service for courthouse security.

Section 302 authorizes the Judiciary to transfer up to 5 percent of any appropriation with certain limitations.

TITLE V—INDEPENDENT AGENCIES

Under Election Assistance Commission, "Salaries and expenses", language is included directing transfer of $3,500,000 to the National Institute of Standards and Technology for election reform activities.

Under Merit Systems Protection Board, "Salaries and Expenses", language is included authorizing transfer of certain amounts from the Civil Service Retirement and Disability Fund.

Under Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation, "Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund", language is included authorizing transfer of up to 60 percent of funds to the Native Nations Institute for necessary expenses.

Under Office of Personnel Management, "Salaries and Expenses", language is included transferring amounts from certain trust funds for administrative expenses.

Under Office of Personnel Management, "Office of Inspector General", language is included transferring amounts from certain trust funds for administrative expenses.

Under Postal Regulatory Commission, "Salaries and Expenses, language is included transferring amounts from the Postal Service Fund.

Under Small Business Administration, "Business Loans Program Account" and "Disaster Loans Program Account", language is included transferring amounts to the Office of Inspector General and the Salaries and Expenses account.

Under United States Postal Service, "Office of Inspector General", language is included authorizing transfer of amounts from the Postal Service Fund.

Section 502 authorizes transfer of funds between activities of the Federal Buildings Fund with advance approval from the Committees on Appropriations.

Section 510 authorizes transfer of funds between appropriations of the Small Business Administration.

TITLE VIII—GENERAL PROVISIONS, DISTRICT OF COLUMBIA

Section 815 allows the District of Columbia to transfer local funds in certain instances.

RESCISSIONS

Pursuant to clause 3(f)(2) of rule XIII, the following statement is submitted regarding the rescissions recommended in the accompanying bill.

In title I, Department of the Treasury, under the heading "Treasury Forfeiture Fund", the Committee has included language to permanently rescind $50,000,000 and return it to the general fund. This is the only rescission included in the bill.

COMPLIANCE WITH RULE XIII, CL. 3(e) (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

## SECTION 122 OF DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

(Public Law 105–119)

SEC. 122. (a) * * *

* * * * * * *

(g)(1) Notwithstanding any other provision of law and subject to paragraph (2), the Secretary of the Treasury is authorized to establish, for a period of [11 years] *12 years* from date of enactment of this provision, a personnel management demonstration project providing for the compensation and performance management of not more than a combined total of 950 employees who fill critical scientific, technical, engineering, intelligence analyst, language translator, and medical positions in the Bureau of Alcohol, Tobacco and Firearms.

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## SECTION 203 OF THE JUDICIAL IMPROVEMENTS ACT OF 1990

(Public Law 101–650)

**SEC. 203. DISTRICT JUDGES FOR THE DISTRICT COURTS.**

(a) * * *

* * * * * * *

(c) TEMPORARY JUDGESHIPS.—The President shall appoint, by and with the advice and consent of the Senate—

(1) * * *

* * * * * * *

Except with respect to the district of Kansas, the western district of Michigan, the eastern district of Pennsylvania, the district of

Hawaii, and the northern district of Ohio, the first vacancy in the office of district judge in each of the judicial districts named in this subsection, occurring 10 years or more after the confirmation date of the judge named to fill the temporary judgeship created by this subsection, shall not be filled. The first vacancy in the office of district judge in the district of Kansas occurring [18 years] *19 years* or more after the confirmation date of the judge named to fill the temporary judgeship created for such district under this subsection, shall not be filled. The first vacancy in the office of district judge in the western district of Michigan, occurring after December 1, 1995, shall not be filled. The first vacancy in the office of district judge in the eastern district of Pennsylvania, occurring 5 years or more after the confirmation date of the judge named to fill the temporary judgeship created for such district under this subsection, shall not be filled. The first vacancy in the office of district judge in the northern district of Ohio occurring [18 years] *19 years* or more after the confirmation date of the judge named to fill the temporary judgeship created under this subsection shall not be filled. The first vacancy in the office of the district judge in the district of Hawaii occurring 15 years or more after the confirmation date of the judge named to fill the temporary judgeship created under this subsection shall not be filled. For districts named in this subsection for which multiple judgeships are created by this Act, the last of those judgeships filled shall be the judgeships created under this section.

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## SECTION 101 OF THE FEDERAL AND DISTRICT OF COLUMBIA GOVERNMENT REAL PROPERTY ACT OF 2006

### SEC. 101. EXCHANGE OF TITLE OVER RESERVATION 13 AND CERTAIN OTHER PROPERTIES.

(a) CONVEYANCE OF PROPERTIES.—

[(1) IN GENERAL.—On the date on which the District of Columbia conveys to the Administrator of General Services all right, title, and interest of the District of Columbia in the property described in subsection (c), the Administrator shall convey to the District of Columbia all right, title, and interest of the United States in—

[(A) U.S. Reservation 13, subject to the conditions described in subsection (b); and

[(B) Old Naval Hospital.]

*(1) IN GENERAL.—*

*(A) U.S. RESERVATION 13.—On the date on which the District of Columbia conveys to the Administrator of General Services all right, title, and interest of the District of Columbia in the property described in subsection (c), the Administrator shall convey to the District of Columbia all right, title, and interest of the United States in U.S. Reservation 13, subject to the conditions described in subsection (b).*

*(B) OLD NAVAL HOSPITAL.—Not later than 60 days after the date of the enactment of the Financial Services and General Government Appropriations Act, 2010, the Admin-*

*istrator shall convey to the District of Columbia all right, title, and interest of the United States in Old Naval Hospital.*

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DIRECTED SPENDING BY CONGRESS AND BY THE EXECUTIVE BRANCH

This bill contains $775 million in grant funding awarded solely at the discretion of the Administration, $705 million in funding requested by the President for specific projects, and $118 million requested by the Federal Judiciary for specific projects.

In addition to placing a one-year moratorium on earmarks in appropriations bills enacted in 2007 so that new rules could be put in place, the Committee has subsequently taken unprecedented action to increase transparency and reduce funding for earmarks. This bill continues to further reduce earmarks in 2010, by 54 percent below 2009. In this bill since 2006, total funding earmarked has been reduced by 15 percent. This year, earmarked funding will less than three-tenths-of-one-percent of the cost of the bill.

It should also be noted that under the policies adopted by the Committee the use of Member earmarks awarded to for-profit entities as a functional equivalent of no bid contracts is ended. In cases wthe Committee funds an earmark designated for a for-profit entity, the Committee includes legislative language requiring the Executive Branch to nonetheless issue a request for proposal that gives other entities an opportunity to apply and requires the agency to evaluate all bids received and make a decision based on merit. This gives the original designee an opportunity to be brought to the attention of the agency, but with the possibility that an alternative entity may be selected.

[dollars in millions]

| FY 2006 enacted | FY 2008 enacted | FY 2009 enacted | FY 2010 this bill |
|---|---|---|---|
| $168 | $122 | $142 | $33 |

## DISCLOSURE OF EARMARKS AND CONGRESSIONALLY DIRECTED SPENDING ITEMS

The following table is submitted in compliance with clause 9 of rule XXI, and lists the congressional earmarks (as defined in paragraph (e) of clause 9) contained in the bill or in this report. Neither the bill nor the report contain any limited tax benefits or limited tariff benefits as defined in paragraphs (f) or (g) of clause 9 of rule XXI.

## FINANCIAL SERVICES AND GENERAL GOVERNMENT
**[Presidentially Directed Spending Items]**

| Agency | Account | Recipient | Project | Amount | Requester(s) | |
|---|---|---|---|---|---|---|
| | | | | | Administration | House |
| Executive Office of the President | ONDCP/Other Federal Drug Control Programs | Office of National Drug Control Policy, Washington, DC | National Alliance for Model State Drug Laws | $1,250,000 | The President | Rogers (KY) |
| Executive Office of the President | ONDCP/Other Federal Drug Control Programs | Office of National Drug Control Policy, Washington, DC | National Drug Court Institute | $1,000,000 | The President | |
| General Services Administration (GSA) | Federal Buildings Fund | General Services Administration, Washington, DC | Calexico West Land Port of Entry, California | $9,437,000 | The President | |
| General Services Administration (GSA) | Federal Buildings Fund | General Services Administration, Washington, DC | Columbia Plaza, District of Columbia | $100,000,000 | The President | |
| General Services Administration (GSA) | Federal Buildings Fund | General Services Administration, Washington, DC | Denver Federal Center Remediation, Colorado | $9,962,000 | The President | |
| General Services Administration (GSA) | Federal Buildings Fund | General Services Administration, Washington, DC | East Wing Infrastructure Systems Replacement, District of Columbia | $35,000,000 | The President | |
| General Services Administration (GSA) | Federal Buildings Fund | General Services Administration, Washington, DC | Eisenhower Executive Office Building, District of Columbia | $15,000,000 | The President | |
| General Services Administration (GSA) | Federal Buildings Fund | General Services Administration, Washington, DC | Madawaska Land Port of Entry, Maine | $50,127,000 | The President | |
| General Services Administration (GSA) | Federal Buildings Fund | General Services Administration, Washington, DC | Miami FBI Field Office Consolidation, Florida | $190,675,000 | The President | |
| General Services Administration (GSA) | Federal Buildings Fund | General Services Administration, Washington, DC | New Executive Office Building, District of Columbia | $30,276,000 | The President | |

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|---|---|---|---|---|---|---|
| General Services Administration (GSA) | Federal Buildings Fund | General Services Administration, Washington, DC | Southeast Federal Center Remediation, District of Columbia | $15,000,000 | The President | |
| General Services Administration (GSA) | Federal Buildings Fund | General Services Administration, Washington, DC | Tornillo-Guadalupe Land Port of Entry, Texas | $91,565,000 | The President | Reyes |
| General Services Administration (GSA) | Federal Buildings Fund | General Services Administration, Washington, DC | White Oak FDA Consolidation, Maryland | $137,871,000 | The President | Hoyer |
| National Archives and Records Administration (NARA) | Repairs and Restoration | National Archives and Records Administration, Washington, DC | FDR Presidential Library, New York | $17,500,000 | The President | Hinchey; Murphy (NY) |

## FINANCIAL SERVICES AND GENERAL GOVERNMENT

**[Judicially Directed Spending Items]**

| Agency | Account | Recipient | Project | Amount | Requester(s) | |
|---|---|---|---|---|---|---|
| | | | | | The Judiciary | House |
| General Services Administration (GSA) | Federal Buildings Fund | General Services Administration, Washington, DC | Greenbelt United States Courthouse, Maryland | $10,000,000 | The Judiciary | Hoyer |
| General Services Administration (GSA) | Federal Buildings Fund | General Services Administration, Washington, DC | Mobile United States Courthouse, Alabama | $96,000,000 | The Judiciary | Bonner |
| General Services Administration (GSA) | Federal Buildings Fund | General Services Administration, Washington, DC | San Antonio United States Courthouse, Texas | $4,000,000 | The Judiciary | Gonzalez; Smith (TX) |
| General Services Administration (GSA) | Federal Buildings Fund | General Services Administration, Washington, DC | Savannah United States Courthouse, Georgia | $7,900,000 | The Judiciary | Barrow |

## FINANCIAL SERVICES AND GENERAL GOVERNMENT
### [Congressionally Directed Spending Items]

| Agency | Account | Recipient | Project | Amount | Requester(s) |
|---|---|---|---|---|---|
| District of Columbia | Office of the Chief Financial Officer | Living Classrooms of the National Capital Region, Washington, DC | Education and job skills training for disadvantaged young adults | $100,000 | Moran (VA) |
| District of Columbia | Office of the Chief Financial Officer | National Building Museum, Washington, DC | Education programs and exhibitions | $150,000 | Moran (VA); Norton |
| District of Columbia | Office of the Chief Financial Officer | Safe Kids USA, Washington, DC | Safety services for families in need | $125,000 | Wasserman Schultz |
| District of Columbia | Office of the Chief Financial Officer | Samaritan Ministry of Greater Washington, Washington, DC | Next Step Program | $100,000 | Norton; Moran (VA) |
| District of Columbia | Office of the Chief Financial Officer | The Washington Center, Washington, DC | Construction and build out of academic space | $125,000 | Wasserman Schultz |
| District of Columbia | Office of the Chief Financial Officer | Washington Hospital Center, Washington, DC | Trauma center and other critical hospital upgrades | $50,000 | Norton |
| District of Columbia | Office of the Chief Financial Officer | Whitman-Walker Clinic, Washington, DC | health care services | $100,000 | Wasserman Schultz; Norton |
| District of Columbia | Office of the Chief Financial Officer | Youth Power Center, Washington, DC | Tutoring and Mentoring Program Expansion | $100,000 | Norton |
| General Services Administration (GSA) | Operating Expenses | Oklahoma City National Memorial Foundation, Oklahoma City, OK | Oklahoma City Memorial | $1,000,000 | Cole; Fallin |
| Small Business Administration (SBA) | Salaries and Expenses | Agriculture & Land-based Training Association, Salinas, CA | Farmworker to Farmer Business Incubator | $110,000 | Farr |
| Small Business Administration (SBA) | Salaries and Expenses | Agudath Israel of America, New York, NY | Mentoring and training services | $150,000 | Weiner |
| Small Business Administration (SBA) | Salaries and Expenses | Alabama Small Business Institute of Commerce, Rainbow City, AL | for small business training | $100,000 | Rogers (AL); Aderholt |

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|---|---|---|---|---|---|
| Small Business Administration (SBA) | Salaries and Expenses | Alabama Technology Network, Birmingham, AL | for the Alabama Center for Advanced Woodworking Technology | $350,000 | Aderholt |
| Small Business Administration (SBA) | Salaries and Expenses | Albuquerque Hispano Chamber of Commerce, Albuquerque, NM | Dos Mundos small business assistance program | $200,000 | Heinrich |
| Small Business Administration (SBA) | Salaries and Expenses | Altoona-Blair County Development Corporation, Altoona, PA | for the I–99 Entrepreneurial Institute | $100,000 | Shuster |
| Small Business Administration (SBA) | Salaries and Expenses | American Cities Foundation, Inc, Philadelphia, PA | Reaching and Impacting Small Entrepreneurs (Project RISE) | $225,000 | Fattah |
| Small Business Administration (SBA) | Salaries and Expenses | Arkansas State University—Newport, AR | Arkansas Commercial Driver Training Institute | $200,000 | Berry |
| Small Business Administration (SBA) | Salaries and Expenses | Baltimore City Schools, Baltimore, MD | Career and Technology Pathways | $300,000 | Ruppersberger; Cummings |
| Small Business Administration (SBA) | Salaries and Expenses | Barry University, Miami Shores, FL | for community and economic development | $100,000 | Ros-Lehtinen; Meek (FL); Wasserman Schultz; Grayson; Hastings (FL); Diaz-Balart, Mario |
| Small Business Administration (SBA) | Salaries and Expenses | Benedictine University, Lisle, IL | for women's entrepreneurial education and workforce development | $250,000 | Biggert |
| Small Business Administration (SBA) | Salaries and Expenses | Boise State University, ID | for a research and economic development and entrepreneurial initiative | $400,000 | Simpson |
| Small Business Administration (SBA) | Salaries and Expenses | Bronx Shepherds Restoration Corporation, Bronx, NY | business training programs | $75,000 | Serrano |
| Small Business Administration (SBA) | Salaries and Expenses | Brooklyn Hispanic Chamber of Commerce, Brooklyn, NY | Business incubator program | $60,000 | Velazquez |
| Small Business Administration (SBA) | Salaries and Expenses | Buffalo Niagara International Trade Foundation, Buffalo, NY | to support small businesses | $250,000 | Lee (NY) |

## FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued
[Congressionally Directed Spending Items]

| Agency | Account | Recipient | Project | Amount | Requester(s) |
|---|---|---|---|---|---|
| Small Business Administration (SBA) | Salaries and Expenses | Bunker Hill Community College, Boston, MA | Workforce Development Initiative for Internationally Educated Nurses | $150,000 | Capuano |
| Small Business Administration (SBA) | Salaries and Expenses | California State University, Dominguez Hills, Carson, CA | Online access to business and other educational programs | $150,000 | Richardson |
| Small Business Administration (SBA) | Salaries and Expenses | Center for Economic Growth, Albany, NY | Watervliet Innovation Center | $150,000 | Tonko |
| Small Business Administration (SBA) | Salaries and Expenses | Cen-Tex African American Chamber of Commerce, Waco, TX | Center for Business Excellence | $200,000 | Edwards (TX) |
| Small Business Administration (SBA) | Salaries and Expenses | Central Brooklyn Housing Contractor Association, Brooklyn, NY | Business Incubation and Development Program | $150,000 | Clarke |
| Small Business Administration (SBA) | Salaries and Expenses | Central Oregon Community College, Bend, OR | for a technology education center | $100,000 | Walden |
| Small Business Administration (SBA) | Salaries and Expenses | Chamber South, South Miami, FL | to encourage economic production | $100,000 | Diaz-Balart, Lincoln |
| Small Business Administration (SBA) | Salaries and Expenses | Chicanos Por La Causa, Inc., Phoenix, AZ | Buckeye Small Business Incubator | $200,000 | Pastor (AZ) |
| Small Business Administration (SBA) | Salaries and Expenses | City of Alcoa, TN | for the Pellissippi Research Centre | $100,000 | Duncan |
| Small Business Administration (SBA) | Salaries and Expenses | City of Alma, GA | for business and infrastructure development | $500,000 | Kingston |
| Small Business Administration (SBA) | Salaries and Expenses | City of Bardstown, KY | for downtown streetscape economic development | $100,000 | Guthrie |
| Small Business Administration (SBA) | Salaries and Expenses | City of Berkeley, CA | East Bay Green Jobs Project | $250,000 | Lee (CA) |

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|---|---|---|---|---|---|
| Small Business Administration (SBA) | Salaries and Expenses | City of College Park, GA | Entrepreneurial Development Center | $150,000 | Lewis (GA); Scott (GA) |
| Small Business Administration (SBA) | Salaries and Expenses | City of Loma Linda and City of Grand Terrace, CA | for an infrastructure expansion project to promote small business | $900,000 | Lewis (CA) |
| Small Business Administration (SBA) | Salaries and Expenses | City of Montrose, CO | Montrose Higher Education and Technology Park | $200,000 | Salazar |
| Small Business Administration (SBA) | Salaries and Expenses | City of Myrtle Beach, SC | for the Myrtle Beach International Trade and Conference Center | $100,000 | Brown (SC) |
| Small Business Administration (SBA) | Salaries and Expenses | City of Palmdale, CA | for the South Valley WorkSource Center | $100,000 | McKeon |
| Small Business Administration (SBA) | Salaries and Expenses | City of San Jose, CA | Silicon Valley Minority/Immigrant Business Support Initiative | $200,000 | Honda |
| Small Business Administration (SBA) | Salaries and Expenses | City of Valparaiso, IN | Entech Innovation Center Tech Park | $250,000 | Visclosky |
| Small Business Administration (SBA) | Salaries and Expenses | Cleary University, Howell, MI | for a multi-media center | $100,000 | Rogers (MI); Dingell |
| Small Business Administration (SBA) | Salaries and Expenses | Clemson University, Clemson, SC | for the Advanced Materials Innovation Center | $100,000 | Barrett (SC) |
| Small Business Administration (SBA) | Salaries and Expenses | Commerce Lexington, Lexington, KY | Central Kentucky Small Business Assistance Initiative | $200,000 | Chandler |
| Small Business Administration (SBA) | Salaries and Expenses | Community Action Committee of the Lehigh Valley, Bethlehem, PA | to help small businesses identify and implement energy efficiency improvements | $100,000 | Dent |
| Small Business Administration (SBA) | Salaries and Expenses | Community Economic Development Fund, Meriden, CT | Small Business Training Institute and Individualized Small Business Technical Assistance Expansion | $250,000 | Larson (CT); DeLauro |
| Small Business Administration (SBA) | Salaries and Expenses | Consortium for Worker Education, New York, NY | Financial training and guidance programs | $150,000 | Crowley |

## FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued
[Congressionally Directed Spending Items]

| Agency | Account | Recipient | Project | Amount | Requester(s) |
|---|---|---|---|---|---|
| Small Business Administration (SBA) | Salaries and Expenses | Consumer Credit Counseling Service of Delaware Valley, Philadelphia, PA | Financial Counseling for Economic Security | $35,000 | Sestak |
| Small Business Administration (SBA) | Salaries and Expenses | County of Essex, Newark, NJ | Resource Center for Small Businesses | $205,000 | Rothman (NJ); Sires; Pascrell; Payne |
| Small Business Administration (SBA) | Salaries and Expenses | County of Passaic, Paterson, NJ | Economic Development Department | $125,000 | Pascrell |
| Small Business Administration (SBA) | Salaries and Expenses | Cuban American National Council/NJ Regional Office, Union City, NJ | Financial Education and Home Ownership Program | $70,000 | Sires |
| Small Business Administration (SBA) | Salaries and Expenses | Delta Foundation, Greenville, MS | Mississippi Delta business growth development program | $150,000 | Thompson (MS) |
| Small Business Administration (SBA) | Salaries and Expenses | Detroit Renaissance, Detroit, MI | Detroit Creative Corridor Center | $175,000 | Kilpatrick (MI); Conyers |
| Small Business Administration (SBA) | Salaries and Expenses | Downtown West Plains, Inc., West Plains, MO | for the Ozarks Small Business Incubator | $500,000 | Emerson |
| Small Business Administration (SBA) | Salaries and Expenses | East Los Angeles Community Union, Los Angeles, CA | TELACU Neighborhood Stabilization Corporation | $500,000 | Roybal-Allard; Baca; Waters |
| Small Business Administration (SBA) | Salaries and Expenses | Economic Development Council of Tallahassee/Leon County, Inc., Tallahassee, FL | Tallahassee Small Business Incubator | $450,000 | Boyd |
| Small Business Administration (SBA) | Salaries and Expenses | Economic Growth Connection of Westmoreland, Greensburg, PA | Defense Procurement Assistance Program | $125,000 | Murtha |
| Small Business Administration (SBA) | Salaries and Expenses | El Pajaro Community Development Corporation, Watsonville, CA | Commercial Kitchen Business Incubator | $90,000 | Farr |

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|---|---|---|---|---|---|
| Small Business Administration (SBA) | Salaries and Expenses | Fairplex Trade and Conference Center, Los Angeles, CA | Pomona Fairplex Trade and Conference Center | $350,000 | Dreier; Napolitano |
| Small Business Administration (SBA) | Salaries and Expenses | First Community Development Corporation (FCDC), Inglewood, CA | Computer Lab Resource Center | $150,000 | Waters |
| Small Business Administration (SBA) | Salaries and Expenses | Florida Department of Citrus, Lakeland, FL | Abscission chemical for improved citrus harvesting | $100,000 | Putnam |
| Small Business Administration (SBA) | Salaries and Expenses | Florida Gulf Coast University, Fort Myers, FL | for a small business software development program | $261,000 | Young (FL) |
| Small Business Administration (SBA) | Salaries and Expenses | Florida Institute of Technology, Melbourne, FL | for Activity Based Total Accountability | $100,000 | Posey |
| Small Business Administration (SBA) | Salaries and Expenses | Foothill Workforce Investment Board, Pasadena, CA | Small Business Assistance Program | $150,000 | Schiff |
| Small Business Administration (SBA) | Salaries and Expenses | Fort Stockton Economic Development Corporation, Fort Stockton, TX | Fort Stockton Small Business Development Program | $100,000 | Rodriguez |
| Small Business Administration (SBA) | Salaries and Expenses | Girl Scouts of the USA, New York, NY | for a national program to improve financial literacy | $101,000 | Emerson; Maloney |
| Small Business Administration (SBA) | Salaries and Expenses | Grambling State University, LA | for the Greater North Louisiana Community Development Corporation | $300,000 | Alexander |
| Small Business Administration (SBA) | Salaries and Expenses | Greater Des Moines Partnership, IA | for the Central Iowa Business Innovation Zone | $185,000 | Latham; Boswell |
| Small Business Administration (SBA) | Salaries and Expenses | Greater Syracuse Chamber of Commerce, Syracuse, NY | Clean Tech Startup Camp | $200,000 | Maffei |
| Small Business Administration (SBA) | Salaries and Expenses | Hispanic Business Education & Training, Inc.(HBET), Oakland, CA | Hispanic Business Education and Training Program | $50,000 | Lee (CA) |

## FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued
[Congressionally Directed Spending Items]

| Agency | Account | Recipient | Project | Amount | Requester(s) |
|---|---|---|---|---|---|
| Small Business Administration (SBA) | Salaries and Expenses | Hispanic Chamber of Commerce of Metro Orlando, FL | Small business training, assistance and outreach | $200,000 | Grayson |
| Small Business Administration (SBA) | Salaries and Expenses | Housing Options and Geriatric Association Resources, Inc., Bronx, NY | Economic and community development program for elderly persons | $75,000 | Serrano |
| Small Business Administration (SBA) | Salaries and Expenses | Hudson Valley Agribusiness Development Corporation, Hudson, NY | Hudson Valley Food Processing Incubator Facility | $350,000 | Hinchey; Hall (NY) |
| Small Business Administration (SBA) | Salaries and Expenses | Hunter College, New York, NY | for the Roosevelt House Institute Public Policy Institute, Financial Literacy Project | $75,000 | Maloney |
| Small Business Administration (SBA) | Salaries and Expenses | I–70 Northwest Development Corporation, St Louis, MO | North St. Louis Community Food and Health Center | $100,000 | Clay |
| Small Business Administration (SBA) | Salaries and Expenses | Idaho TechConnect Inc., Nampa, ID | Proof of Concept Center | $285,000 | Simpson |
| Small Business Administration (SBA) | Salaries and Expenses | Illinois Institute of Technology, Chicago, IL | for business assistance programs | $100,000 | Rush |
| Small Business Administration (SBA) | Salaries and Expenses | Illinois Science and Technology Coalition, Chicago, IL | Illinois Nanotechnology Collaborative | $150,000 | Lipinski |
| Small Business Administration (SBA) | Salaries and Expenses | Illinois State University, Normal, IL | for an export project | $100,000 | Johnson (IL) |
| Small Business Administration (SBA) | Salaries and Expenses | Illinois Valley Community College, Oglesby, IL | Technology and Workforce Development Center | $200,000 | Halvorson |
| Small Business Administration (SBA) | Salaries and Expenses | Indianhead Community Action Agency, Ladysmith, WI | Solar Business Revolving Loan Fund | $450,000 | Obey |

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|---|---|---|---|---|---|
| Small Business Administration (SBA) | Salaries and Expenses | Iowa Valley Community College District, Marshalltown, IA | for an education and training center | $500,000 | Latham |
| Small Business Administration (SBA) | Salaries and Expenses | Laredo Community College, Laredo, TX | Small Business Center | $150,000 | Cuellar |
| Small Business Administration (SBA) | Salaries and Expenses | Liberty University, VA, Lynchburg, VA | Central Virginia WiMAX broadband internet service for education and economic development—Feasibility Study | $200,000 | Perriello |
| Small Business Administration (SBA) | Salaries and Expenses | Lock Haven University Small Business Development Center, Lock Haven, PA | Tax Compliance Resource Program | $50,000 | Thompson (PA) |
| Small Business Administration (SBA) | Salaries and Expenses | Long Beach Community College District, Long Beach, CA | for business training for Watts-Willowbrook | $50,000 | Sanchez, Linda |
| Small Business Administration (SBA) | Salaries and Expenses | Los Angeles City College Foundation, CA | East Hollywood Entrepreneurial Training and Small Business Program | $150,000 | Becerra |
| Small Business Administration (SBA) | Salaries and Expenses | Macomb County, MI | for a business accelerator | $100,000 | Miller (MI); Levin |
| Small Business Administration (SBA) | Salaries and Expenses | Manhattan Chamber of Commerce Foundation, New York, NY | Small business training and assistance related to international opportunities | $75,000 | Maloney |
| Small Business Administration (SBA) | Salaries and Expenses | Maryland Technology Development Corporation (TEDCO), Columbia, MD | Rural Business Innovation Initiative—Eastern Shore | $200,000 | Kratovil |
| Small Business Administration (SBA) | Salaries and Expenses | Maverick County Development Corporation, Eagle Pass, TX | Maverick County Small Business Development Program | $100,000 | Rodriguez |
| Small Business Administration (SBA) | Salaries and Expenses | MDC Inc., Chapel Hill, NC | for services related to small business entrepreneurship | $225,000 | Fattah |

## FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued
[Congressionally Directed Spending Items]

| Agency | Account | Recipient | Project | Amount | Requester(s) |
|---|---|---|---|---|---|
| Small Business Administration (SBA) | Salaries and Expenses | Metropolitan Council on Jewish Poverty, New York, NY | Employment and training programs | $150,000 | Nadler (NY) |
| Small Business Administration (SBA) | Salaries and Expenses | Miami Dade College, FL | Institute for Intermodal Transportation | $300,000 | Diaz-Balart, Mario; Wasserman Schultz; Meek (FL); Ros-Lehtinen; Diaz-Balart, Lincoln |
| Small Business Administration (SBA) | Salaries and Expenses | Miami-Dade Chamber of Commerce, Miami, FL | Technical Assistance and Economic Development Center | $150,000 | Meek (FL) |
| Small Business Administration (SBA) | Salaries and Expenses | Montana State University—Bozeman, MT | HTAP: High-Technology Assistance Program | $133,000 | Rehberg |
| Small Business Administration (SBA) | Salaries and Expenses | Montana World Trade Center, Missoula, MT | Montana Growth Through Trade | $134,000 | Rehberg |
| Small Business Administration (SBA) | Salaries and Expenses | Montgomery County, MD, Rockville, MD | Green Business Incubator | $150,000 | Van Hollen; Edwards (MD) |
| Small Business Administration (SBA) | Salaries and Expenses | Mount Hope Housing Company, Inc., Bronx, NY | training program | $75,000 | Serrano |
| Small Business Administration (SBA) | Salaries and Expenses | Mount Vernon Chamber of Commerce, Mount Vernon, NY | Mount Vernon Small Business Incubator | $150,000 | Engel |
| Small Business Administration (SBA) | Salaries and Expenses | National Association of Development Organizations, Washington, DC | Small Business Development and Entrepreneurial Enhancement Initiative | $200,000 | Arcuri; McIntyre |
| Small Business Administration (SBA) | Salaries and Expenses | National Latino Education Institute, Chicago, IL | Vocational Training Initiative | $150,000 | Gutierrez |

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|---|---|---|---|---|---|
| Small Business Administration (SBA) | Salaries and Expenses | National Urban League, New York, NY | Restore Our Homes-Homeownership Center in Chicago | $100,000 | Jackson (IL) |
| Small Business Administration (SBA) | Salaries and Expenses | Neighborhood Development Center, Saint Paul, MN | University Avenue Business Preparation Collaborative | $200,000 | McCollum |
| Small Business Administration (SBA) | Salaries and Expenses | New Agrarian Center, Oberlin, OH | Urban Agriculture Business Development | $125,000 | Kaptur |
| Small Business Administration (SBA) | Salaries and Expenses | New Orleans Redevelopment Authority, LA | to encourage commercial investments | $250,000 | Cao |
| Small Business Administration (SBA) | Salaries and Expenses | New York City College of Technology, Brooklyn, NY | Brooklyn Small Business Development Center | $115,000 | Towns |
| Small Business Administration (SBA) | Salaries and Expenses | New York College of Environmental Science & Forestry, Syracuse, NY | for the New York Forest Community Economic Assistance Program | $100,000 | McHugh |
| Small Business Administration (SBA) | Salaries and Expenses | New York Industrial Retention Network, NY | Technical assistance and financing for manufacturers for energy conservation projects | $60,000 | Velazquez |
| Small Business Administration (SBA) | Salaries and Expenses | Newport Chamber of Commerce, Middletown, RI | Industrial Park of Tiverton | $80,000 | Kennedy |
| Small Business Administration (SBA) | Salaries and Expenses | North Carolina Biotechnology Center, Research Triangle Park, NC | Entrepreneurship and Research & Development Training Initiative | $130,000 | Price (NC); |
| Small Business Administration (SBA) | Salaries and Expenses | North Carolina Rural Economic Development Center, Raleigh, NC | Rural Business Finance Program | $120,000 | Price (NC); Miller (NC); McIntyre; Shuler; Butterfield; Etheridge |
| Small Business Administration (SBA) | Salaries and Expenses | Northeast Alabama Community College, Rainsville, AL | for industrial systems technology and machining training | $335,000 | Aderholt |
| Small Business Administration (SBA) | Salaries and Expenses | Northeast Entrepreneur Fund, Virginia, MN | Greenstone Group | $200,000 | Oberstar |

## FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued
### [Congressionally Directed Spending Items]

| Agency | Account | Recipient | Project | Amount | Requester(s) |
|---|---|---|---|---|---|
| Small Business Administration (SBA) | Salaries and Expenses | Northeast Ohio Technology Coalition, Cleveland, OH | for Tech Leaders II: Job Creation through Industry Cluster Development | $250,000 | LaTourette; Sutton; Ryan (OH) |
| Small Business Administration (SBA) | Salaries and Expenses | Northern Arizona Center for Emerging Technologies, Flagstaff, AZ | Arizona Clean Energy Accelerator | $200,000 | Kirkpatrick (AZ) |
| Small Business Administration (SBA) | Salaries and Expenses | Northern Dauphin Revitalization Project, Inc., Elizabethville, PA | Job creation initiative | $100,000 | Holden |
| Small Business Administration (SBA) | Salaries and Expenses | Northside Economic Opportunity Network (NEON), Minneapolis, MN | North Minneapolis Small Business Capacity Building Program | $150,000 | Ellison |
| Small Business Administration (SBA) | Salaries and Expenses | NYS Small Business Development Center at Rockland County Community College, Suffern, NY | Training for displaced workers to start or expand small business | $125,000 | Lowey |
| Small Business Administration (SBA) | Salaries and Expenses | Oakland African American Chamber of Commerce Foundation, Oakland, CA | Economic Vitality of Minority Businesses in Oakland | $50,000 | Lee (CA) |
| Small Business Administration (SBA) | Salaries and Expenses | Oakland Chinatown Chamber of Commerce, Oakland, CA | Economic Vitality of Asian Minority Business Program | $50,000 | Lee (CA) |
| Small Business Administration (SBA) | Salaries and Expenses | Operation Get Ahead, Hempstead, NY | Job readiness and employment programs | $150,000 | McCarthy (NY) |
| Small Business Administration (SBA) | Salaries and Expenses | Operation New Hope, Inc., Jacksonville, FL | for a prison re-entry job training program that works with small business owners | $790,000 | Crenshaw |

| | | | | | |
|---|---|---|---|---|---|
| Small Business Administration (SBA) | Salaries and Expenses | Our Lady of the Lake University, San Antonio, TX | Hispanic Leadership and Entrepreneurship Training Institute | $100,000 | Gonzalez |
| Small Business Administration (SBA) | Salaries and Expenses | Pace University Lienhard School of Nursing, White Plains, NY | nursing workforce education and training initiative | $125,000 | Lowey |
| Small Business Administration (SBA) | Salaries and Expenses | Pasadena City College, Pasadena, CA | Small Business and Entrepreneur Assistance Program | $150,000 | Schiff |
| Small Business Administration (SBA) | Salaries and Expenses | Philadelphia Development Partnership, Philadelphia, PA | Southeastern Pennsylvania Micro Business Center | $65,000 | Sestak |
| Small Business Administration (SBA) | Salaries and Expenses | Pinellas County Board of County Commissioners, Clearwater, FL | for the Business Assistance Partnership Network | $262,000 | Young (FL); Castor |
| Small Business Administration (SBA) | Salaries and Expenses | Port of Bremerton, Port Orchard, WA | Sustainable Energy and Economic Development Incubator | $250,000 | Dicks |
| Small Business Administration (SBA) | Salaries and Expenses | Pratt Institute, Brooklyn, NY | Green Community Career & Business Training Center | $85,000 | Towns |
| Small Business Administration (SBA) | Salaries and Expenses | Prince George's County, Upper Marlboro, MD | Small Business Initiative | $150,000 | Hoyer; Van Hollen; Edwards (MD) |
| Small Business Administration (SBA) | Salaries and Expenses | Progreso Latino, Central Falls, RI | Small business capacity building assistance | $120,000 | Kennedy |
| Small Business Administration (SBA) | Salaries and Expenses | Project Ezrah Needs, Inc., Englewood, NJ | Employment and financial counseling and assistance | $100,000 | Rothman (NJ) |
| Small Business Administration (SBA) | Salaries and Expenses | River District Association, Rockford, IL | to develop and recruit small businesses | $100,000 | Manzullo |
| Small Business Administration (SBA) | Salaries and Expenses | SEKTDA, Somerset, KY | for economic and small business development in Southern and Eastern Kentucky | $685,000 | Rogers (KY) |

## FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued
[Congressionally Directed Spending Items]

| Agency | Account | Recipient | Project | Amount | Requester(s) |
|---|---|---|---|---|---|
| Small Business Administration (SBA) | Salaries and Expenses | Southwest Brooklyn Industrial Development Corporation, Brooklyn, NY | Plan Ahead Brooklyn | $80,000 | Velazquez |
| Small Business Administration (SBA) | Salaries and Expenses | Southwest Georgia United Empowerment Zone, Inc., Vienna, GA | Capitalization and overhead of Community Development Financial Institution | $100,000 | Bishop (GA) |
| Small Business Administration (SBA) | Salaries and Expenses | Southwestern Adventist University, Keene, TX | Entrepreneurship Resources Center | $200,000 | Edwards (TX) |
| Small Business Administration (SBA) | Salaries and Expenses | Suffolk County Community College, Brentwood, NY | Green Technology Workforce Initiative | $200,000 | Israel |
| Small Business Administration (SBA) | Salaries and Expenses | SUNY Fredonia, Fredonia, NY | Small business incubator | $150,000 | Higgins |
| Small Business Administration (SBA) | Salaries and Expenses | TechRanch at Montana State University, Bozeman, MT | Technology Based Economic Development Center | $133,000 | Rehberg |
| Small Business Administration (SBA) | Salaries and Expenses | Texas State University System, San Marcos, TX | Center for Entrepreneurial Action | $150,000 | Doggett |
| Small Business Administration (SBA) | Salaries and Expenses | The Bi-National Sustainability Laboratory (BNSL), El Paso, TX | Partnership for Innovation and Security | $150,000 | Reyes |
| Small Business Administration (SBA) | Salaries and Expenses | The Bodega Association of the United States, Inc, New York, NY | education, training and other small business assistance | $200,000 | Rangel |
| Small Business Administration (SBA) | Salaries and Expenses | The Citizens Advice Bureau, Bronx, NY | for economic and community development programs for homeless adults | $100,000 | Serrano |

| | | | | | |
|---|---|---|---|---|---|
| Small Business Administration (SBA) | Salaries and Expenses | The Export Consortium, Columbia, SC | The I–95 Corridor Project | $150,000 | Clyburn |
| Small Business Administration (SBA) | Salaries and Expenses | The Pittsburgh Life Sciences Greenhouse, Pittsburgh, PA | Tech Belt Life Sciences Greenhouse | $100,000 | Doyle; Altmire |
| Small Business Administration (SBA) | Salaries and Expenses | The Progress Fund, Greensburg, PA | Technical Assistance for Small Businesses | $125,000 | Murtha |
| Small Business Administration (SBA) | Salaries and Expenses | Thomas More College, Crestview Hills, KY | for training programs in health care management | $100,000 | Davis (KY) |
| Small Business Administration (SBA) | Salaries and Expenses | Thorpe Family Residence, Inc. (TFR), Bronx, NY | Economic and community development residential services programs and capital costs | $75,000 | Serrano |
| Small Business Administration (SBA) | Salaries and Expenses | Township of Woodbridge, NJ | for the Pennval Road Green Technology Incubator | $250,000 | Lance |
| Small Business Administration (SBA) | Salaries and Expenses | UMASS Dartmouth, Fall River, MA | Advanced Technical & Manufacturing Center | $325,000 | Frank (MA); McGovern |
| Small Business Administration (SBA) | Salaries and Expenses | United Way for Southeastern Michigan, Detroit, MI | Ex-Offender Entrepreneurship Program | $250,000 | Conyers; Dingell |
| Small Business Administration (SBA) | Salaries and Expenses | University of Alabama, Tuscaloosa, AL | for the Preparing the Workforce of the Future project | $100,000 | Bachus |
| Small Business Administration (SBA) | Salaries and Expenses | University of Arkansas, Fayetteville, AR | for a research and technology park | $100,000 | Boozman |
| Small Business Administration (SBA) | Salaries and Expenses | University of Connecticut, Storrs, CT | Farmington Technology Incubation Center | $150,000 | DeLauro; Murphy (CT); |
| Small Business Administration (SBA) | Salaries and Expenses | University of Delaware, Newark, DE | for the Delaware Small Business and Technology Development Center | $100,000 | Castle |

## FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued
[Congressionally Directed Spending Items]

| Agency | Account | Recipient | Project | Amount | Requester(s) |
|---|---|---|---|---|---|
| Small Business Administration (SBA) | Salaries and Expenses | University of Georgia, Public Service and Outreach, Athens, GA | for an applied research demonstration project to bolster workforce development | $100,000 | Bishop (GA) |
| Small Business Administration (SBA) | Salaries and Expenses | University of Guam, Mangilao, GU | Center for Regional Economic Development | $150,000 | Bordallo |
| Small Business Administration (SBA) | Salaries and Expenses | University of Memphis,TN | for an entrepreneurial training program | $685,000 | Wamp; Cohen |
| Small Business Administration (SBA) | Salaries and Expenses | University of Missouri System, Columbia, MO | for the Extension Community Economic and Entrepreneurial program | $249,000 | Emerson |
| Small Business Administration (SBA) | Salaries and Expenses | University of Nebraska at Omaha, NE | Nebraska's Micro-Enterprise Center | $250,000 | Terry |
| Small Business Administration (SBA) | Salaries and Expenses | University of South Carolina, Columbia, SC | Innovista Center for Entrepreneurial Development | $100,000 | Clyburn |
| Small Business Administration (SBA) | Salaries and Expenses | University of Texas at Brownsville, TX | Global Marketing and Logistics Certification Program | $150,000 | Ortiz |
| Small Business Administration (SBA) | Salaries and Expenses | University of Toledo, OH | Renewable Energy Business Incubator communication infrastructure | $75,000 | Kaptur |
| Small Business Administration (SBA) | Salaries and Expenses | University of West Florida, Pensacola, FL | for the Turnaround Business Assistance Program | $262,000 | Young (FL); Miller (FL) |
| Small Business Administration (SBA) | Salaries and Expenses | University of West Georgia, Carrollton, GA | for a small business incubator | $100,000 | Gingrey (GA) |

| | | | | | |
|---|---|---|---|---|---|
| Small Business Administration (SBA) | Salaries and Expenses | University of Wisconsin, Whitewater, WI | Small Business Development Center | $100,000 | Baldwin |
| Small Business Administration (SBA) | Salaries and Expenses | Urban League of Philadelphia,PA | Urban League Entrepreneurship Center | $100,000 | Brady (PA) |
| Small Business Administration (SBA) | Salaries and Expenses | Vermont Community Colleges, Waterbury, VT | Career Readiness and Supervision Certification | $150,000 | Welch |
| Small Business Administration (SBA) | Salaries and Expenses | Village of Olympia Fields, Olympia Fields, IL | South Suburban Coalition Economic Development Demonstration Project | $100,000 | Jackson (IL) |
| Small Business Administration (SBA) | Salaries and Expenses | Wayne State University, Detroit, MI | Law School Small Business Clinic | $100,000 | Kilpatrick (MI); Peters |
| Small Business Administration (SBA) | Salaries and Expenses | West Chester University of Pennsylvania | Entrepreneurial Leadership Center | $150,000 | Gerlach; Sestak |
| Small Business Administration (SBA) | Salaries and Expenses | West Jefferson Medical Center, Marrero, LA | Workforce Training and Development Initiative | $100,000 | Scalise |
| Small Business Administration (SBA) | Salaries and Expenses | Western Massachusetts Enterprise Fund, Holyoke, MA | Financial and Technical Assistance for Development Enterprises | $250,000 | Olver |
| Small Business Administration (SBA) | Salaries and Expenses | Western Nevada Development District, Carson City, NV | to promote small business development efforts | $250,000 | Heller |
| Small Business Administration (SBA) | Salaries and Expenses | Western Reserve Port Authority, Vienna, OH | Western Reserve Economic Development Initiative | $200,000 | Ryan (OH) |
| Small Business Administration (SBA) | Salaries and Expenses | Western Reserve Resource Conservation and Development Council, Painesville, OH | for a green job and watershed management training program | $150,000 | LaTourette |
| Small Business Administration (SBA) | Salaries and Expenses | Women At Work, Pasadena, CA | Career Technology Training for Low-Income Women | $150,000 | Schiff |
| Small Business Administration (SBA) | Salaries and Expenses | Women's Business Development Center (WBDC), Stamford, CT | for services to small businesses and entrepreneurs | $200,000 | DeLauro; Murphy (CT); Himes |

## FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued

[Congressionally Directed Spending Items]

| Agency | Account | Recipient | Project | Amount | Requester(s) |
|---|---|---|---|---|---|
| Small Business Administration (SBA) | Salaries and Expenses | YMCA of Long Island, Inc., Holtsville, NY | Diversity Training Program at the Brookhaven-Roe YMCA | $100,000 | Bishop (NY) |

## FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 1

Date: July 7, 2009
Measure: Financial Services and General Government Appropriations Bill, 2010
Motion by: Emerson
Description of Motion: An amendment to reduce the amount appropriated for requirements payments to states under the Help America Vote Act from $100 million to $50 million.
Results: Rejected, 22 yeas to 37 nays.

| *Members Voting Yea* | *Members Voting Nay* |
|---|---|
| Mr. Aderholt | Mr. Berry |
| Mr. Alexander | Mr. Bishop |
| Mr. Bonner | Mr. Boyd |
| Mr. Calvert | Mr. Chandler |
| Mr. Carter | Mr. Davis |
| Mr. Cole | Ms. DeLauro |
| Mr. Crenshaw | Mr. Dicks |
| Mr. Culberson | Mr. Edwards |
| Mrs. Emerson | Mr. Farr |
| Mr. Frelinghuysen | Mr. Fattah |
| Ms. Granger | Mr. Hinchey |
| Mr. Kingston | Mr. Honda |
| Mr. Kirk | Mr. Israel |
| Mr. Latham | Mr. Jackson |
| Mr. LaTourette | Ms. Kaptur |
| Mr. Lewis | Mr. Kennedy |
| Mr. Rehberg | Ms. Kilpatrick |
| Mr. Simpson | Ms. Lee |
| Mr. Tiahrt | Mrs. Lowey |
| Mr. Wamp | Ms. McCollum |
| Mr. Wolf | Mr. Mollohan |
| Mr. Young | Mr. Moran |
| | Mr. Murtha |
| | Mr. Obey |
| | Mr. Olver |
| | Mr. Pastor |
| | Mr. Price |
| | Mr. Rodriguez |
| | Mr. Rothman |
| | Ms. Roybal-Allard |
| | Mr. Ruppersberger |
| | Mr. Ryan |
| | Mr. Salazar |
| | Mr. Schiff |
| | Mr. Serrano |
| | Mr. Visclosky |
| | Ms. Wasserman Schultz |

ROLL CALL NO.2

Date: July 7, 2009
Measure: Financial Services and General Government Appropriations Bill, 2010
Motion by: Frelinghuysen
Description of Motion: An amendment to make scholarships under the DC School Choice Incentive Act of 2003 available to all eligible students, and to increase funding for such scholarships from $12.2 million to $14 million (offset by a reduction to the Federal Buildings Fund, payments for rental of space).
Results: Rejected, 23 yeas to 36 nays.

*Members Voting Yea*

Mr. Aderholt
Mr. Alexander
Mr. Bonner
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Culberson
Mrs. Emerson
Mr. Frelinghuysen
Ms. Granger
Mr. Kingston
Mr. Kirk
Mr. Latham
Mr. LaTourette
Mr. Lewis
Mr. Moran
Mr. Rehberg
Mr. Simpson
Mr. Tiahrt
Mr. Wamp
Mr. Wolf
Mr. Young

*Members Voting Nay*

Mr. Berry
Mr. Bishop
Mr. Boyd
Mr. Chandler
Mr. Davis
Ms. DeLauro
Mr. Dicks
Mr. Edwards
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Honda
Mr. Israel
Mr. Jackson
Ms. Kaptur
Mr. Kennedy
Ms. Kilpatrick
Ms. Lee
Mrs. Lowey
Ms. McCollum
Mr. Mollohan
Mr. Murtha
Mr. Obey
Mr. Olver
Mr. Pastor
Mr. Price
Mr. Rodriguez
Mr. Rothman
Ms. Roybal-Allard
Mr. Ruppersberger
Mr. Ryan
Mr. Salazar
Mr. Schiff
Mr. Serrano
Mr. Visclosky
Ms. Wasserman Schultz

ROLL CALL NO.3

Date: July 7, 2009
Measure: Financial Services and General Government Appropriations Bill, 2010
Motion by: Frelinghuysen
Description of Motion: An amendment to make scholarships under the DC School Choice Incentive Act of 2003 available to siblings of students who received scholarships in the 2009-2010, and to increase funding for such scholarships from $12.2 million to $14 million (offset by a reduction to the Federal Buildings Fund, payments for rental of space).
Results: Rejected, 25 yeas to 34 nays.

*Members Voting Yea*

Mr. Aderholt
Mr. Alexander
Mr. Bonner
Mr. Boyd
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Culberson
Mr. Dicks
Mrs. Emerson
Mr. Frelinghuysen
Ms. Granger
Mr. Kingston
Mr. Kirk
Mr. Latham
Mr. LaTourette
Mr. Lewis
Mr. Moran
Mr. Rehberg
Mr. Simpson
Mr. Tiahrt
Mr. Wamp
Mr. Wolf
Mr. Young

*Members Voting Nay*

Mr. Berry
Mr. Bishop
Mr. Chandler
Mr. Davis
Ms. DeLauro
Mr. Edwards
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Honda
Mr. Israel
Mr. Jackson
Ms. Kaptur
Mr. Kennedy
Ms. Kilpatrick
Ms. Lee
Mrs. Lowey
Ms. McCollum
Mr. Mollohan
Mr. Murtha
Mr. Obey
Mr. Olver
Mr. Pastor
Mr. Price
Mr. Rodriguez
Mr. Rothman
Ms. Roybal-Allard
Mr. Ruppersberger
Mr. Ryan
Mr. Salazar
Mr. Schiff
Mr. Serrano
Mr. Visclosky
Ms. Wasserman Schultz

ROLL CALL NO.4

Date: July 7, 2009
Measure: Financial Services and General Government Appropriations Bill, 2010
Motion by: Wolf
Description of Motion: An amendment to enact into law H.R. 1557 (the "Securing America's Future Economy Commission Act"), and to transfer $2 million from the Office of Management and Budget to the commission established by that legislation.
Results: Rejected, 23 yeas to 36 nays.

*Members Voting Yea*

Mr. Aderholt
Mr. Alexander
Mr. Bonner
Mr. Boyd
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Culberson
Mrs. Emerson
Mr. Frelinghuysen
Ms. Granger
Mr. Kingston
Mr. Kirk
Mr. Latham
Mr. LaTourette
Mr. Lewis
Mr. Rehberg
Mr. Simpson
Mr. Tiahrt
Mr. Wamp
Mr. Wolf
Mr. Young

*Members Voting Nay*

Mr. Berry
Mr. Bishop
Mr. Chandler
Mr. Davis
Ms. DeLauro
Mr. Dicks
Mr. Edwards
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Honda
Mr. Israel
Mr. Jackson
Ms. Kaptur
Mr. Kennedy
Ms. Kilpatrick
Ms. Lee
Mrs. Lowey
Ms. McCollum
Mr. Mollohan
Mr. Moran
Mr. Murtha
Mr. Obey
Mr. Olver
Mr. Pastor
Mr. Price
Mr. Rodriguez
Mr. Rothman
Ms. Roybal-Allard
Mr. Ruppersberger
Mr. Ryan
Mr. Salazar
Mr. Schiff
Mr. Serrano
Mr. Visclosky
Ms. Wasserman Schultz

ROLL CALL NO.5

Date: July 7, 2009
Measure: Financial Services and General Government Appropriations Bill, 2010
Motion by: Tiahrt
Description of Motion: An amendment to extend the bill's prohibition on use of Federal funds for abortion (with certain exceptions) so that it would also apply to local District of Columbia funds.
Results: Rejected, 26 yeas to 33 nays.

*Members Voting Yea*

Mr. Aderholt
Mr. Alexander
Mr. Berry
Mr. Bonner
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Culberson
Mr. Davis
Mrs. Emerson
Ms. Granger
Ms. Kaptur
Mr. Kingston
Mr. Kirk
Mr. Latham
Mr. LaTourette
Mr. Lewis
Mr. Mollohan
Mr. Murtha
Mr. Rehberg
Mr. Simpson
Mr. Tiahrt
Mr. Wamp
Mr. Wolf
Mr. Young

*Members Voting Nay*

Mr. Bishop
Mr. Boyd
Mr. Chandler
Ms. DeLauro
Mr. Dicks
Mr. Edwards
Mr. Farr
Mr. Fattah
Mr. Frelinghuysen
Mr. Hinchey
Mr. Honda
Mr. Israel
Mr. Jackson
Mr. Kennedy
Ms. Kilpatrick
Ms. Lee
Mrs. Lowey
Ms. McCollum
Mr. Moran
Mr. Obey
Mr. Olver
Mr. Pastor
Mr. Price
Mr. Rodriguez
Mr. Rothman
Ms. Roybal-Allard
Mr. Ruppersberger
Mr. Ryan
Mr. Salazar
Mr. Schiff
Mr. Serrano
Mr. Visclosky
Ms. Wasserman Schultz

ROLL CALL NO.6

Date: July 7, 2009
Measure: Financial Services and General Government Appropriations Bill, 2010
Motion by: Culberson
Description of Motion: An amendment to reduce the authority to purchase troubled assets under section 115 of the Emergency Economic Stabilization Act of 2008 by the amount of assistance repaid by financial institutions.
Results: Rejected, 22 yeas to 37 nays.

*Members Voting Yea*

Mr. Aderholt
Mr. Alexander
Mr. Bonner
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Culberson
Mrs. Emerson
Mr. Frelinghuysen
Ms. Granger
Mr. Kingston
Mr. Kirk
Mr. Latham
Mr. LaTourette
Mr. Lewis
Mr. Rehberg
Mr. Simpson
Mr. Tiahrt
Mr. Wamp
Mr. Wolf
Mr. Young

*Members Voting Nay*

Mr. Berry
Mr. Bishop
Mr. Boyd
Mr. Chandler
Mr. Davis
Ms. DeLauro
Mr. Dicks
Mr. Edwards
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Honda
Mr. Israel
Mr. Jackson
Ms. Kaptur
Mr. Kennedy
Ms. Kilpatrick
Ms. Lee
Mrs. Lowey
Ms. McCollum
Mr. Mollohan
Mr. Moran
Mr. Murtha
Mr. Obey
Mr. Olver
Mr. Pastor
Mr. Price
Mr. Rodriguez
Mr. Rothman
Ms. Roybal-Allard
Mr. Ruppersberger
Mr. Ryan
Mr. Salazar
Mr. Schiff
Mr. Serrano
Mr. Visclosky
Ms. Wasserman Schultz

ROLL CALL NO.7

Date: July 7, 2009
Measure: Financial Services and General Government Appropriations Bill, 2010
Motion by: Tiahrt
Description of Motion: An amendment to rescind from unobligated balances under title XIV of division A of the American Recovery and Reinvestment Act of 2009 an amount equal to the new discretionary budget authority provided by this bill.
Results: Rejected, 21 yeas to 37 nays.

*Members Voting Yea*

Mr. Aderholt
Mr. Alexander
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Culberson
Mrs. Emerson
Mr. Frelinghuysen
Ms. Granger
Mr. Kingston
Mr. Kirk
Mr. Latham
Mr. LaTourette
Mr. Lewis
Mr. Rehberg
Mr. Simpson
Mr. Tiahrt
Mr. Wamp
Mr. Wolf
Mr. Young

*Members Voting Nay*

Mr. Berry
Mr. Bishop
Mr. Boyd
Mr. Chandler
Mr. Davis
Ms. DeLauro
Mr. Dicks
Mr. Edwards
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Honda
Mr. Israel
Mr. Jackson
Ms. Kaptur
Mr. Kennedy
Ms. Kilpatrick
Ms. Lee
Mrs. Lowey
Ms. McCollum
Mr. Mollohan
Mr. Moran
Mr. Murtha
Mr. Obey
Mr. Olver
Mr. Pastor
Mr. Price
Mr. Rodriguez
Mr. Rothman
Ms. Roybal-Allard
Mr. Ruppersberger
Mr. Ryan
Mr. Salazar
Mr. Schiff
Mr. Serrano
Mr. Visclosky
Ms. Wasserman Schultz

ROLL CALL NO.8

Date: July 7, 2009
Measure: Financial Services and General Government Appropriations Bill, 2010
Motion by: Lewis
Description of Motion: An amendment to prohibit use of funds in this or any other Act to implement Executive Order 13492, titled "Review and Disposition of Individuals Detained at the Guantanamo Bay Naval Base and Closure of Detention Facilities."
Results: Rejected, 21 yeas to 37 nays.

*Members Voting Yea*

Mr. Aderholt
Mr. Alexander
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Culberson
Mrs. Emerson
Mr. Frelinghuysen
Ms. Granger
Mr. Kingston
Mr. Kirk
Mr. Latham
Mr. LaTourette
Mr. Lewis
Mr. Rehberg
Mr. Simpson
Mr. Tiahrt
Mr. Wamp
Mr. Wolf
Mr. Young

*Members Voting Nay*

Mr. Berry
Mr. Bishop
Mr. Boyd
Mr. Chandler
Mr. Davis
Ms. DeLauro
Mr. Dicks
Mr. Edwards
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Honda
Mr. Israel
Mr. Jackson
Ms. Kaptur
Mr. Kennedy
Ms. Kilpatrick
Ms. Lee
Mrs. Lowey
Ms. McCollum
Mr. Mollohan
Mr. Moran
Mr. Murtha
Mr. Obey
Mr. Olver
Mr. Pastor
Mr. Price
Mr. Rodriguez
Mr. Rothman
Ms. Roybal-Allard
Mr. Ruppersberger
Mr. Ryan
Mr. Salazar
Mr. Schiff
Mr. Serrano
Mr. Visclosky
Ms. Wasserman Schultz

ROLL CALL NO.9

Date: July 7, 2009
Measure: Financial Services and General Government Appropriations Bill, 2010
Motion by: Kingston
Description of Motion: An amendment to prohibit use of funds in this or any other Act for salaries or expenses of any task force or council established by (or at the direction of) the President and headed by someone who is neither a Senate-confirmed appointee nor a civil service employee, and which performs functions which would otherwise be carried out by a presidential appointee subject to Senate confirmation.
Results: Rejected, 22 yeas to 36 nays.

*Members Voting Yea*

Mr. Aderholt
Mr. Alexander
Mr. Bonner
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Culberson
Mrs. Emerson
Mr. Frelinghuysen
Ms. Granger
Mr. Kingston
Mr. Kirk
Mr. Latham
Mr. LaTourette
Mr. Lewis
Mr. Rehberg
Mr. Simpson
Mr. Tiahrt
Mr. Wamp
Mr. Wolf
Mr. Young

*Members Voting Nay*

Mr. Berry
Mr. Bishop
Mr. Boyd
Mr. Chandler
Mr. Davis
Ms. DeLauro
Mr. Dicks
Mr. Edwards
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Honda
Mr. Israel
Ms. Kaptur
Mr. Kennedy
Ms. Kilpatrick
Ms. Lee
Mrs. Lowey
Ms. McCollum
Mr. Mollohan
Mr. Moran
Mr. Murtha
Mr. Obey
Mr. Olver
Mr. Pastor
Mr. Price
Mr. Rodriguez
Mr. Rothman
Ms. Roybal-Allard
Mr. Ruppersberger
Mr. Ryan
Mr. Salazar
Mr. Schiff
Mr. Serrano
Mr. Visclosky
Ms. Wasserman Schultz

## COMPARISON WITH THE BUDGET RESOLUTION

Pursuant to clause 3(c)(2) of rule XIII and section 308(a)(1)(A) of the Congressional Budget Act of 1974, the following table compares the levels of new budget authority and outlays provided in the bill with the appropriate allocations made under section 302(b) of the Budget Act.

[In millions of dollars]

| | 302b Allocation | | This Bill | |
|---|---|---|---|---|
| | Budget Authority | Outlays | Budget Authority | Outlays |
| Discretionary | 23,550 | 25,200 | 24,150 | [1]25,653 |
| Mandatory | 20,702 | 20,699 | 20,702 | 20,699 |

[1] Includes outlays from prior year budget authority

Note.—The amounts in this bill are technically in excess of the subcommittee section 302(b) allocation. However, section 422(a)(2) of the congressional budget resolution for fiscal year 2010 authorizes an increase to the Committee's section 302(a) allocation to reflect funding in the reported bill for Internal Revenue Service tax compliance. After the bill is reported to the House, the Chairman of the Committee on the Budget will provide an increased section 302(a) allocation consistent with the funding provided in the bill. That new allocation will eliminate the technical difference prior to Floor consideration.

## FIVE-YEAR OUTLAY PROJECTIONS

Pursuant to clause 3(c)(2) of rule XIII and section 308(a)(1)(B) of the Congressional Budget Act of 1974, the following table contains five-year projections associated with the budget authority provided in the accompanying bill, as provided to the Committee by the Congressional Budget Office.

[In millions of dollars]

| | Outlays |
|---|---|
| 2010 | [1] 39,563 |
| 2011 | 3,579 |
| 2012 | 675 |
| 2013 | 292 |
| 2014 and future years | 256 |

[1] Excludes outlays from prior year budget authority

## FINANCIAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

Pursuant to clause 3(c)(2) of rule XIII and section 308(a)(1)(C) of the Congressional Budget Act of 1974, the Congressional Budget Office has provided the following estimates of new budget authority and outlays provided by the accompanying bill for financial assistance to State and local governments.

[In millions of dollars]

| | Budget Authority | Outlays |
|---|---|---|
| Financial assistance to State and Local governments for 2010 | 766 | [1] 548 |

[1] Excludes outlays from prior year budget authority

## COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY

The following table provides a detailed summary, for each Department and agency, comparing the amounts recommended in the

bill with amounts enacted for fiscal year 2009 and budget estimates presented for fiscal year 2010.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2009
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| TITLE I - DEPARTMENT OF THE TREASURY | | | | | |
| Departmental Offices | | | | | |
| Salaries and expenses | 278,870 | 302,388 | 303,388 | +24,518 | +1,000 |
| Executive direction | (21,619) | (22,383) | (21,983) | (+364) | (-400) |
| Economic policies and programs | (45,910) | (44,749) | (46,249) | (+339) | (+1,500) |
| Financial policies and programs | (36,039) | (47,580) | (48,080) | (+12,041) | (+500) |
| Terrorism and Financial Intelligence | (62,098) | (64,611) | (64,611) | (+2,513) | --- |
| Treasury-wide management | (21,600) | (22,779) | (22,679) | (+1,079) | (-100) |
| Administration | (91,604) | (100,286) | (99,786) | (+8,182) | (-500) |
| non-print admin subtotal | 278,870 | 302,388 | 303,388 | +24,518 | +1,000 |
| Department-wide systems and capital investments programs | 26,975 | 9,544 | 9,544 | -17,431 | --- |
| Office of Inspector General | 26,125 | 26,700 | 29,700 | +3,575 | +3,000 |
| Treasury Inspector General for Tax Administration | 146,083 | 149,000 | 149,000 | +2,917 | --- |
| Emergency appropriations (P.L. 111-5) | 7,000 | --- | --- | -7,000 | --- |
| Subtotal | 153,083 | 149,000 | 149,000 | -4,083 | --- |
| Financial Crimes Enforcement Network | 91,465 | 102,760 | 102,760 | +11,295 | --- |
| Treasury forfeiture fund (rescission) | -30,000 | -50,000 | -50,000 | -20,000 | --- |
| Total, Departmental Offices | 546,518 | 540,392 | 544,392 | -2,126 | +4,000 |
| Appropriations | (569,518) | (590,392) | (594,392) | (+24,874) | (+4,000) |
| Rescissions | (-30,000) | (-50,000) | (-50,000) | (-20,000) | --- |
| Emergency appropriations | (7,000) | --- | --- | (-7,000) | --- |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2009
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Financial Management Service | 239,785 | 244,132 | 244,132 | +4,347 | --- |
| Alcohol and Tobacco Tax and Trade Bureau: | | | | | |
| Salaries and expenses | 99,065 | 105,000 | 99,500 | +435 | -5,500 |
| Offsetting collections | --- | -75,000 | --- | --- | +75,000 |
| Direct appropriation | 99,065 | 30,000 | 99,500 | +435 | +69,500 |
| Bureau of the Public Debt | 177,352 | 182,244 | 182,244 | +4,892 | --- |
| Community development financial institutions fund program account | 107,000 | 243,600 | 243,600 | +136,600 | --- |
| Capital Magnet Fund (by transfer) | --- | (80,000) | (80,000) | (+80,000) | --- |
| Emergency appropriations (P.L. 111-5) | 100,000 | --- | --- | -100,000 | --- |
| Subtotal | 207,000 | 243,600 | 243,600 | +36,600 | --- |
| Payment of government losses in shipment | 2,000 | 2,000 | 2,000 | --- | --- |
| Total, Department of the Treasury, non-IRS | 1,271,720 | 1,242,368 | 1,315,868 | +44,148 | +73,500 |
| Appropriations | (1,194,720) | (1,292,368) | (1,365,868) | (+171,148) | (+73,500) |
| Rescissions | (-30,000) | (-50,000) | (-50,000) | (-20,000) | --- |
| Emergency appropriations | (107,000) | --- | --- | (-107,000) | --- |
| (Total discretionary, excluding emergencies) | (1,162,720) | (1,240,368) | (1,313,868) | (+151,148) | (+73,500) |
| Internal Revenue Service | | | | | |
| Taxpayer services | 2,293,000 | 2,269,830 | 2,273,830 | -19,170 | +4,000 |
| Enforcement | 5,117,267 | 4,904,000 | 4,904,000 | -213,267 | --- |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2009
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Enhanced tax enforcement activities | --- | 600,000 | 600,000 | +600,000 | --- |
| Operations support | 3,867,011 | 4,082,984 | 4,082,984 | +215,973 | --- |
| Business systems modernization | 229,914 | 253,674 | 253,674 | +23,760 | --- |
| Health Insurance Tax Credit Administration | 15,406 | 15,512 | 15,512 | +106 | --- |
| Emergency appropriations (P.L. 111-5) | 80,000 | --- | --- | -80,000 | --- |
| Subtotal | 95,406 | 15,512 | 15,512 | -79,894 | --- |
| Total, Internal Revenue Service | 11,602,598 | 12,126,000 | 12,130,000 | +527,402 | +4,000 |
| Total, title I, Department of the Treasury | 12,874,318 | 13,368,368 | 13,445,868 | +571,550 | +77,500 |
| Appropriations | (12,717,318) | (13,418,368) | (13,495,868) | (+778,550) | (+77,500) |
| Rescissions | (-30,000) | (-50,000) | (-50,000) | (-20,000) | --- |
| Emergency appropriations | (187,000) | --- | --- | (-187,000) | --- |
| (Total discretionary, excluding emergencies) | (12,685,318) | (13,366,368) | (13,443,868) | (+758,550) | (+77,500) |
| TITLE II - EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT | | | | | |
| The White House | | | | | |
| Salaries and expenses (including Office of Policy Development) | 57,449 | 59,319 | 59,319 | +1,870 | --- |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2009
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Compensation of the President | 450 | 450 | 450 | --- | --- |
| Total, Salaries and expenses | 57,899 | 59,769 | 59,769 | +1,870 | --- |
| Executive Residence at the White House: | | | | | |
| Operating expenses | 13,363 | 13,838 | 13,838 | +475 | --- |
| White House repair and restoration | 1,600 | 2,500 | 2,500 | +900 | --- |
| Council of Economic Advisers | 4,118 | 4,200 | 4,200 | +82 | --- |
| National Security Council | 9,029 | 12,231 | 12,231 | +3,202 | --- |
| Emergency appropriations (P.L. 111-32) | 2,936 | --- | --- | -2,936 | --- |
| Subtotal | 11,965 | 12,231 | 12,231 | +266 | --- |
| Office of Administration | 101,333 | 115,280 | 115,280 | +13,947 | --- |
| Total, The White House | 190,278 | 207,818 | 207,818 | +17,540 | --- |
| Office of Management and Budget | 87,972 | 92,687 | 92,687 | +4,715 | --- |
| Office of National Drug Control Policy | | | | | |
| Salaries and expenses | 27,200 | 27,575 | 27,575 | +375 | --- |
| Counterdrug Technology Assessment Center | 3,000 | 1,000 | --- | -3,000 | -1,000 |
| High intensity drug trafficking areas program | 234,000 | 220,000 | 248,000 | +14,000 | +28,000 |
| Other Federal drug control programs | 174,700 | 174,000 | 132,400 | -42,300 | -41,600 |
| Total, Office of National Drug Control Policy | 438,900 | 422,575 | 407,975 | -30,925 | -14,600 |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2009
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Unanticipated needs | 1,000 | 1,000 | 1,000 | --- | --- |
| Partnership fund for program integrity innovation | --- | 175,000 | 40,000 | +40,000 | -135,000 |
| Presidential transition administrative support | 8,000 | --- | --- | -8,000 | --- |
| Special Assistance to the President and Official Residence of the Vice President: | | | | | |
| Salaries and expenses | 4,496 | 4,604 | 4,604 | +108 | --- |
| Operating expenses | 323 | 330 | 330 | +7 | --- |
| Total, title II, Executive Office of the President and Funds Appropriated to the President | 730,969 | 904,014 | 754,414 | +23,445 | -149,600 |
| (Total discretionary, excluding emergencies) | (727,583) | (903,564) | (753,964) | (+26,381) | (-149,600) |
| TITLE III - THE JUDICIARY | | | | | |
| Supreme Court of the United States | | | | | |
| Salaries and expenses: | | | | | |
| Salaries of justices | 2,119 | 2,166 | 2,166 | +47 | --- |
| Other salaries and expenses | 67,658 | 72,574 | 71,868 | +4,210 | -706 |
| Subtotal | 69,777 | 74,740 | 74,034 | +4,257 | -706 |
| Care of the building and grounds | 18,447 | 14,568 | 14,525 | -3,922 | -43 |
| Total, Supreme Court of the United States | 88,224 | 89,308 | 88,559 | +335 | -749 |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2009
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| United States Court of Appeals for the Federal Circuit | | | | | |
| Salaries and expenses: | | | | | |
| Salaries of judges | 2,356 | 2,491 | 2,491 | +135 | --- |
| Other salaries and expenses | 28,028 | 34,490 | 31,086 | +3,058 | -3,404 |
| Total, US Court of Appeals for the Fed Circuit | 30,384 | 36,981 | 33,577 | +3,193 | -3,404 |
| United States Court of International Trade | | | | | |
| Salaries and expenses: | | | | | |
| Salaries of judges | 1,696 | 1,715 | 1,715 | +19 | --- |
| Other salaries and expenses | 17,909 | 19,802 | 19,635 | +1,726 | -167 |
| Total, US Court of International Trade | 19,605 | 21,517 | 21,350 | +1,745 | -167 |
| Courts of Appeals, District Courts, and Other Judicial Services | | | | | |
| Salaries and expenses: | | | | | |
| Salaries of judges and bankruptcy judges | 323,911 | 340,000 | 340,000 | +16,089 | --- |
| Judges COLA | 6,000 | 7,000 | --- | -6,000 | -7,000 |
| Other salaries and expenses | 4,471,458 | 4,815,252 | 4,740,709 | +269,251 | -74,543 |
| Emergency appropriations (P.L. 111-32) | 10,000 | --- | --- | -10,000 | --- |
| Subtotal, Salaries and expenses | 4,811,369 | 5,162,252 | 5,080,709 | +269,340 | -81,543 |
| Vaccine Injury Compensation Trust Fund | 4,253 | 5,428 | 5,428 | +1,175 | --- |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2009
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Defender services | 849,400 | 982,646 | 982,699 | +133,299 | +53 |
| Fees of jurors and commissioners | 62,206 | 63,401 | 62,275 | +69 | -1,126 |
| Court security | 428,858 | 463,642 | 457,353 | +28,495 | -6,289 |
| Total, Courts of Appeals, District Courts, and Other Judicial Services | 6,156,086 | 6,677,369 | 6,588,464 | +432,378 | -88,905 |
| Administrative Office of the United States Courts | | | | | |
| Salaries and expenses | 79,049 | 83,963 | 83,075 | +4,026 | -888 |
| Federal Judicial Center | | | | | |
| Salaries and expenses | 25,725 | 27,486 | 27,328 | +1,603 | -158 |
| Judicial Retirement Funds | | | | | |
| Payment to judiciary trust funds | 76,140 | 82,374 | 82,374 | +6,234 | --- |
| United States Sentencing Commission | | | | | |
| Salaries and expenses | 16,225 | 17,056 | 16,837 | +612 | -219 |
| Total, title III, the Judiciary | 6,491,438 | 7,036,054 | 6,941,564 | +450,126 | -94,490 |
| (Total discretionary, excluding emergencies) | (6,075,216) | (6,607,308) | (6,512,818) | (+437,602) | (-94,490) |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2009
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| TITLE IV - DISTRICT OF COLUMBIA | | | | | |
| FEDERAL FUNDS | | | | | |
| Federal payment for Resident Tuition Support..... | 35,100 | 35,100 | 35,100 | --- | --- |
| Federal payment for Emergency Planning and Security Costs in the District of Columbia..... | 39,177 | 15,000 | 15,000 | -24,177 | --- |
| Federal payment to the District of Columbia Courts.... | 248,409 | 248,952 | 268,920 | +20,511 | +19,968 |
| Defender Services in District of Columbia Courts..... | 52,475 | 52,475 | 55,000 | +2,525 | +2,525 |
| Federal payment to the Court Services and Offender Supervision Agency for the District of Columbia..... | 203,490 | 212,408 | 212,408 | +8,918 | --- |
| Federal payment to the District of Columbia Public Defender Service..... | 35,659 | 37,316 | 37,316 | +1,657 | --- |
| Federal payment to the District of Columbia Water and Sewer Authority..... | 16,000 | 20,000 | 20,400 | +4,400 | +400 |
| Federal payment for public health services..... | --- | --- | 4,000 | +4,000 | +4,000 |
| Federal payment to the Criminal Justice Coordinating Council..... | 1,774 | 1,774 | 2,000 | +226 | +226 |
| Federal payment for judicial commissions..... | --- | 500 | 500 | +500 | --- |
| Federal payment to the Office of the Chief Financial Officer of the District of Columbia..... | 4,888 | --- | 1,700 | -3,188 | +1,700 |
| Federal payment for school improvement..... | 54,000 | 74,400 | 74,400 | +20,400 | --- |
| Federal payment to jump start public school reform.... | 20,000 | --- | --- | -20,000 | --- |
| Federal payment for consolidated laboratory facility.. | 21,000 | 15,000 | 15,000 | -6,000 | --- |
| Federal payment for the D.C. National Guard..... | --- | 2,000 | 2,375 | +2,375 | +375 |
| Federal payment for housing for the homeless..... | --- | 19,200 | 19,200 | +19,200 | --- |
| Federal payment for youth services..... | --- | 5,000 | 5,000 | +5,000 | --- |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2009
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Federal payment for Central Library/branch locations.. | 7,000 | --- | --- | -7,000 | --- |
| Federal payment to the Executive Office of the Mayor.. | 3,388 | --- | --- | -3,388 | --- |
| Total, Title IV, District of Columbia..... | 742,360 | 739,125 | 768,319 | +25,959 | +29,194 |
| TITLE V - OTHER INDEPENDENT AGENCIES | | | | | |
| Administrative Conference of the United States..... | 1,500 | 2,625 | 1,500 | --- | -1,125 |
| Christopher Columbus Fellowship Foundation..... | 1,000 | --- | --- | -1,000 | --- |
| Consumer Product Safety Commission..... | 105,404 | 107,000 | 113,325 | +7,921 | +6,325 |
| Election Assistance Commission | | | | | |
| Salaries and expenses..... | 17,959 | 16,530 | 17,959 | --- | +1,429 |
| Election reform programs..... | 106,000 | 52,000 | 106,000 | --- | +54,000 |
| Total, Election Assistance Commission..... | 123,959 | 68,530 | 123,959 | --- | +55,429 |
| Federal Communications Commission | | | | | |
| Salaries and expenses..... | 341,875 | 335,794 | 335,794 | -6,081 | --- |
| Transfer from USF for OIG audits..... | (25,480) | --- | --- | (-25,480) | --- |
| Offsetting fee collections - current year..... | -341,875 | -334,794 | -334,794 | +7,081 | --- |
| Direct appropriation..... | --- | 1,000 | 1,000 | +1,000 | --- |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2009
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Federal Deposit Insurance Corporation: Office of Inspector General (by transfer) | (27,495) | (37,942) | (37,942) | (+10,447) | --- |
| Federal Deposit Insurance Act amendment (emergency) (P.L. 111-32) | 4,000 | --- | --- | -4,000 | --- |
| Federal Election Commission | 63,618 | 64,000 | 65,100 | +1,482 | +1,100 |
| Federal Labor Relations Authority | 22,674 | 24,773 | 24,773 | +2,099 | --- |
| Federal Trade Commission | | | | | |
| Salaries and expenses | 259,200 | 287,200 | 291,700 | +32,500 | +4,500 |
| Offsetting fee collections - current year | -168,000 | -102,000 | -102,000 | +66,000 | --- |
| Offsetting fee collections, telephone database | -21,000 | -19,000 | -19,000 | +2,000 | --- |
| Direct appropriation | 70,200 | 166,200 | 170,700 | +100,500 | +4,500 |
| General Services Administration | | | | | |
| Federal Buildings Fund | | | | | |
| Appropriations | (651,198) | (525,000) | (459,900) | (-191,298) | (-65,100) |
| Limitations on availability of revenue: | | | | | |
| Construction and acquisition of facilities | 746,317 | 657,637 | 722,537 | -23,780 | +64,900 |
| Repairs and alterations | 692,374 | 496,276 | 400,276 | -292,098 | -96,000 |
| Installment acquisition payments | 149,570 | 140,525 | 140,525 | -9,045 | --- |
| Rental of space | 4,642,156 | 4,879,871 | 4,861,871 | +219,715 | -18,000 |
| Building operations | 2,197,354 | 2,356,376 | 2,340,376 | +143,022 | -16,000 |
| Subtotal, Limitations on availability of revenue | 8,427,771 | 8,530,685 | 8,465,585 | +37,814 | -65,100 |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2009
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Repayment of debt | 56,865 | 66,360 | 66,360 | +9,495 | --- |
| Rental income to fund | -8,134,239 | -8,223,000 | -8,223,000 | -88,761 | --- |
| Emergency appropriations (P.L. 111-5) | 5,550,000 | --- | --- | -5,550,000 | --- |
| Total, Federal Buildings Fund | 5,900,397 | 374,045 | 308,945 | -5,591,452 | -65,100 |
| Appropriations | (350,397) | (374,045) | (308,945) | (-41,452) | (-65,100) |
| Emergency appropriations | (5,550,000) | --- | --- | (-5,550,000) | --- |
| Energy-efficient federal motor vehicle fleet procurement (emergency)(P.L. 111-5) | 300,000 | --- | --- | -300,000 | --- |
| Government-wide policy | 54,578 | 65,165 | 63,165 | +8,587 | -2,000 |
| Operating expenses | 70,645 | 71,881 | 72,881 | +2,236 | +1,000 |
| Office of Inspector General | 54,000 | 60,080 | 60,080 | +6,080 | --- |
| Emergency appropriations (P.L. 111-5) | 7,000 | --- | --- | -7,000 | --- |
| Subtotal | 61,000 | 60,080 | 60,080 | -920 | --- |
| Electronic Government Fund | --- | 33,000 | 33,000 | +33,000 | --- |
| Allowances and Office Staff for Former Presidents | 2,934 | 3,756 | 3,756 | +822 | --- |
| Expenses, Presidential transition | 8,520 | --- | --- | -8,520 | --- |
| Federal Citizen Information Center Fund | 36,096 | 36,515 | 36,515 | +419 | --- |
| Total, General Services Administration | 6,434,170 | 644,442 | 578,342 | -5,855,828 | -66,100 |
| Appropriations | (577,170) | (644,442) | (578,342) | (+1,172) | (-66,100) |
| Emergency appropriations | (5,857,000) | --- | --- | (-5,857,000) | --- |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2009
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Harry S Truman Scholarship Foundation | 500 | --- | --- | -500 | --- |
| Merit Systems Protection Board | | | | | |
| Salaries and expenses | 38,811 | 40,339 | 40,339 | +1,528 | --- |
| Limitation on administrative expenses | 2,579 | 2,579 | 2,579 | --- | --- |
| Total, Merit Systems Protection Board | 41,390 | 42,918 | 42,918 | +1,528 | --- |
| Morris K. Udall Foundation | | | | | |
| Morris K. Udall Trust Fund | 3,750 | 2,200 | 2,200 | -1,550 | --- |
| Environmental Dispute Resolution Fund | 2,100 | 3,800 | 3,800 | +1,700 | --- |
| Total, Morris K. Udall Foundation | 5,850 | 6,000 | 6,000 | +150 | --- |
| National Archives and Records Administration | | | | | |
| Operating expenses | 330,308 | 339,770 | 339,770 | +9,462 | --- |
| Reduction of debt | -11,842 | -13,000 | -12,870 | -1,028 | +130 |
| Office of the Inspector General | --- | 4,100 | 4,100 | +4,100 | --- |
| Electronic records archive | 67,008 | 85,500 | 85,500 | +18,492 | --- |
| Repairs and restoration | 50,711 | 27,500 | 27,500 | -23,211 | --- |
| National Historical Publications and Records Commission: Grants program | 11,250 | 10,000 | 13,000 | +1,750 | +3,000 |
| Total, National Archives and Records Admin | 447,435 | 453,870 | 457,000 | +9,565 | +3,130 |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2009
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| National Credit Union Administration | | | | | |
| Central liquidity facility: | | | | | |
| (Limitation on admin expenses, corporate funds)... | (1,250) | (1,250) | (1,250) | --- | --- |
| Community development credit union revolving loan fund | 1,000 | 1,000 | 1,000 | --- | --- |
| Office of Government Ethics..... | 13,000 | 13,665 | 14,415 | +1,415 | +750 |
| Office of Personnel Management | | | | | |
| Salaries and expenses..... | 92,829 | 94,970 | 97,970 | +5,141 | +3,000 |
| Limitation on administrative expenses..... | 118,082 | 113,238 | 113,238 | -4,844 | --- |
| Office of Inspector General..... | 1,828 | 2,136 | 3,148 | +1,320 | +1,012 |
| Limitation on administrative expenses..... | 18,755 | 20,428 | 20,428 | +1,673 | --- |
| Govt Payment for Annuitants, Employees Health Benefits | 9,533,000 | 9,814,000 | 9,814,000 | +281,000 | --- |
| Govt Payment for Annuitants, Employee Life Insurance.. | 46,000 | 48,000 | 48,000 | +2,000 | --- |
| Payment to Civil Svc Retirement and Disability Fund... | 10,550,000 | 10,276,000 | 10,276,000 | -274,000 | --- |
| Total, Office of Personnel Management..... | 20,360,494 | 20,368,772 | 20,372,784 | +12,290 | +4,012 |
| Mandatory ..... | (20,129,000) | (20,138,000) | (20,138,000) | (+9,000) | --- |
| Discretionary..... | (231,494) | (230,772) | (234,784) | (+3,290) | (+4,012) |
| Office of Special Counsel..... | 17,468 | 18,495 | 18,495 | +1,027 | --- |
| Postal Regulatory Commission..... | 14,043 | 14,333 | 14,333 | +290 | --- |
| Privacy and Civil Liberties Oversight Board..... | 1,500 | 2,000 | 2,000 | +500 | --- |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2009
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Securities and Exchange Commission | | | | | |
| Salaries and expenses | 960,000 | 1,026,000 | 1,036,000 | +76,000 | +10,000 |
| Prior year unobligated balances | -65,644 | -10,220 | -10,220 | +55,424 | --- |
| Direct appropriation | 894,356 | 1,015,780 | 1,025,780 | +131,424 | +10,000 |
| Emergency appropriations (P.L. 111-32) | 10,000 | --- | --- | -10,000 | --- |
| Selective Service System | 22,000 | 24,400 | 24,150 | +2,150 | -250 |
| Small Business Administration | | | | | |
| Salaries and expenses | 386,896 | 422,000 | 428,387 | +41,491 | +6,387 |
| Emergency appropriations (P.L. 111-5) | 69,000 | --- | --- | -69,000 | --- |
| Subtotal | 455,896 | 422,000 | 428,387 | -27,509 | +6,387 |
| Office of Inspector General | 16,750 | 16,300 | 16,300 | -450 | --- |
| Emergency appropriations (P.L. 111-5) | 10,000 | --- | --- | -10,000 | --- |
| Subtotal | 26,750 | 16,300 | 16,300 | -10,450 | --- |
| Surety bond guarantees revolving fund | 2,000 | 1,000 | 1,000 | -1,000 | --- |
| Emergency appropriations (P.L. 111-5) | 15,000 | --- | --- | -15,000 | --- |
| Subtotal | 17,000 | 1,000 | 1,000 | -16,000 | --- |
| Business Loans Program Account: | | | | | |
| Direct loans subsidy | 2,500 | 3,000 | 3,000 | +500 | --- |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2009
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Emergency appropriations (P.L. 111-5)..... | 6,000 | --- | --- | -6,000 | --- |
| Subtotal..... | 8,500 | 3,000 | 3,000 | -5,500 | --- |
| Guaranteed loans subsidy..... | --- | 80,000 | 80,000 | +80,000 | --- |
| Emergency appropriations (P.L. 111-5)..... | 630,000 | --- | --- | -630,000 | --- |
| Subtotal..... | 630,000 | 80,000 | 80,000 | -550,000 | --- |
| Administrative expenses..... | 138,480 | 153,000 | 153,000 | +14,520 | --- |
| Total, Business loans program account..... | 776,980 | 236,000 | 236,000 | -540,980 | --- |
| Appropriations..... | (140,980) | (236,000) | (236,000) | (+95,020) | --- |
| Emergency appropriations..... | (636,000) | --- | --- | (-636,000) | --- |
| Disaster Loans Program Account: | | | | | |
| Guaranteed loans subsidy..... | --- | 1,690 | 1,690 | +1,690 | --- |
| Administrative expenses..... | --- | 102,310 | 102,310 | +102,310 | --- |
| Total, Disaster loans program account..... | --- | 104,000 | 104,000 | +104,000 | --- |
| Sec. 511. Salaries and expenses..... | 65,654 | --- | 62,300 | -3,354 | +62,300 |
| Total, Small Business Administration..... | 1,342,280 | 779,300 | 847,987 | -494,293 | +68,687 |
| Appropriations..... | (612,280) | (779,300) | (847,987) | (+235,707) | (+68,687) |
| Emergency appropriations..... | (730,000) | --- | --- | (-730,000) | --- |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2009
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| United States Postal Service | | | | | |
| Payment to the Postal Service Fund | 29,000 | 29,000 | 29,000 | --- | --- |
| Advance appropriations | 82,831 | 89,328 | 89,328 | +6,497 | --- |
| Total, Payment to the Postal Service Fund | 111,831 | 118,328 | 118,328 | +6,497 | --- |
| Office of Inspector General | 239,356 | 244,397 | 244,397 | +5,041 | --- |
| Total, United States Postal Service | 351,187 | 362,725 | 362,725 | +11,538 | --- |
| Recovery Act Accountability and Transparency Board (emergency appropriations) | 84,000 | --- | --- | -84,000 | --- |
| United States Tax Court | 48,463 | 49,242 | 49,242 | +779 | --- |
| Financial Crisis Inquiry Commission (emergency) (P.L. 111-32) | 8,000 | --- | --- | -8,000 | --- |
| Total, title V, Independent Agencies | 30,489,491 | 24,231,070 | 24,317,528 | -6,171,963 | +86,458 |
| Appropriations | (23,713,660) | (24,141,742) | (24,228,200) | (+514,540) | (+86,458) |
| Emergency appropriations | (6,693,000) | --- | --- | (-6,693,000) | --- |
| Advances | (82,831) | (89,328) | (89,328) | (+6,497) | --- |
| (by transfer) | (52,975) | (37,942) | (37,942) | (-15,033) | --- |
| (Total discretionary, excluding emergencies) | (3,667,491) | (4,093,070) | (4,179,528) | (+512,037) | (+86,458) |

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2009
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2010
(Amounts in thousands)

| | FY 2009 Enacted | FY 2010 Request | Bill | Bill vs. Enacted | Bill vs. Request |
|---|---|---|---|---|---|
| Grand total | 51,328,576 | 46,278,631 | 46,227,693 | -5,100,883 | -50,938 |
| Appropriations | (44,382,809) | (46,239,303) | (46,188,365) | (+1,805,556) | (-50,938) |
| Rescissions | (-30,000) | (-50,000) | (-50,000) | (-20,000) | --- |
| Emergency appropriations | (6,892,936) | --- | --- | (-6,892,936) | --- |
| Advances | (82,831) | (89,328) | (89,328) | (+6,497) | --- |
| (by transfer) | (52,975) | (117,942) | (117,942) | (+64,967) | --- |
| Discretionary total | 22,551,000 | 24,225,938 | 24,150,000 | +1,599,000 | -75,938 |

## MINORITY VIEWS OF THE HONORABLE JERRY LEWIS AND THE HONORABLE JO ANN EMERSON

The Subcommittee has jurisdiction over a diverse group of agencies which perform activities such as regulating the financial and telecommunications industries; collecting taxes and providing taxpayer assistance; supporting the operations of the White House, the Federal Judiciary, and the District of Columbia; managing Federal buildings; and overseeing the Federal workforce. With the 302(b) allocation provided to Chairman Serrano, he has done an outstanding job in distributing funds to the various agencies in the bill.

### FISCAL SUSTAINABILITY

However, the $24.15 billion allocation provided to the Subcommittee is much too large. It is a 7 percent or $1.6 billion increase above the current year, excluding stimulus funding. This is a very generous allocation which allows most agencies in the bill to be funded at or above the rate of inflation. We believe the resource requirements of the agencies funded in this bill can be met with a smaller allocation, especially given the Federal government's financial situation.

Recently, Federal Reserve Chairman Bernanke stated "unless we demonstrate a strong commitment to fiscal sustainability in the longer term, we will have neither financial stability nor healthy economic growth." In a June report on the Long-Term Budget Outlook, the Congressional Budget Office stated that "Under current law, the federal budget is on an unsustainable path—meaning that federal debt will continue to grow much faster than the economy over the long run." The Administration's own budget documents state that the Federal debt held by the public will be 68.5 percent of Gross Domestic Product by 2014. This is the highest percentage of Federal debt to GDP since 1950.

Providing a 7 percent increase in funding for a bill that primarily funds general government agency operating accounts, not programs or grants, does not represent a commitment to fiscal sustainability. Growing the Federal bureaucracy will not stimulate the economy. However, it will increase Federal borrowing—increasing interest rates, slowing our recovery, and increasing the financial burden placed on our children and grandchildren.

### TERMINATIONS AND REDUCTIONS

Materials posted to the Committee website by the Majority suggest that the bill saves $599 million from the fiscal year 2009 enacted bill and $425 million from the fiscal year 2010 budget request through program terminations and reductions. However, it must be pointed out that these are not true savings. The bill provides a $1.6 billion increase over fiscal year 2009 level, excluding supplemental

appropriations. It is true that funding for a few programs, such as Presidential transition costs, have been terminated and some programs are not funded at the full fiscal year 2010 request. However, cutting one program in order to provide an increase for other programs above resource requirements identified by the Obama Administration does not generate net budget savings.

ELECTION ASSISTANCE COMMISSION

One area of the bill that has received an excessive level of funding is the Help America Vote requirements payments. The Administration proposed to cut this program to $50 million because the States are not spending the funds that have been provided in past years. However, the bill continues funding for the program at the current year level of $100 million. The Election Assistance Program is waiting for the States to claim the 2008 and 2009 grant funds. Of the $115 million provided in fiscal year 2008, only $25 million has been claimed by the States. Of the fiscal year 2009 funds—$100 million—only $3 million has been paid to TWO states. Unfortunately, a Republican amendment to reduce funding for this program failed on a partisan vote in Committee. We will never achieve fiscal sustainability if we continue funding programs above their true resource requirements.

GENERAL SERVICES ADMINISTRATION

Regarding General Services Administration (GSA), we appreciate that language is included directing a review of the GSA supply schedule. The Department of Homeland Security has identified $42 million of savings over 5 years by no longer using GSA to purchase office supplies. We want to try to improve the GSA supply procurement process so that this savings can be replicated throughout government.

We are also supportive of the GSA construction and alteration projects funded in the bill. We don't usually have positive things to say about GSA construction and alterations accounts, but the Subcommittee Chairman has done an outstanding job in crafting a bill that funds justifiable projects. The bill has eliminated construction funding requested for courthouses that were not a priority of the United States Judicial Conference and has reduced the excessive request for alterations of the Executive Office of the President campus.

OFFICE OF NATIONAL DRUG CONTROL POLICY

We continue to be concerned with drug trafficking and abuse throughout the country, especially given the increased violence associated with feuding Mexican drug cartels and the increased availability of methamphetamine. We support the $8 million increase to the Drug Free Communities program and the $14 million increase for the High Intensity Drug Trafficking Areas program. We appreciate that the bill provides increases for these proven programs while reducing funding for the media campaign which has produced limited results at best.

OPPORTUNITY SCHOLARSHIPS

Unfortunately, the Obama Administration's request and this bill include language to slowly phase out the District of Columbia (DC) Opportunity Scholarship Program (OSP) and reduce academic choice for low-income DC residents. Specifically, the bill only allows students currently participating in the program to continue to receive a scholarship. How does a parent explain how one child is able to go to the school of their choice while their other children must go to a failing public school, especially when we know the DC public schools are still struggling to reform?

In May, Chancellor Rhee stated "The reality in Washington, D.C., is that we continue to fail the majority of kids who are put in our care everyday." According to the Washington Post, 90 of the 123 public schools in the District are under some form of Federal notice to improve under the No Child Left Behind Law and less than 50 percent of DC high school students graduate in 4 years. More than 7,400 DC residents signed a petition asking for the Opportunity Scholarship program to be reauthorized. At the Financial Services and General Government Subcommittee hearing on DC, the Mayor and the Council Chairman both stated they would consider adding siblings to the program.

Unfortunately, despite the facts that DC public schools are underperforming and DC residents support the program, Republican amendments in Committee to expand the number of low-income students eligible to participate in the program were defeated.

DISTRICT OF COLUMBIA RIDERS

Another area of the bill that deeply concerns us is controversial changes to long-standing general provisions regarding the District of Columbia. We strongly oppose these changes. We do not believe increasing the availability of abortions or medical marijuana will improve the District of Columbia.

REGULAR ORDER

While we have been pleased to have a wonderful working relationship this year with Chairman Serrano, we are disappointed that the bipartisanship at the Subcommittee level is not continuing through the rest of the appropriations process.

We recognize that operating under an open rule during floor consideration of appropriations bills is grueling, long, and hard work. But that is democracy. That is regular order. And, we urge our colleagues to support a return to a process where every Member has an opportunity to have their voice heard.

This year the Financial Services and General Government appropriations bill is very controversial. Not only does the proposed bill spend more than $24 billion but it proposes to change long-standing policies on issues such as abortion and medical marijuana. It is the responsibility of this Committee and this Congress to allow each Member of the House of Representatives to improve or alter the bill in a way that allows them to explain their vote at home. We urge our colleagues in the Majority to return to regular order during floor consideration.

JERRY LEWIS.
JO ANN EMERSON.

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