

112TH CONGRESS
1ST SESSION

H. R. 1315

IN THE SENATE OF THE UNITED STATES

JULY 22, 2011

Received; read twice and referred to the Committee on Banking, Housing, and
Urban Affairs

AN ACT

To amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to strengthen the review authority of the Financial Stability Oversight Council of regulations issued by the Bureau of Consumer Financial Protection, to rescind the unobligated funding for the FHA Refinance Program and to terminate the program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. TABLE OF CONTENTS.**

4 The table of contents for this Act is as follows:

Sec. 1. Table of contents.

TITLE I—CONSUMER FINANCIAL PROTECTION SAFETY AND
 SOUNDNESS IMPROVEMENT ACT

Sec. 101. Short title.

Sec. 102. Council voting procedure.

Sec. 103. Review authority of the Council.

Sec. 104. Establishment of the Commission.

Sec. 105. Conforming amendments.

Sec. 106. Chair of the Commission required before transfer.

Sec. 107. Inspector General report.

Sec. 108. Analysis of regulations.

TITLE II—FHA REFINANCE PROGRAM TERMINATION ACT

Sec. 201. Short title.

Sec. 202. Rescission of funding for FHA Refinance Program.

Sec. 203. Termination of FHA Refinance Program.

Sec. 204. Publication of Member Availability for Assistance.

5 **TITLE I—CONSUMER FINANCIAL**
 6 **PROTECTION SAFETY AND**
 7 **SOUNDNESS IMPROVEMENT**
 8 **ACT**

9 **SEC. 101. SHORT TITLE.**

10 This title may be cited as the “Consumer Financial
 11 Protection Safety and Soundness Improvement Act of
 12 2011”.

13 **SEC. 102. COUNCIL VOTING PROCEDURE.**

14 (a) IN GENERAL.—Section 1023(c)(3)(A) of the
 15 Dodd-Frank Wall Street Reform and Consumer Protec-
 16 tion Act is amended—

1 (1) by striking “ $\frac{2}{3}$ ” and inserting “a major-
2 ity”; and

3 (2) by inserting before the period the following:
4 “, excluding the Chair of the Commission of the Bu-
5 reau”.

6 (b) PETITION BY NONVOTING MEMBERS; NO RE-
7 STRICTIONS ON PETITION SUBJECT MATTER.—Section
8 1023 of the Dodd-Frank Wall Street Reform and Con-
9 sumer Protection act is amended by adding at the end the
10 following new subsection:

11 “(g) PETITION BY NONVOTING MEMBERS.—Notwith-
12 standing any other subsection of this section, the provi-
13 sions of this section shall apply to a petition by a non-
14 voting member of the Council to the same extent that they
15 apply to a petition by an agency represented by a member
16 of the Council.

17 “(h) NO RESTRICTIONS ON PETITION SUBJECT MAT-
18 TER.—Petitions made under this section may be made by
19 an agency or a nonvoting member of the Council on any
20 subject matter, regardless of the areas of particular exper-
21 tise of such agency or nonvoting member.”.

22 (c) CONFLICT OF INTEREST.—Section 1023(c)(3) of
23 the Dodd-Frank Wall Street Reform and Consumer Pro-
24 tection Act is amended by adding at the end the following
25 new subparagraph:

1 “(C) CONFLICT OF INTEREST.—No mem-
2 ber of the Council may vote on the decision to
3 issue a stay of, or set aside, any regulation
4 under this section, if such member has, within
5 the previous 2-year period, been employed by
6 any company or other entity that is subject to
7 such regulation.”.

8 **SEC. 103. REVIEW AUTHORITY OF THE COUNCIL.**

9 Section 1023 of the Dodd-Frank Wall Street Reform
10 and Consumer Protection Act is amended—

11 (1) in subsection (a)—

12 (A) by striking “may” and inserting
13 “shall”; and

14 (B) by striking “regulation or provision
15 would put the safety and soundness of the
16 United States banking system or the stability of
17 the financial system of the United States at
18 risk” and inserting “regulation which is the
19 subject of the petition is inconsistent with the
20 safe and sound operations of United States fi-
21 nancial institutions”; and

22 (2) in subsection (c)—

23 (A) in paragraph (3)(B)(ii), by striking
24 “would put the safety and soundness of the
25 United States banking system or the stability of

1 the financial system of the United States at
2 risk” and inserting “is inconsistent with the
3 safe and sound operations of United States fi-
4 nancial institutions”;

5 (B) in paragraph (4)—

6 (i) by striking subparagraph (B); and

7 (ii) by redesignating subparagraph

8 (C) as subparagraph (B);

9 (C) by striking paragraph (5);

10 (D) by redesignating paragraphs (6), (7),

11 and (8) as paragraphs (5), (6), and (7), respec-

12 tively; and

13 (E) by adding at the end the following new

14 paragraph:

15 “(8) PUBLIC MEETINGS.—Any time the Council

16 meets pursuant to this section to decide whether to

17 issue a stay of, or set aside, any regulation, every

18 portion of such meeting shall be open to public ob-

19 servation. The Council shall provide live online

20 streaming or broadcasting of the meetings.”.

21 **SEC. 104. ESTABLISHMENT OF THE COMMISSION.**

22 Section 1011 of the Consumer Financial Protection

23 Act of 2010 is amended—

24 (1) by striking subsections (b), (c), and (d);

1 (2) by redesignating subsection (e) as sub-
2 section (j); and

3 (3) by inserting after subsection (a) the fol-
4 lowing new subsections:

5 “(b) ESTABLISHMENT OF THE COMMISSION.—

6 “(1) IN GENERAL.—There is hereby established
7 a commission (hereinafter referred to in this section
8 as the ‘Commission’) that shall serve as the head of
9 the Bureau.

10 “(2) AUTHORITY TO PRESCRIBE REGULA-
11 TIONS.—The Commission may prescribe such regu-
12 lations and issue such orders in accordance with this
13 title as the Commission may determine to be nec-
14 essary for carrying out this title and all other laws
15 within the Commission’s jurisdiction and shall exer-
16 cise any authorities granted under this title and all
17 other laws within the Commission’s jurisdiction.

18 “(c) COMPOSITION OF THE COMMISSION.—

19 “(1) IN GENERAL.—The Commission shall be
20 composed of the Vice Chairman for Supervision of
21 the Federal Reserve System and 4 additional mem-
22 bers who shall be appointed by the President, by and
23 with the advice and consent of the Senate, from
24 among individuals who—

25 “(A) are citizens of the United States;

1 “(B) have strong competencies and experi-
2 ences related to consumer financial protection;
3 and

4 “(C) should want to protect service mem-
5 bers and their families who are sacrificing their
6 lives for this country from abusive financial
7 practices.

8 “(2) STAGGERING.—The members of the Com-
9 mission appointed under paragraph (1) shall serve
10 staggered terms, which initially shall be established
11 by the President for terms of 1, 2, 4, and 5 years,
12 respectively.

13 “(3) TERMS.—

14 “(A) IN GENERAL.—Each member of the
15 Commission appointed under paragraph (1), in-
16 cluding the Chair, shall serve for a term of 5
17 years.

18 “(B) REMOVAL FOR CAUSE.—The Presi-
19 dent may remove any member of the Commis-
20 sion appointed under paragraph (1) only for in-
21 efficiency, neglect of duty, or malfeasance in of-
22 fice.

23 “(C) VACANCIES.—Any member of the
24 Commission appointed under paragraph (1) ap-
25 pointed to fill a vacancy occurring before the

1 expiration of the term to which that member’s
2 predecessor was appointed (including the Chair)
3 shall be appointed only for the remainder of the
4 term.

5 “(D) CONTINUATION OF SERVICE.—Each
6 member of the Commission appointed under
7 paragraph (1) may continue to serve after the
8 expiration of the term of office to which that
9 member was appointed until a successor has
10 been appointed by the President and confirmed
11 by the Senate, except that a member may not
12 continue to serve more than 1 year after the
13 date on which that member’s term would other-
14 wise expire.

15 “(E) OTHER EMPLOYMENT PROHIBITED.—
16 No member of the Commission appointed under
17 paragraph (1) shall engage in any other busi-
18 ness, vocation, or employment.

19 “(4) ROLES AND RESPONSIBILITIES OF COM-
20 MISSIONERS.—One member of the Commission shall
21 have as their primary responsibility the oversight of
22 the Bureau’s activities pertaining to protecting con-
23 sumers, with a focus on consumers who are older,
24 minorities, youth, or veterans, from unfair, decep-

1 tive, and abusive lending practices. The designated
2 commissioner shall be responsible for—

3 “(A) ensuring the Bureau conducts regular
4 outreach to consumers regarding industry lend-
5 ing activities;

6 “(B) researching and reporting to the full
7 Commission, on a regular basis, the impact of
8 new loan and credit products and services on
9 consumers;

10 “(C) ensuring the Bureau coordinates with
11 State-level consumer protection agencies on en-
12 forcement measures that protect consumers
13 from unfair, deceptive, and abusive lending
14 practices; and

15 “(D) researching and reporting to the full
16 Commission about ways to protect consumers
17 from unfair, deceptive, or abusive lending acts
18 or practices, including how language barriers
19 contribute to lack of understanding in lending
20 activities.

21 “(d) AFFILIATION.—With respect to members ap-
22 pointed pursuant to subsection (c)(1), not more than 2
23 shall be members of any one political party.

24 “(e) CHAIR OF THE COMMISSION.—

1 “(1) APPOINTMENT.—The Chair of the Com-
2 mission shall be appointed by the President from
3 among the members of the Commission appointed
4 under paragraph (1).

5 “(2) AUTHORITY.—The Chair shall be the prin-
6 cipal executive officer of the Bureau, and shall exer-
7 cise all of the executive and administrative functions
8 of the Bureau, including with respect to—

9 “(A) the appointment and supervision of
10 personnel employed under the Bureau (other
11 than personnel employed regularly and full time
12 in the immediate offices of members of the
13 Commission other than the Chair);

14 “(B) the distribution of business among
15 personnel appointed and supervised by the
16 Chair and among administrative units of the
17 Bureau; and

18 “(C) the use and expenditure of funds.

19 “(3) LIMITATION.—In carrying out any of the
20 Chair’s functions under the provisions of this sub-
21 section the Chair shall be governed by general poli-
22 cies of the Commission and by such regulatory deci-
23 sions, findings, and determinations as the Commis-
24 sion may by law be authorized to make.

1 “(4) REQUESTS OR ESTIMATES RELATED TO
2 APPROPRIATIONS.—Requests or estimates for reg-
3 ular, supplemental, or deficiency appropriations on
4 behalf of the Commission may not be submitted by
5 the Chair without the prior approval of the Commis-
6 sion.

7 “(f) NO IMPAIRMENT BY REASON OF VACANCIES.—
8 No vacancy in the members of the Commission shall im-
9 pair the right of the remaining members of the Commis-
10 sion to exercise all the powers of the Commission. Three
11 members of the Commission shall constitute a quorum for
12 the transaction of business, except that if there are only
13 3 members serving on the Commission because of vacan-
14 cies in the Commission, 2 members of the Commission
15 shall constitute a quorum for the transaction of business.
16 If there are only 2 members serving on the Commission
17 because of vacancies in the Commission, 2 members shall
18 constitute a quorum for the 6-month period beginning on
19 the date of the vacancy which caused the number of Com-
20 mission members to decline to 2.

21 “(g) SEAL.—The Commission shall have an official
22 seal.

23 “(h) COMPENSATION.—

24 “(1) CHAIR.—The Chair shall receive com-
25 pensation at the rate prescribed for level I of the

1 Executive Schedule under section 5313 of title 5,
2 United States Code.

3 “(2) OTHER MEMBERS OF THE COMMISSION.—
4 The 3 other members of the Commission appointed
5 under subsection (c)(1) shall each receive compensa-
6 tion at the rate prescribed for level II of the Execu-
7 tive Schedule under section 5314 of title 5, United
8 States Code.

9 “(i) INITIAL QUORUM ESTABLISHED.—During any
10 time period prior to the confirmation of at least two mem-
11 bers of the Commission, one member of the Commission
12 shall constitute a quorum for the transaction of business.
13 Following the confirmation of at least 2 additional com-
14 missioners, the quorum requirements of subsection (f)
15 shall apply.”.

16 **SEC. 105. CONFORMING AMENDMENTS.**

17 (a) CONSUMER FINANCIAL PROTECTION ACT OF
18 2010.—

19 (1) IN GENERAL.—The Consumer Financial
20 Protection Act of 2010 is amended—

21 (A) in section 1002, by striking paragraph
22 (10);

23 (B) in section 1012(c)(4), by striking “Di-
24 rector” each place such term appears and in-
25 serting “Commission of the Bureau”;

1 (C) in section 1013(c)(3)—

2 (i) by striking “Assistant Director of
3 the Bureau for” and inserting “Head of
4 the Office of”; and

5 (ii) in subparagraph (B), by striking
6 “Assistant Director” and inserting “Head
7 of the Office”;

8 (D) in section 1013(g)(2)—

9 (i) by striking “ASSISTANT DIREC-
10 TOR” and inserting “HEAD OF THE OF-
11 FICE”; and

12 (ii) by striking “an assistant director”
13 and inserting “a Head of the Office of Fi-
14 nancial Protection for Older Americans”;

15 (E) in section 1016(a), by striking “Direc-
16 tor of the Bureau” and inserting “Chair of the
17 Commission”;

18 (F) in section 1017(c)(1), by striking “Di-
19 rector and other employees” and inserting
20 “members of the Commission and other employ-
21 ees”;

22 (G) in section 1027(l)(1), by striking “Di-
23 rector and the”; and

1 (H) in section 1066(a), by striking “Direc-
2 tor of the Bureau is” and inserting “first mem-
3 ber of the Commission is”.

4 (2) GLOBAL AMENDMENTS.—The Consumer Fi-
5 nancial Protection Act of 2010 is amended—

6 (A) by striking “Director of the” each
7 place such term appears, other than in—

8 (i) subparagraphs (A) and (E) of sec-
9 tion 1017(4);

10 (ii) section 1043;

11 (iii) section 1061(b)(3);

12 (iv) section 1062;

13 (v) section 1063(f);

14 (vi) subparagraphs (E) and (G) of
15 section 1064(i)(2); and

16 (vii) section 1065(a); and

17 (B) by striking “Director” each place such
18 term appears and inserting “Bureau”, other
19 than in—

20 (i) section 1063(f)(2); and

21 (ii) section 1065(a).

22 (b) DODD-FRANK WALL STREET REFORM AND CON-
23 SUMER PROTECTION ACT.—The Dodd-Frank Wall Street
24 Reform and Consumer Protection Act is amended—

1 (1) in section 111(b)(1)(D), by striking “Direc-
2 tor” and inserting “Chair of the Commission”; and

3 (2) in section 1447, by striking “Director of the
4 Bureau” each place such term appears and inserting
5 “Bureau”.

6 (c) ELECTRONIC FUND TRANSFER ACT.—Section
7 921(a)(4)(C) of the Electronic Fund Transfer Act, as
8 added by section 1075(a)(2) of the Consumer Financial
9 Protection Act of 2010, is amended by striking “Director
10 of the Bureau of Consumer Financial Protection” and in-
11 serting “Bureau of Consumer Financial Protection”.

12 (d) EXPEDITED FUNDS AVAILABILITY ACT.—The
13 Expedited Funds Availability Act, as amended by section
14 1086 of the Consumer Financial Protection Act of 2010,
15 is amended by striking “Director of the Bureau” each
16 place such term appears and inserting “Bureau”.

17 (e) FEDERAL DEPOSIT INSURANCE ACT.—Section 2
18 of the Federal Deposit Insurance Act, as amended by sec-
19 tion 336(a) of the Dodd-Frank Wall Street Reform and
20 Consumer Protection Act, is amended by striking “Direc-
21 tor of the Consumer Financial Protection Bureau” each
22 place such term appears and inserting “Chair of the Com-
23 mission of the Bureau of Consumer Financial Protection”.

24 (f) FEDERAL FINANCIAL INSTITUTIONS EXAMINA-
25 TION COUNCIL ACT OF 1978.—Section 1004(a)(4) of the

1 Federal Financial Institutions Examination Council Act of
2 1978 (12 U.S.C. 3303(a)(4)), as amended by section 1091
3 of the Consumer Financial Protection Act of 2010, is
4 amended by striking “Director of the Consumer Financial
5 Protection Bureau” and inserting “Chair of the Commis-
6 sion of the Bureau of Consumer Financial Protection”.

7 (g) FINANCIAL LITERACY AND EDUCATION IM-
8 PROVEMENT ACT.—Section 513 of the Financial Literacy
9 and Education Improvement Act, as amended by section
10 1013(d) of the Consumer Financial Protection Act of
11 2010, is amended by striking “Director” each place such
12 term appears and inserting “Chair of the Commission”.

13 (h) HOME MORTGAGE DISCLOSURE ACT OF 1975.—
14 Section 307 of the Home Mortgage Disclosure Act of
15 1975, as amended by section 1094(6) of the Consumer
16 Financial Protection Act of 2010, is amended by striking
17 “Director of the Bureau of Consumer Financial Protec-
18 tion” each place such term appears and inserting “Bureau
19 of Consumer Financial Protection”.

20 (i) INTERSTATE LAND SALES FULL DISCLOSURE
21 ACT.—The Interstate Land Sales Full Disclosure Act, as
22 amended by section 1098A of the Consumer Financial
23 Protection Act of 2010, is amended—

24 (1) by amending section 1402(1) to read as fol-
25 lows:

1 “(1) ‘Chair’ means the Chair of the Commission of
2 the Bureau of Consumer Financial Protection;”;

3 (2) in section 1416(a), by striking “Director of
4 the Bureau of Consumer Financial Protection” and
5 inserting “Chair”; and

6 (3) by striking “Director” each place such term
7 appears and inserting “Bureau”.

8 (j) REAL ESTATE SETTLEMENT PROCEDURES ACT
9 OF 1974.—Section 5 of the Real Estate Settlement Proce-
10 dures Act of 1974, as amended by section 1450 of the
11 Dodd-Frank Wall Street Reform and Consumer Protec-
12 tion Act, is amended—

13 (1) by striking “The Director of the Bureau of
14 Consumer Financial Protection (hereafter in this
15 section referred to as the ‘Director’)” and inserting
16 “The Bureau of Consumer Financial Protection”;
17 and

18 (2) by striking “Director” each place such term
19 appears and inserting “Bureau”.

20 (k) S.A.F.E. MORTGAGE LICENSING ACT OF 2008.—
21 The S.A.F.E. Mortgage Licensing Act of 2008, as amend-
22 ed by section 1100 of the Consumer Financial Protection
23 Act of 2010, is amended—

1 (1) by striking “Director” each place such term
2 appears in headings and text and inserting “Bu-
3 reau”; and

4 (2) in section 1503, by striking paragraph (10).

5 (l) TITLE 44, UNITED STATES CODE.—Section
6 3513(c) of title 44, United States Code, as amended by
7 section 1100D(b) of the Consumer Financial Protection
8 Act of 2010, is amended by striking “Director of the Bu-
9 reau” and inserting “Bureau”.

10 **SEC. 106. CHAIR OF THE COMMISSION REQUIRED BEFORE**
11 **TRANSFER.**

12 Section 1062 of the Dodd-Frank Wall Street Reform
13 and Consumer Protection Act is amended by adding at
14 the end the following new subsection:

15 “(d) CHAIR OF THE COMMISSION REQUIRED BEFORE
16 TRANSFER.—Notwithstanding the other provisions of this
17 section, the single calendar date for the transfer of func-
18 tions to the Bureau under section 1061 shall be the later
19 of—

20 “(1) the date that would have been designated,
21 but for the application of this subsection; and

22 “(2) the date on which the Chair of the Com-
23 mission of the Bureau is confirmed by the Senate.”.

1 **SEC. 107. INSPECTOR GENERAL REPORT.**

2 Section 1013 of the Dodd-Frank Wall Street Reform
3 and Consumer Protection Act is amended by adding at
4 the end the following new subsection:

5 “(h) INSPECTOR GENERAL REPORT.—

6 “(1) IN GENERAL.—Not later than February 1,
7 2012, and annually thereafter, the Inspector General
8 of the Board of Governors of the Federal Reserve
9 System and the Bureau of Consumer Financial Pro-
10 tection shall submit a report to the Congress con-
11 taining the following:

12 “(A) A list of all new rules, guidelines, and
13 regulations prescribed by the Bureau within the
14 previous fiscal year, with corresponding detailed
15 descriptions of each.

16 “(B) A detailed list of all authority which
17 the Inspector General believes overlaps with the
18 efforts of other Federal departments and agen-
19 cies.

20 “(C) All administrative expenses of the
21 Bureau, including the amount spent on salaries,
22 office supplies, and office space.

23 “(D) The current amount in the Bureau of
24 Consumer Financial Protection Fund.

25 “(2) PUBLIC DISCLOSURE.—The Inspector Gen-
26 eral of the Board of Governors of the Federal Re-

1 serve System and the Bureau of Consumer Financial
2 Protection shall make each report submitted under
3 paragraph (1) available to the public, including on
4 the Bureau’s website.

5 “(3) USE OF FUNDS.—The Inspector General
6 shall carry out this subsection using existing
7 funds.”.

8 **SEC. 108. ANALYSIS OF REGULATIONS.**

9 Section 1022 of the Dodd-Frank Wall Street Reform
10 and Consumer Protection Act is amended by adding at
11 the end the following new subsection:

12 “(e) ANALYSIS OF REGULATIONS.—

13 “(1) IN GENERAL.—Each time the Bureau pro-
14 poses a new rule or regulation, the Bureau shall—

15 “(A) carry out an initial regulatory flexi-
16 bility analysis for such proposed rule or regula-
17 tion, which shall be carried out as closely as
18 possible to those initial regulatory flexibility
19 analyses required under section 603 of title 5,
20 United States Code, but which shall analyze the
21 financial impact of the proposed rule or regula-
22 tion on all financial entities, regardless of size;
23 and

24 “(B) carry out an analysis of whether the
25 proposed rule or regulation will impair the abil-

1 ity of individuals and small business to access
2 credit from financial institutions.

3 “(2) REPORT.—The Bureau shall issue a report
4 to the Council on the analyses carried out under
5 paragraph (1), and make such analyses available to
6 the public.

7 “(3) USE OF EXISTING RESOURCES.—The Bu-
8 reau shall use existing resources to carry out the re-
9 quirements of this subsection.”.

10 **TITLE II—FHA REFINANCE**
11 **PROGRAM TERMINATION ACT**

12 **SEC. 201. SHORT TITLE.**

13 This title may be cited as the “FHA Refinance Pro-
14 gram Termination Act”.

15 **SEC. 202. RESCISSION OF FUNDING FOR FHA REFINANCE**
16 **PROGRAM.**

17 Effective on the date of the enactment of this Act,
18 there are rescinded and permanently canceled all unex-
19 pected balances remaining available as of such date of en-
20 actment of the amounts made available under title I of
21 the Emergency Economic Stabilization Act (Public Law
22 110–343; 12 U.S.C. 5211 et seq.) that have been allocated
23 for use under the FHA Refinance Program (pursuant to
24 Mortgagee Letter 2010–23 of the Secretary of Housing
25 and Urban Development) of the Making Home Affordable

1 initiative of the Secretary of the Treasury. All such unex-
2 pended balances so rescinded and permanently canceled
3 shall be retained in the general fund of the Treasury for
4 reducing the debt of the Federal Government.

5 **SEC. 203. TERMINATION OF FHA REFINANCE PROGRAM.**

6 (a) **TERMINATION OF MORTGAGEE LETTER.**—The
7 Mortgagee Letter referred to in section 202 shall be void
8 and have no effect and the Secretary of Housing and
9 Urban Development may not issue any regulation, order,
10 notice, or mortgagee letter based on or substantially simi-
11 lar to such Mortgagee Letter.

12 (b) **TREATMENT OF REMAINING FUNDS.**—Notwith-
13 standing subsection (a) of this section, any amounts made
14 available for use under the Program referred to in section
15 202 of this title and expended before the date of the enact-
16 ment of this Act shall continue to be governed by the
17 Mortgagee Letter specified in subsection (a) of this sec-
18 tion, and any other provisions of law, regulations, orders,
19 and notices, applicable to such amounts, as in effect imme-
20 diately before such date of enactment.

21 (c) **TERMINATION.**—After the enactment of this Act,
22 the Secretary of Housing and Urban Development may
23 not newly insure any mortgage under the FHA Refinance
24 Program referred to in section 202 of this title except pur-
25 suant to a commitment to insure made before such enact-

1 ment, and upon the completion of all activities with re-
2 spect to such commitments under the provisions of law,
3 regulations, orders, notices, and mortgagee letters referred
4 to in subsection (b) of this section, the Secretary of Hous-
5 ing and Urban Development shall terminate the FHA Re-
6 finance Program referred to in section 202.

7 (d) STUDY OF USE OF PROGRAM BY MEMBERS OF
8 THE ARMED FORCES, VETERANS, GOLD STAR RECIPI-
9 ENTS, AND MEMBERS AND VETERANS WITH SERVICE-
10 CONNECTED DISABILITIES AND THEIR FAMILIES.—

11 (1) STUDY.—The Secretary of Housing and
12 Urban Development shall conduct a study to deter-
13 mine the extent of usage of the FHA Refinance Pro-
14 gram referred to in section 202 by, and the impact
15 of such program on, covered homeowners.

16 (2) REPORT.—Not later than the expiration of
17 the 90-day period beginning on the date of the en-
18 actment of this Act, the Secretary shall submit to
19 the Congress a report setting forth the results of the
20 study under paragraph (1) and identifying best
21 practices, with respect to covered homeowners, that
22 could be applied to the FHA Refinance Program.

23 (3) COVERED HOMEOWNER.—For purposes of
24 this subsection, the term “covered homeowner”
25 means a homeowner who is—

1 (A) a member of the Armed Forces of the
2 United States on active duty or the spouse or
3 parent of such a member;

4 (B) a veteran, as such term is defined in
5 section 101 of title 38, United States Code;

6 (C) eligible to receive a Gold Star lapel pin
7 under section 1126 of title 10, United States
8 Code, as a widow, parent, or next of kin of a
9 member of the Armed Forces person who died
10 in a manner described in subsection (a) of such
11 section; and

12 (D) such members and veterans of the
13 Armed Forces who have service-connected inju-
14 rias, and survivors and dependents of such
15 members and veterans of the Armed Forces
16 with such injuries.

17 **SEC. 204. PUBLICATION OF MEMBER AVAILABILITY FOR AS-**
18 **SISTANCE.**

19 Not later than 5 days after the date of the enactment
20 of this Act, the Secretary of Housing and Urban Develop-
21 ment shall publish to its Website on the World Wide Web
22 in a prominent location, large point font, and boldface type
23 the following statement: “The FHA Short Refinance Pro-
24 gram, which was intended to provide borrowers with refi-
25 nance opportunities, has been terminated. If you are hav-

1 ing trouble paying your mortgage and need help con-
2 tacting your lender or servicer for purposes of negotiating
3 or acquiring a loan modification, please contact your Mem-
4 ber of Congress to assist you in contacting your lender
5 or servicer for the purpose of negotiating or acquiring a
6 loan modification.”.

Passed the House of Representatives July 21, 2011.

Attest:

KAREN L. HAAS,

Clerk.

Union Calendar No. 86

112TH CONGRESS
1ST SESSION

H. R. 2434

[Report No. 112-136]

Making appropriations for financial services and general government for the fiscal year ending September 30, 2012, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 7, 2011

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

A BILL

Making appropriations for financial services and general government for the fiscal year ending September 30, 2012, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 2012, and for other pur-
6 poses, namely:

1 TITLE I
2 DEPARTMENT OF THE TREASURY
3 DEPARTMENTAL OFFICES
4 SALARIES AND EXPENSES

5 For necessary expenses of the Departmental Offices,
6 except for the Office of Terrorism and Financial Intel-
7 ligence, including operation and maintenance of the Treas-
8 ury Building and Annex; hire of passenger motor vehicles;
9 maintenance, repairs, and improvements of, and purchase
10 of commercial insurance policies for real properties leased
11 or owned overseas, when necessary for the performance
12 of official business, \$185,749,000; of which up to
13 \$1,000,000 may be contributed to the Global Tax Forum;
14 of which not to exceed \$7,000,000, to remain available
15 until September 30, 2013, is available for information
16 technology modernization requirements, and the Office of
17 Critical Infrastructure Protection and Compliance Policy; of
18 which \$6,787,000 is for the Treasury-wide Financial
19 Statement Audit and Internal Control Program; of which
20 not to exceed \$300,000 is for official reception and rep-
21 resentation expenses; and of which not to exceed \$258,000
22 is for unforeseen emergencies of a confidential nature, to
23 be allocated and expended under the direction of the Sec-
24 retary of the Treasury and to be accounted for solely on
25 his certificate.

1 OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFERS OF FUNDS)

4 For the necessary expenses of the Office of Terrorism
5 and Financial Intelligence to safeguard the financial sys-
6 tem against illicit use and to combat rogue nations, ter-
7 rorist facilitators, weapons of mass destruction
8 proliferators, money launderers, drug kingpins, and other
9 national security threats, \$100,000,000, of which
10 \$1,000,000 is available until expended including \$500,000
11 for secure space requirements: *Provided*, That the unobli-
12 gated prior year balances associated with these activities
13 under the heading “Departmental Offices – Salaries and
14 Expenses” shall be transferred to and merged with this
15 account.

16 BUREAU OF CONSUMER FINANCIAL PROTECTION
17 ADMINISTRATIVE PROVISIONS

18 SEC. 101. (a) During fiscal year 2012, the Board of
19 Governors of the Federal Reserve may not transfer more
20 than \$200,000,000 to the Bureau of Consumer Financial
21 Protection for activities authorized to be carried out by
22 the Bureau under title X of the Dodd-Frank Wall Street
23 Reform and Consumer Protection Act (Public Law 111-
24 203).

1 (b) During fiscal year 2012, the Bureau of Consumer
2 Financial Protection may not obligate more than
3 \$200,000,000 for such activities.

4 SEC. 102. Effective October 1, 2012, notwithstanding
5 section 1017 of Public Law 111–203—

6 (1) the Board of Governors of the Federal Re-
7 serve System shall not transfer amounts specified
8 under such section to the Bureau of Consumer Fi-
9 nancial Protection; and

10 (2) there are authorized to be appropriated to
11 the Bureau of Consumer Financial Protection such
12 sums as may be necessary to carry out the authori-
13 ties of the Bureau under Federal consumer financial
14 law.

15 OFFICE OF INSPECTOR GENERAL

16 SALARIES AND EXPENSES

17 For necessary expenses of the Office of Inspector
18 General in carrying out the provisions of the Inspector
19 General Act of 1978, including hire of passenger motor
20 vehicles, \$29,641,000, of which not to exceed \$100,000
21 for unforeseen emergencies of a confidential nature, to be
22 allocated and expended under the direction of the Inspec-
23 tor General of the Treasury.

1 TREASURY INSPECTOR GENERAL FOR TAX

2 ADMINISTRATION

3 SALARIES AND EXPENSES

4 For necessary expenses of the Treasury Inspector
5 General for Tax Administration in carrying out the In-
6 spector General Act of 1978, including purchase (not to
7 exceed 150 for replacement only for police-type use) and
8 hire of passenger motor vehicles (31 U.S.C. 1343(b)),
9 \$151,696,000, of which not to exceed \$500,000 shall be
10 available for unforeseen emergencies of a confidential na-
11 ture, to be allocated and expended under the direction of
12 the Inspector General for Tax Administration.

13 SPECIAL INSPECTOR GENERAL FOR THE TROUBLED

14 ASSET RELIEF PROGRAM

15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of the Special
17 Inspector General in carrying out the provisions of the
18 Emergency Economic Stabilization Act of 2008 (Public
19 Law 110–343), \$41,801,000.

20 FINANCIAL CRIMES ENFORCEMENT NETWORK

21 SALARIES AND EXPENSES

22 For necessary expenses of the Financial Crimes En-
23 forcement Network, including hire of passenger motor ve-
24 hicles; travel and training expenses, including for course
25 development, of non-Federal and foreign government per-

1 sonnel to attend meetings and training concerned with do-
2 mestic and foreign financial intelligence activities, law en-
3 forcement, and financial regulation; not to exceed \$14,000
4 for official reception and representation expenses; and for
5 assistance to Federal law enforcement agencies, with or
6 without reimbursement, \$110,788,000, of which not to ex-
7 ceed \$20,000,000 shall remain available until September
8 30, 2014.

9 TREASURY FORFEITURE FUND

10 (RESCISSION)

11 Of the unobligated balances available under this
12 heading, \$630,000,000 are permanently rescinded.

13 FINANCIAL MANAGEMENT SERVICE

14 SALARIES AND EXPENSES

15 For necessary expenses of the Financial Management
16 Service, \$216,617,000, of which not to exceed \$4,120,000
17 shall remain available until September 30, 2014, for infor-
18 mation systems modernization initiatives; and of which not
19 to exceed \$2,500 shall be available for official reception
20 and representation expenses.

21 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

22 SALARIES AND EXPENSES

23 For necessary expenses of carrying out section 1111
24 of the Homeland Security Act of 2002, including hire of
25 passenger motor vehicles, \$96,899,000; of which not to ex-

1 ceed \$6,000 for official reception and representation ex-
2 penses; not to exceed \$50,000 for cooperative research and
3 development programs for laboratory services; and provi-
4 sion of laboratory assistance to State and local agencies
5 with or without reimbursement.

6 UNITED STATES MINT

7 UNITED STATES MINT PUBLIC ENTERPRISE FUND

8 Pursuant to section 5136 of title 31, United States
9 Code, the United States Mint is provided funding through
10 the United States Mint Public Enterprise Fund for costs
11 associated with the production of circulating coins, numis-
12 matic coins, and protective services, including both oper-
13 ating expenses and capital investments. The aggregate
14 amount of new liabilities and obligations incurred during
15 fiscal year 2012 under such section 5136 for circulating
16 coinage and protective service capital investments of the
17 United States Mint shall not exceed \$20,000,000.

18 BUREAU OF THE PUBLIC DEBT

19 ADMINISTERING THE PUBLIC DEBT

20 For necessary expenses connected with any public-
21 debt issues of the United States, \$171,979,000, of which
22 not to exceed \$2,500 shall be available for official recep-
23 tion and representation expenses, and of which
24 \$10,000,000 shall remain available until September 30,
25 2013: *Provided*, That the sum appropriated herein from

1 the general fund for fiscal year 2012 shall be reduced by
2 not more than \$8,000,000 as definitive security issue fees
3 and Legacy Treasury Direct Investor Account Mainte-
4 nance fees are collected, so as to result in a final fiscal
5 year 2012 appropriation from the general fund estimated
6 at \$163,979,000. In addition, \$165,000 to be derived from
7 the Oil Spill Liability Trust Fund to reimburse the Bu-
8 reau for administrative and personnel expenses for finan-
9 cial management of the Fund, as authorized by section
10 1012 of Public Law 101–380.

11 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

12 FUND PROGRAM ACCOUNT

13 To carry out the Riegle Community Development
14 Banking and Financial Institutions Act of 1994 (Public
15 Law 103–325), \$183,000,000, to remain available until
16 September 30, 2013; of which \$12,000,000 shall be for
17 financial assistance, technical assistance, training and out-
18 reach programs, designed to benefit Native communities,
19 including Native Hawaiians and Alaskans, and provided
20 primarily through qualified community development lender
21 organizations with experience and expertise in community
22 development banking and lending in Indian country, Na-
23 tive American organizations, tribes and tribal organiza-
24 tions and other suitable providers; of which \$22,965,000
25 may be for administrative expenses; and of which up to

1 \$10,315,000 may be used for the cost of direct loans: *Pro-*
2 *vided*, That the cost of direct loans, including the cost of
3 modifying such loans, shall be as defined in section 502
4 of the Congressional Budget Act of 1974: *Provided fur-*
5 *ther*, That these funds are available to subsidize gross obli-
6 gations for the principal amount of direct loans not to ex-
7 ceed \$25,000,000: *Provided further*, That none of the
8 funds provided under this heading shall be available for
9 specialized programs, initiatives, or variations of financial
10 or technical assistance unless the Department of Treasury
11 demonstrates to the House and Senate Committees on Ap-
12 propriations, the House Committee on Financial Services,
13 and the Senate Committee on Banking, Housing, and
14 Urban Development how the specialized programs, initia-
15 tives, or variations can effectively address the findings in
16 the Riegle Community Development and Financial Institu-
17 tions Act (Public Law 103–325).

18 INTERNAL REVENUE SERVICE

19 TAXPAYER SERVICES

20 For necessary expenses of the Internal Revenue Serv-
21 ice to provide taxpayer services, including pre-filing assist-
22 ance and education, filing and account services, and tax-
23 payer advocacy services, \$2,165,756,000, of which not less
24 than \$5,100,000 shall be for the Tax Counseling for the
25 Elderly Program, of which not less than \$9,500,000 shall

1 be available for low-income taxpayer clinic grants, of which
2 not less than \$12,000,000, to remain available until Sep-
3 tember 30, 2013, shall be available for a Community Vol-
4 unteer Income Tax Assistance matching grants program
5 for tax return preparation assistance, of which not less
6 than \$200,000,000 shall be available for operating ex-
7 penses of the Taxpayer Advocate Service, and of which
8 not more than \$15,481,000 shall be for expenses nec-
9 essary to implement the tax credit in title II of Division
10 A of the Trade Act of 2002 (Public Law 107–210).

11

ENFORCEMENT

12 For necessary expenses for tax enforcement activities
13 of the Internal Revenue Service to determine and collect
14 owed taxes, to provide legal and litigation support, to con-
15 duct criminal investigations, to enforce criminal statutes
16 related to violations of internal revenue laws and other fi-
17 nancial crimes, and to purchase (for police-type use, not
18 to exceed 850) and hire passenger motor vehicles (31
19 U.S.C. 1343(b)), \$5,226,603,000, of which not less than
20 \$60,257,000 shall be for the Interagency Crime and Drug
21 Enforcement program.

22

OPERATIONS SUPPORT

23 For necessary expenses of the Internal Revenue Serv-
24 ice to support taxpayer services and enforcement pro-
25 grams, including rent payments; facilities services; print-

1 ing; postage; physical security; headquarters and other
2 IRS-wide administration activities; research and statistics
3 of income; telecommunications; information technology de-
4 velopment, enhancement, operations, maintenance, and se-
5 curity; and the hire of passenger motor vehicles (31 U.S.C.
6 1343(b)); \$3,793,379,000; of which up to \$300,000,000
7 shall remain available until September 30, 2013; of which
8 not to exceed \$2,000,000 shall be for the Internal Revenue
9 Service Oversight Board; and of which not to exceed
10 \$25,000 shall be for official reception and representation.

11 BUSINESS SYSTEMS MODERNIZATION

12 For necessary expenses of the Internal Revenue Serv-
13 ice's business systems modernization program,
14 \$330,000,000, to remain available until September 30,
15 2014, for the capital asset acquisition of information tech-
16 nology systems, including management and related con-
17 tractual costs of said acquisitions, and related Internal
18 Revenue Service labor costs: *Provided*, That, with the ex-
19 ception of labor costs, none of these funds may be obli-
20 gated until the Internal Revenue Service submits to the
21 Committees on Appropriations a plan for expenditure that:
22 (1) meets the capital planning and investment control re-
23 view requirements established by the Office of Manage-
24 ment and Budget, including Circular A-11; (2) complies
25 with the Internal Revenue Service's enterprise architec-

1 ture, including the modernization blueprint; (3) conforms
2 with the Internal Revenue Service’s enterprise life cycle
3 methodology; (4) is approved by the Internal Revenue
4 Service, the Department of the Treasury, and the Office
5 of Management and Budget; (5) has been received by the
6 Government Accountability Office; and (6) complies with
7 the acquisition rules, requirements, guidelines, and sys-
8 tems acquisition management practices of the Federal
9 Government.

10 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

11 SERVICE

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 103. Not to exceed 5 percent of any appropria-
14 tion made available in this Act to the Internal Revenue
15 Service or not to exceed 3 percent of appropriations under
16 the heading “Enforcement” may be transferred to any
17 other Internal Revenue Service appropriation upon the ad-
18 vance approval of the Committees on Appropriations.

19 SEC. 104. The Internal Revenue Service shall main-
20 tain a training program to ensure that Internal Revenue
21 Service employees are trained in taxpayers’ rights, in deal-
22 ing courteously with taxpayers, and in cross-cultural rela-
23 tions.

24 SEC. 105. The Internal Revenue Service shall insti-
25 tute and enforce policies and procedures that will safe-

1 guard the confidentiality of taxpayer information and pro-
2 tect taxpayers against identity theft.

3 SEC. 106. Funds made available by this or any other
4 Act to the Internal Revenue Service shall be available for
5 improved facilities and increased staffing to provide suffi-
6 cient and effective 1–800 help line service for taxpayers.
7 The Commissioner shall continue to make the improve-
8 ment of the Internal Revenue Service 1–800 help line serv-
9 ice a priority and allocate resources necessary to increase
10 phone lines and staff to improve the Internal Revenue
11 Service 1–800 help line service.

12 SEC. 107. None of the funds made available by this
13 Act may be used by the Internal Revenue Service to imple-
14 ment or enforce section 5000A of the Internal Revenue
15 Code of 1986, section 6055 of such Code, section 1502(c)
16 of the Patient Protection and Affordable Care Act (Public
17 Law 111–148), or any amendments made by section
18 1502(b) of such Act.

19 SEC. 108. None of the funds made available in the
20 Patient Protection and Affordable Care Act (Public Law
21 111–148) or the Health Care and Education Reconcili-
22 ation Act of 2010 (Public Law 111–152) may be trans-
23 ferred to the Internal Revenue Service for the purpose of
24 carrying out any provisions of, or amendments made by,
25 such Acts.

1 increase or decrease any such appropriation by more than
2 2 percent.

3 SEC. 112. Not to exceed 2 percent of any appropria-
4 tion made available in this Act to the Internal Revenue
5 Service may be transferred to the Treasury Inspector Gen-
6 eral for Tax Administration's appropriation upon the ad-
7 vance approval of the Committees on Appropriations: *Pro-*
8 *vided*, That no transfer may increase or decrease any such
9 appropriation by more than 2 percent.

10 SEC. 113. Of the funds available for the purchase of
11 law enforcement vehicles, no funds may be obligated until
12 the Secretary of the Treasury certifies that the purchase
13 by the respective Treasury bureau is consistent with de-
14 partmental vehicle management principles: *Provided*, That
15 the Secretary may delegate this authority to the Assistant
16 Secretary for Management.

17 SEC. 114. None of the funds appropriated in this Act
18 or otherwise available to the Department of the Treasury
19 or the Bureau of Engraving and Printing may be used
20 to redesign the \$1 Federal Reserve note.

21 SEC. 115. The Secretary of the Treasury may trans-
22 fer funds from Financial Management Service, Salaries
23 and Expenses to the Debt Collection Fund as necessary
24 to cover the costs of debt collection: *Provided*, That such
25 amounts shall be reimbursed to such salaries and expenses

1 account from debt collections received in the Debt Collec-
2 tion Fund.

3 SEC. 116. Section 122(g)(1) of Public Law 105–119
4 (5 U.S.C. 3104 note), is further amended by striking “12
5 years” and inserting “14 years”.

6 SEC. 117. None of the funds appropriated or other-
7 wise made available by this or any other Act may be used
8 by the United States Mint to construct or operate any mu-
9 seum without the explicit approval of the Committees on
10 Appropriations of the House of Representatives and the
11 Senate, the House Committee on Financial Services, and
12 the Senate Committee on Banking, Housing and Urban
13 Affairs.

14 SEC. 118. None of the funds appropriated or other-
15 wise made available by this or any other Act or source
16 to the Department of the Treasury, the Bureau of Engrav-
17 ing and Printing, and the United States Mint, individually
18 or collectively, may be used to consolidate any or all func-
19 tions of the Bureau of Engraving and Printing and the
20 United States Mint without the explicit approval of the
21 House Committee on Financial Services; the Senate Com-
22 mittee on Banking, Housing, and Urban Affairs; and the
23 Committees on Appropriations of the House of Represent-
24 atives and the Senate.

1 SEC. 119. Funds appropriated by this Act, or made
2 available by the transfer of funds in this Act, for the De-
3 partment of the Treasury's intelligence or intelligence re-
4 lated activities are deemed to be specifically authorized by
5 the Congress for purposes of section 504 of the National
6 Security Act of 1947 (50 U.S.C. 414) during fiscal year
7 2012 until the enactment of the Intelligence Authorization
8 Act for Fiscal Year 2012.

9 SEC. 120. Not to exceed \$5,000 shall be made avail-
10 able from the Bureau of Engraving and Printing's Indus-
11 trial Revolving Fund for necessary official reception and
12 representation expenses.

13 SEC. 121. Section 5114(e) of Title 31, United States
14 Code (relating to engraving and printing currency and se-
15 curity documents), is amended by striking "for a period
16 of not more than 4 years".

17 SEC. 122. In the current fiscal year and and each
18 fiscal year hereafter, any person who forwards to the Bu-
19 reau of Engraving and Printing a mutilated paper cur-
20 rency claim equal to or exceeding \$10,000 for redemption
21 will be required to provide the Bureau their taxpayer iden-
22 tification number.

23 SEC. 123. Section 310(b)(2)(E) of title 31, United
24 States Code (relating to the Financial Crimes Enforce-

1 ment Network), is amended by inserting “and foreign”
2 after “Federal” the first time that it appears.

3 SEC. 124. Section 5318(g)(2)(A) of title 31, United
4 States Code (relating to reporting of suspicious trans-
5 actions), is amended—

6 (1) by striking “and” at the end of clause (i);

7 (2) by striking the period at the end of clause
8 (ii) and inserting “; and”; and

9 (3) by adding at the end the following:

10 “(iii) no other person that the Sec-
11 retary may prescribe by regulation, who
12 has knowledge that such report was made,
13 may disclose to any person involved in the
14 transaction that the transaction has been
15 reported.”.

16 SEC. 125. Section 5319 of title 31, United States
17 Code (relating to availability of reports), is amended by
18 inserting after “title 5” the following: “, or under any
19 State law having or intended to have a similar effect”.

20 SEC. 126. During fiscal year 2012, the Financial Re-
21 search Fund may not obligate more than \$72,000,000 for
22 activities authorized by the Dodd-Frank Wall Street Re-
23 form and Consumer Protection Act (Public Law 111-
24 203), of which not more than \$64,468,000 is for the Of-
25 fice of Financial Research.

1 SEC. 127. During fiscal year 2012, the Secretary of
2 Treasury may not obligate more than \$200,000,000 for
3 the administrative expenses of the Office of Financial Sta-
4 bility for carrying out the Troubled Assets Relief Pro-
5 gram.

6 SEC. 128. Section 5331(a) of title 31, United States
7 Code, is amended—

8 (1) by striking paragraph (1) and inserting the
9 following:

10 “(1)(A) who is engaged in a trade or business,
11 and”;

12 (2) by redesignating paragraph (2) as subpara-
13 graph (B);

14 (3) in subparagraph (B), as so redesignated, by
15 adding “or” at the end; and

16 (4) by inserting after subparagraph (B), as so
17 redesignated, the following new paragraph:

18 “(2) who is required to file a report under sec-
19 tion 6050I(g) of the Internal Revenue Code of
20 1986,”.

21 SEC. 129. Section 120 of the Emergency Economic
22 Stabilization Act of 2008 (Public Law 110–343) is amend-
23 ed by adding at the end the following new subsection:

1 “(c) TERMINATION OF AUTHORITY TO PROVIDE NEW
2 ASSISTANCE UNDER THE HOME AFFORDABLE MODIFICA-
3 TION PROGRAM.—

4 “(1) IN GENERAL.—Except as provided under
5 paragraph (2), after the date of the enactment of
6 this subsection the Secretary may not provide any
7 assistance under the Home Affordable Modification
8 Program under the Making Home Affordable initia-
9 tive of the Secretary, authorized under this Act, on
10 behalf of any homeowner.

11 “(2) PROTECTION OF EXISTING OBLIGATIONS
12 ON BEHALF OF HOMEOWNERS ALREADY EXTENDED
13 AN OFFER TO PARTICIPATE IN THE PROGRAM.—
14 Paragraph (1) shall not apply with respect to assist-
15 ance provided on behalf of a homeowner who, before
16 the date of the enactment of this subsection, was ex-
17 tended an offer to participate in the Home Afford-
18 able Modification Program on a trial or permanent
19 basis.”.

1 TITLE II
2 EXECUTIVE OFFICE OF THE PRESIDENT AND
3 FUNDS APPROPRIATED TO THE PRESIDENT
4 THE WHITE HOUSE
5 SALARIES AND EXPENSES

6 For necessary expenses for the White House as au-
7 thorized by law, including not to exceed \$3,850,000 for
8 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;
9 subsistence expenses as authorized by 3 U.S.C. 105, which
10 shall be expended and accounted for as provided in that
11 section; hire of passenger motor vehicles, newspapers,
12 periodicals, and travel (not to exceed \$100,000 to be ex-
13 pended and accounted for as provided by 3 U.S.C. 103);
14 and not to exceed \$19,000 for official entertainment ex-
15 penses, to be available for allocation within the Executive
16 Office of the President; and for necessary expenses of the
17 Office of Policy Development, including services as author-
18 ized by 5 U.S.C. 3109 and 3 U.S.C. 107, \$55,513,000.

19 EXECUTIVE RESIDENCE AT THE WHITE HOUSE
20 OPERATING EXPENSES

21 For the care, maintenance, repair and alteration, re-
22 furnishing, improvement, heating, and lighting, including
23 electric power and fixtures, of the Executive Residence at
24 the White House and official entertainment expenses of

1 the President, \$12,989,000, to be expended and accounted
2 for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

3 REIMBURSABLE EXPENSES

4 For the reimbursable expenses of the Executive Resi-
5 dence at the White House, such sums as may be nec-
6 essary: *Provided*, That all reimbursable operating expenses
7 of the Executive Residence shall be made in accordance
8 with the provisions of this paragraph: *Provided further*,
9 That, notwithstanding any other provision of law, such
10 amount for reimbursable operating expenses shall be the
11 exclusive authority of the Executive Residence to incur ob-
12 ligations and to receive offsetting collections, for such ex-
13 penses: *Provided further*, That the Executive Residence
14 shall require each person sponsoring a reimbursable polit-
15 ical event to pay in advance an amount equal to the esti-
16 mated cost of the event, and all such advance payments
17 shall be credited to this account and remain available until
18 expended: *Provided further*, That the Executive Residence
19 shall require the national committee of the political party
20 of the President to maintain on deposit \$25,000, to be
21 separately accounted for and available for expenses relat-
22 ing to reimbursable political events sponsored by such
23 committee during such fiscal year: *Provided further*, That
24 the Executive Residence shall ensure that a written notice
25 of any amount owed for a reimbursable operating expense

1 under this paragraph is submitted to the person owing
2 such amount within 60 days after such expense is in-
3 curred, and that such amount is collected within 30 days
4 after the submission of such notice: *Provided further*, That
5 the Executive Residence shall charge interest and assess
6 penalties and other charges on any such amount that is
7 not reimbursed within such 30 days, in accordance with
8 the interest and penalty provisions applicable to an out-
9 standing debt on a United States Government claim under
10 31 U.S.C. 3717: *Provided further*, That each such amount
11 that is reimbursed, and any accompanying interest and
12 charges, shall be deposited in the Treasury as miscella-
13 neous receipts: *Provided further*, That the Executive Resi-
14 dence shall prepare and submit to the Committees on Ap-
15 propriations, by not later than 90 days after the end of
16 the fiscal year covered by this Act, a report setting forth
17 the reimbursable operating expenses of the Executive Res-
18 idence during the preceding fiscal year, including the total
19 amount of such expenses, the amount of such total that
20 consists of reimbursable official and ceremonial events, the
21 amount of such total that consists of reimbursable political
22 events, and the portion of each such amount that has been
23 reimbursed as of the date of the report: *Provided further*,
24 That the Executive Residence shall maintain a system for
25 the tracking of expenses related to reimbursable events

1 within the Executive Residence that includes a standard
2 for the classification of any such expense as political or
3 nonpolitical: *Provided further*, That no provision of this
4 paragraph may be construed to exempt the Executive Res-
5 idence from any other applicable requirement of sub-
6 chapter I or II of chapter 37 of title 31, United States
7 Code.

8 WHITE HOUSE REPAIR AND RESTORATION

9 For the repair, alteration, and improvement of the
10 Executive Residence at the White House, \$1,000,000, to
11 remain available until expended, for required maintenance,
12 resolution of safety and health issues, and continued pre-
13 ventative maintenance.

14 COUNCIL OF ECONOMIC ADVISERS

15 SALARIES AND EXPENSES

16 For necessary expenses of the Council of Economic
17 Advisers in carrying out its functions under the Employ-
18 ment Act of 1946 (15 U.S.C. 1021 et seq.), \$3,982,000.

19 NATIONAL SECURITY COUNCIL AND HOMELAND

20 SECURITY COUNCIL

21 SALARIES AND EXPENSES

22 For necessary expenses of the National Security
23 Council and the Homeland Security Council, including
24 services as authorized by 5 U.S.C. 3109, \$12,396,000.

1 OFFICE OF ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Administra-
4 tion, including services as authorized by 5 U.S.C. 3109
5 and 3 U.S.C. 107, and hire of passenger motor vehicles,
6 \$109,297,000, of which \$10,670,000 shall remain avail-
7 able until expended for continued modernization of the in-
8 formation technology infrastructure within the Executive
9 Office of the President.

10 OFFICE OF MANAGEMENT AND BUDGET

11 SALARIES AND EXPENSES

12 For necessary expenses of the Office of Management
13 and Budget, including hire of passenger motor vehicles
14 and services as authorized by 5 U.S.C. 3109 and to carry
15 out the provisions of chapter 35 of title 44, United States
16 Code, \$82,575,000, of which not to exceed \$3,000 shall
17 be available for official representation expenses: *Provided*,
18 That none of the funds appropriated in this Act for the
19 Office of Management and Budget may be used for the
20 purpose of reviewing any agricultural marketing orders or
21 any activities or regulations under the provisions of the
22 Agricultural Marketing Agreement Act of 1937 (7 U.S.C.
23 601 et seq.): *Provided further*, That none of the funds
24 made available for the Office of Management and Budget
25 by this Act may be expended for the altering of the tran-

1 script of actual testimony of witnesses, except for testi-
2 mony of officials of the Office of Management and Budget,
3 before the Committees on Appropriations or their Sub-
4 committees: *Provided further*, That none of the funds pro-
5 vided in this or prior Acts shall be used, directly or indi-
6 rectly, by the Office of Management and Budget, for eval-
7 uating or determining if water resource project or study
8 reports submitted by the Chief of Engineers acting
9 through the Secretary of the Army are in compliance with
10 all applicable laws, regulations, and requirements relevant
11 to the Civil Works water resource planning process: *Pro-*
12 *vided further*, That the Office of Management and Budget
13 shall have not more than 60 days in which to perform
14 budgetary policy reviews of water resource matters on
15 which the Chief of Engineers has reported: *Provided fur-*
16 *ther*, That the Director of the Office of Management and
17 Budget shall notify the appropriate authorizing and ap-
18 propriating committees when the 60-day review is initi-
19 ated: *Provided further*, That if water resource reports have
20 not been transmitted to the appropriate authorizing and
21 appropriating committees within 15 days after the end of
22 the Office of Management and Budget review period based
23 on the notification from the Director, Congress shall as-
24 sume Office of Management and Budget concurrence with
25 the report and act accordingly.

1 OFFICE OF NATIONAL DRUG CONTROL POLICY

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of National
4 Drug Control Policy; for research activities pursuant to
5 the Office of National Drug Control Policy Reauthoriza-
6 tion Act of 2006 (Public Law 109–469); not to exceed
7 \$10,000 for official reception and representation expenses;
8 and for participation in joint projects or in the provision
9 of services on matters of mutual interest with nonprofit,
10 research, or public organizations or agencies, with or with-
11 out reimbursement, \$23,000,000; of which \$250,000 shall
12 remain available until expended for policy research and
13 evaluation: *Provided*, That the Office is authorized to ac-
14 cept, hold, administer, and utilize gifts, both real and per-
15 sonal, public and private, without fiscal year limitation,
16 for the purpose of aiding or facilitating the work of the
17 Office.

18 FEDERAL DRUG CONTROL PROGRAMS

19 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

20 (INCLUDING TRANSFERS OF FUNDS)

21 For necessary expenses of the Office of National
22 Drug Control Policy's High Intensity Drug Trafficking
23 Areas Program, \$238,522,000, to remain available until
24 September 30, 2013, for drug control activities consistent
25 with the approved strategy for each of the designated

1 High Intensity Drug Trafficking Areas (“HIDTAs”), of
2 which not less than 51 percent shall be transferred to
3 State and local entities for drug control activities and shall
4 be obligated not later than 120 days after enactment of
5 this Act: *Provided*, That up to 49 percent may be trans-
6 ferred to Federal agencies and departments in amounts
7 determined by the Director of the Office of National Drug
8 Control Policy, of which up to \$2,700,000 may be used
9 for auditing services and associated activities: *Provided*
10 *further*, That, notwithstanding the requirements of Public
11 Law 106–58, any unexpended funds obligated prior to fis-
12 cal year 2008 may be used for any other approved activi-
13 ties of that HIDTA, subject to reprogramming require-
14 ments: *Provided further*, That each HIDTA designated as
15 of September 30, 2011, shall be funded at not less than
16 the fiscal year 2011 base level, unless the Director submits
17 to the Committees on Appropriations of the House of Rep-
18 resentatives and the Senate justification for changes to
19 those levels based on clearly articulated priorities and pub-
20 lished Office of National Drug Control Policy performance
21 measures of effectiveness: *Provided further*, That the Di-
22 rector shall notify the Committees on Appropriations of
23 the initial allocation of fiscal year 2012 funding among
24 HIDTAs not later than 45 days after enactment of this
25 Act, and shall notify the Committees of planned uses of

1 discretionary HIDTA funding, as determined in consulta-
2 tion with the HIDTA Directors, not later than 90 days
3 after enactment of this Act.

4 OTHER FEDERAL DRUG CONTROL PROGRAMS

5 (INCLUDING TRANSFERS OF FUNDS)

6 For other drug control activities authorized by the
7 Office of National Drug Control Policy Reauthorization
8 Act of 2006 (Public Law 109–469), \$101,978,000, to re-
9 main available until expended, which shall be available as
10 follows: \$88,600,000 for the Drug-Free Communities Pro-
11 gram, of which \$2,000,000 shall be made available as di-
12 rected by section 4 of Public Law 107–82, as amended
13 by Public Law 109–469 (21 U.S.C. 1521 note);
14 \$8,982,000 for anti-doping activities; \$1,896,000 for the
15 United States membership dues to the World Anti-Doping
16 Agency; and \$2,500,000 for competitive grants authorized
17 by Public Law 109-469: *Provided*, That amounts made
18 available under this heading may be transferred to other
19 Federal departments and agencies to carry out such activi-
20 ties.

21 INTEGRATED, EFFICIENT AND EFFECTIVE USES OF

22 INFORMATION TECHNOLOGY

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses for the furtherance of inte-
25 grated, efficient and effective uses of information tech-

1 nology in the Federal Government, \$5,000,000, to remain
2 available until expended: *Provided*, That the Director of
3 the Office of Management and Budget may transfer these
4 funds to one or more other agencies to carry out projects
5 to meet these purposes: *Provided further*, That the Direc-
6 tor of the Office of Management and Budget shall submit
7 monthly reports to the Committees on Appropriations of
8 the House and the Senate identifying the savings achieved
9 by the Office of Management and Budget's government-
10 wide information technology reform efforts: *Provided fur-*
11 *ther*, That such report shall include savings identified by
12 fiscal year, agency and appropriation.

13 SPECIAL ASSISTANCE TO THE PRESIDENT

14 SALARIES AND EXPENSES

15 For necessary expenses to enable the Vice President
16 to provide assistance to the President in connection with
17 specially assigned functions; services as authorized by 5
18 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
19 penses as authorized by 3 U.S.C. 106, which shall be ex-
20 pended and accounted for as provided in that section; and
21 hire of passenger motor vehicles, \$4,322,000.

1 OFFICIAL RESIDENCE OF THE VICE PRESIDENT
2 OPERATING EXPENSES
3 (INCLUDING TRANSFER OF FUNDS)

4 For the care, operation, refurnishing, improvement,
5 and to the extent not otherwise provided for, heating and
6 lighting, including electric power and fixtures, of the offi-
7 cial residence of the Vice President; the hire of passenger
8 motor vehicles; and not to exceed \$90,000 for official en-
9 tertainment expenses of the Vice President, to be ac-
10 counted for solely on his certificate, \$307,000: *Provided*,
11 That advances or repayments or transfers from this ap-
12 propriation may be made to any department or agency for
13 expenses of carrying out such activities.

14 ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF
15 THE PRESIDENT AND FUNDS APPROPRIATED TO
16 THE PRESIDENT
17 (INCLUDING TRANSFER OF FUNDS AND RESCISSION)

18 SEC. 201. From funds made available in this Act
19 under the headings “The White House”, “Executive Resi-
20 dence at the White House”, “White House Repair and
21 Restoration”, “Council of Economic Advisers”, “National
22 Security Council and Homeland Security Council”, “Of-
23 fice of Administration”, “Special Assistance to the Presi-
24 dent”, and “Official Residence of the Vice President”, the
25 Director of the Office of Management and Budget (or

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

14 SEC. 202. From the unobligated balances of prior
15 year appropriations made available for the Counterdrug
16 Technology Assessment Center, \$11,328,000 are re-
17 scinded.

18 SEC. 203. None of the funds made available by this
19 Act may be used to pay the salaries and expenses of any
20 officer or employee of the Executive Office of the Presi-
21 dent to prepare, sign, or approve statements abrogating
22 legislation passed by the House of Representatives and the
23 Senate and signed by the President.

24 SEC. 204. (a) The Director of the Office of Manage-
25 ment and Budget shall submit to the Committees on Ap-

1 appropriations of the House and the Senate a quarterly re-
2 port on the implementation of Executive Order 13563 (76
3 Fed. Reg. 3821; relating to Improving Regulation and
4 Regulatory Review). Each such report shall include infor-
5 mation on—

6 (1) increasing public participation in the rule-
7 making process and reducing uncertainty;

8 (2) improving coordination across Federal agen-
9 cies to eliminate redundant, inconsistent, and over-
10 lapping regulations; and

11 (3) identifying existing regulations that have
12 been reviewed and determined to be outmoded, inef-
13 fective, or excessively burdensome.

14 (b) The reports required by subsection (a) shall be
15 submitted on January 2, 2012, April 2, 2012, July 2,
16 2012, and October 1, 2012.

17 SEC. 205. Within 30 days after the date of enactment
18 of this section, the Director of the Office of Management
19 and Budget shall submit a report to the Committees on
20 Appropriations of the House and the Senate on the costs
21 of implementing the Dodd-Frank Wall Street Reform and
22 Consumer Protection Act (Public Law 111–203). Such re-
23 port shall include—

1 (1) the estimated mandatory and discretionary
2 obligations of funds through fiscal year 2016, by
3 Federal agency and by fiscal year, including—

4 (A) the estimated obligations by cost in-
5 puts such as rent, information technology, con-
6 tracts, and personnel;

7 (B) the methodology and data sources used
8 to calculate such estimated obligations; and

9 (C) the specific section of such Act that re-
10 quires the obligation of funds; and

11 (2) the estimated receipts through fiscal year
12 2016 from assessments, user fees, and other fees by
13 the Federal agency making the collections, by fiscal
14 year, including—

15 (A) the methodology and data sources used
16 to calculate such estimated collections; and

17 (B) the specific section of such Act that
18 authorizes the collection of funds.

19 TITLE III

20 THE JUDICIARY

21 SUPREME COURT OF THE UNITED STATES

22 SALARIES AND EXPENSES

23 For expenses necessary for the operation of the Su-
24 preme Court, as required by law, excluding care of the
25 building and grounds, including purchase or hire, driving,

1 maintenance, and operation of an automobile for the Chief
2 Justice, not to exceed \$10,000 for the purpose of trans-
3 porting Associate Justices, and hire of passenger motor
4 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
5 to exceed \$10,000 for official reception and representation
6 expenses; and for miscellaneous expenses, to be expended
7 as the Chief Justice may approve, \$74,819,000, of which
8 \$2,000,000 shall remain available until expended.

9 CARE OF THE BUILDING AND GROUNDS

10 For such expenditures as may be necessary to enable
11 the Architect of the Capitol to carry out the duties im-
12 posed upon the Architect by 40 U.S.C. 6111 and 6112,
13 \$8,159,000, which shall remain available until expended.

14 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
15 CIRCUIT

16 SALARIES AND EXPENSES

17 For salaries of the chief judge, judges, and other offi-
18 cers and employees, and for necessary expenses of the
19 court, as authorized by law, \$31,472,000.

20 UNITED STATES COURT OF INTERNATIONAL TRADE

21 SALARIES AND EXPENSES

22 For salaries of the chief judge and eight judges, sala-
23 ries of the officers and employees of the court, services,
24 and necessary expenses of the court, as authorized by law,
25 \$20,628,000.

1 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER
2 JUDICIAL SERVICES
3 SALARIES AND EXPENSES

4 For the salaries of circuit and district judges (includ-
5 ing judges of the territorial courts of the United States),
6 justices and judges retired from office or from regular ac-
7 tive service, judges of the United States Court of Federal
8 Claims, bankruptcy judges, magistrate judges, and all
9 other officers and employees of the Federal Judiciary not
10 otherwise specifically provided for, necessary expenses of
11 the courts, and the purchase, rental, repair, and cleaning
12 of uniforms for Probation and Pretrial Services Office
13 staff, as authorized by law, \$4,790,855,000 (including the
14 purchase of firearms and ammunition); of which not to
15 exceed \$27,817,000 shall remain available until expended
16 for space alteration projects and costs related to new space
17 alteration and construction projects.

18 In addition, for expenses of the United States Court
19 of Federal Claims associated with processing cases under
20 the National Childhood Vaccine Injury Act of 1986 (Pub-
21 lic Law 99–660), not to exceed \$4,775,000, to be appro-
22 priated from the Vaccine Injury Compensation Trust
23 Fund.

1 DEFENDER SERVICES

2 For the operation of Federal Defender organizations;
3 the compensation and reimbursement of expenses of attor-
4 neys appointed to represent persons under 18 U.S.C.
5 3006A and 3599, and for the compensation and reim-
6 bursement of expenses of persons furnishing investigative,
7 expert, and other services for such representations as au-
8 thorized by law; the compensation (in accordance with the
9 maximums under 18 U.S.C. 3006A) and reimbursement
10 of expenses of attorneys appointed to assist the court in
11 criminal cases where the defendant has waived representa-
12 tion by counsel; the compensation and reimbursement of
13 expenses of attorneys appointed to represent jurors in civil
14 actions for the protection of their employment, as author-
15 ized by 28 U.S.C. 1875(d)(1); the compensation and reim-
16 bursement of expenses of attorneys appointed under 18
17 U.S.C. 983(b)(1) in connection with certain judicial civil
18 forfeiture proceedings; the compensation and reimburse-
19 ment of travel expenses of guardians ad litem appointed
20 under 18 U.S.C. 4100(b); and for necessary training and
21 general administrative expenses, \$1,050,000,000, to re-
22 main available until expended.

23 FEES OF JURORS AND COMMISSIONERS

24 For fees and expenses of jurors as authorized by 28
25 U.S.C. 1871 and 1876; compensation of jury commis-

1 sioners as authorized by 28 U.S.C. 1863; and compensa-
2 tion of commissioners appointed in condemnation cases
3 pursuant to rule 71.1(h) of the Federal Rules of Civil Pro-
4 cedure (28 U.S.C. Appendix Rule 71.1(h)), \$57,305,000,
5 to remain available until expended: *Provided*, That the
6 compensation of land commissioners shall not exceed the
7 daily equivalent of the highest rate payable under 5 U.S.C.
8 5332.

9 COURT SECURITY

10 (INCLUDING TRANSFERS OF FUNDS)

11 For necessary expenses, not otherwise provided for,
12 incident to the provision of protective guard services for
13 United States courthouses and other facilities housing
14 Federal court operations, and the procurement, installa-
15 tion, and maintenance of security systems and equipment
16 for United States courthouses and other facilities housing
17 Federal court operations, including building ingress-egress
18 control, inspection of mail and packages, directed security
19 patrols, perimeter security, basic security services provided
20 by the Federal Protective Service, and other similar activi-
21 ties as authorized by section 1010 of the Judicial Improve-
22 ment and Access to Justice Act (Public Law 100-702),
23 \$500,000,000, of which not to exceed \$15,000,000 shall
24 remain available until expended, to be expended directly
25 or transferred to the United States Marshals Service,

1 which shall be responsible for administering the Judicial
2 Facility Security Program consistent with standards or
3 guidelines agreed to by the Director of the Administrative
4 Office of the United States Courts and the Attorney Gen-
5 eral.

6 ADMINISTRATIVE OFFICE OF THE UNITED STATES

7 COURTS

8 SALARIES AND EXPENSES

9 For necessary expenses of the Administrative Office
10 of the United States Courts as authorized by law, includ-
11 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
12 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
13 advertising and rent in the District of Columbia and else-
14 where, \$80,007,000, of which not to exceed \$8,500 is au-
15 thorized for official reception and representation expenses.

16 FEDERAL JUDICIAL CENTER

17 SALARIES AND EXPENSES

18 For necessary expenses of the Federal Judicial Cen-
19 ter, as authorized by Public Law 90–219, \$26,318,000;
20 of which \$1,800,000 shall remain available through Sep-
21 tember 30, 2013, to provide education and training to
22 Federal court personnel; and of which not to exceed
23 \$1,500 is authorized for official reception and representa-
24 tion expenses.

1 UNITED STATES SENTENCING COMMISSION
2 SALARIES AND EXPENSES

3 For the salaries and expenses necessary to carry out
4 the provisions of chapter 58 of title 28, United States
5 Code, \$16,215,000, of which not to exceed \$1,000 is au-
6 thorized for official reception and representation expenses.

7 ADMINISTRATIVE PROVISIONS—THE JUDICIARY
8 (INCLUDING TRANSFER OF FUNDS AND RESCISSION)

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

12 SEC. 302. Not to exceed 5 percent of any appropria-
13 tion made available for the current fiscal year for the Judi-
14 ciary in this Act may be transferred between such appro-
15 priations, but no such appropriation, except “Courts of
16 Appeals, District Courts, and Other Judicial Services, De-
17 fender Services” and “Courts of Appeals, District Courts,
18 and Other Judicial Services, Fees of Jurors and Commis-
19 sioners”, shall be increased by more than 10 percent by
20 any such transfers: *Provided*, That any transfer pursuant
21 to this section shall be treated as a reprogramming of
22 funds under sections 604 and 608 of this Act and shall
23 not be available for obligation or expenditure except in
24 compliance with the procedures set forth in section 608.

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

10 SEC. 304. Section 3314(a) of title 40, United States
11 Code, shall be applied by substituting “Federal” for “exec-
12 utive” each place it appears.

13 SEC. 305. In accordance with 28 U.S.C. 561–569,
14 and notwithstanding any other provision of law, the
15 United States Marshals Service shall provide, for such
16 courthouses as its Director may designate in consultation
17 with the Director of the Administrative Office of the
18 United States Courts, for purposes of a pilot program, the
19 security services that 40 U.S.C. 1315 authorizes the De-
20 partment of Homeland Security to provide, except for the
21 services specified in 40 U.S.C. 1315(b)(2)(E). For build-
22 ing-specific security services at these courthouses, the Di-
23 rector of the Administrative Office of the United States
24 Courts shall reimburse the United States Marshals Service
25 rather than the Department of Homeland Security.

1 SEC. 306. Section 203(c) of the Judicial Improve-
2 ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133
3 note) is amended in the third sentence (relating to the
4 District of Kansas) by striking “20 years” and inserting
5 “21 years”.

6 SEC. 307. From the unobligated balances of prior
7 year appropriations made available for the United States
8 Sentencing Commission, \$100,000 is rescinded.

9 SEC. 308. Section 1107 of title 31, United States
10 Code, is amended by adding to the end the following: “The
11 President shall submit to Congress, without change, pro-
12 posed deficiency and supplemental appropriations sub-
13 mitted to the President by the legislative branch and the
14 judicial branch.”.

15 TITLE IV

16 DISTRICT OF COLUMBIA

17 FEDERAL FUNDS

18 FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

19 For a Federal payment to the District of Columbia,
20 to be deposited into a dedicated account, for a nationwide
21 program to be administered by the Mayor, for District of
22 Columbia resident tuition support, \$30,000,000, to remain
23 available until expended: *Provided*, That such funds, in-
24 cluding any interest accrued thereon, may be used on be-
25 half of eligible District of Columbia residents to pay an

1 amount based upon the difference between in-State and
2 out-of-State tuition at public institutions of higher edu-
3 cation, or to pay up to \$2,500 each year at eligible private
4 institutions of higher education: *Provided further*, That the
5 awarding of such funds may be prioritized on the basis
6 of a resident's academic merit, the income and need of
7 eligible students and such other factors as may be author-
8 ized: *Provided further*, That the District of Columbia gov-
9 ernment shall maintain a dedicated account for the Resi-
10 dent Tuition Support Program that shall consist of the
11 Federal funds appropriated to the Program in this Act
12 and any subsequent appropriations, any unobligated bal-
13 ances from prior fiscal years, and any interest earned in
14 this or any fiscal year: *Provided further*, That the account
15 shall be under the control of the District of Columbia
16 Chief Financial Officer, who shall use those funds solely
17 for the purposes of carrying out the Resident Tuition Sup-
18 port Program: *Provided further*, That the Office of the
19 Chief Financial Officer shall provide a quarterly financial
20 report to the Committees on Appropriations of the House
21 of Representatives and the Senate for these funds show-
22 ing, by object class, the expenditures made and the pur-
23 pose therefor.

1 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND
2 SECURITY COSTS IN THE DISTRICT OF COLUMBIA

3 For a Federal payment of necessary expenses, as de-
4 termined by the Mayor of the District of Columbia in writ-
5 ten consultation with the elected county or city officials
6 of surrounding jurisdictions, \$14,900,000, to remain
7 available until expended and in addition any funds that
8 remain available from prior year appropriations under this
9 heading for the District of Columbia Government, for the
10 costs of providing public safety at events related to the
11 presence of the national capital in the District of Colum-
12 bia, including support requested by the Director of the
13 United States Secret Service Division in carrying out pro-
14 tective duties under the direction of the Secretary of
15 Homeland Security, and for the costs of providing support
16 to respond to immediate and specific terrorist threats or
17 attacks in the District of Columbia or surrounding juris-
18 dictions.

19 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
20 COURTS

21 For salaries and expenses for the District of Colum-
22 bia Courts, \$224,394,000 to be allocated as follows: for
23 the District of Columbia Court of Appeals, \$11,998,000,
24 of which not to exceed \$2,500 is for official reception and
25 representation expenses; for the District of Columbia Su-

1 perior Court, \$109,307,000, of which not to exceed \$2,500
2 is for official reception and representation expenses; for
3 the District of Columbia Court System, \$64,984,000, of
4 which not to exceed \$2,500 is for official reception and
5 representation expenses; and \$38,105,000, to remain
6 available until September 30, 2013, for capital improve-
7 ments for District of Columbia courthouse facilities: *Pro-*
8 *vided*, That funds made available for capital improvements
9 shall be expended consistent with the District of Columbia
10 Courts master plan study and building evaluation report:
11 *Provided further*, That notwithstanding any other provi-
12 sion of law, all amounts under this heading shall be appor-
13 tioned quarterly by the Office of Management and Budget
14 and obligated and expended in the same manner as funds
15 appropriated for salaries and expenses of other Federal
16 agencies: *Provided further*, That 30 days after providing
17 written notice to the Committees on Appropriations of the
18 House of Representatives and the Senate, the District of
19 Columbia Courts may reallocate not more than
20 \$3,000,000 of the funds provided under this heading
21 among the items and entities funded under this heading
22 but no such allocation shall be increased by more than
23 10 percent.

1 FEDERAL PAYMENT FOR DEFENDER SERVICES IN
2 DISTRICT OF COLUMBIA COURTS
3 (INCLUDING TRANSFER OF FUNDS)

4 For payments authorized under section 11–2604 and
5 section 11–2605, D.C. Official Code (relating to represen-
6 tation provided under the District of Columbia Criminal
7 Justice Act), payments for counsel appointed in pro-
8 ceedings in the Family Court of the Superior Court of the
9 District of Columbia under chapter 23 of title 16, D.C.
10 Official Code, or pursuant to contractual agreements to
11 provide guardian ad litem representation, training, tech-
12 nical assistance, and such other services as are necessary
13 to improve the quality of guardian ad litem representation,
14 payments for counsel appointed in adoption proceedings
15 under chapter 3 of title 16, D.C. Official Code, and pay-
16 ments authorized under section 21–2060, D.C. Official
17 Code (relating to services provided under the District of
18 Columbia Guardianship, Protective Proceedings, and Du-
19 rable Power of Attorney Act of 1986), \$54,890,000, to
20 remain available until expended: *Provided*, That funds
21 provided under this heading shall be administered by the
22 Joint Committee on Judicial Administration in the Dis-
23 trict of Columbia: *Provided further*, That notwithstanding
24 any other provision of law, this appropriation shall be ap-
25 portioned quarterly by the Office of Management and

1 Budget and obligated and expended in the same manner
2 as funds appropriated for expenses of other Federal agen-
3 cies: *Provided further*, That not more than \$10,000,000
4 of the funds provided in this account may be transferred
5 to, and merged with, funds made available under the head-
6 ing “Federal Payment to the District of Columbia Courts”
7 for District of Columbia courthouse facilities.

8 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
9 FENDER SUPERVISION AGENCY FOR THE DISTRICT
10 OF COLUMBIA

11 For salaries and expenses, including the transfer and
12 hire of motor vehicles, of the Court Services and Offender
13 Supervision Agency for the District of Columbia, as au-
14 thorized by the National Capital Revitalization and Self-
15 Government Improvement Act of 1997, \$212,983,000, of
16 which not to exceed \$2,000 is for official reception and
17 representation expenses related to Community Supervision
18 and Pretrial Services Agency programs; of which not to
19 exceed \$25,000 is for dues and assessments relating to
20 the implementation of the Court Services and Offender
21 Supervision Agency Interstate Supervision Act of 2002;
22 of which \$153,548,000 shall be for necessary expenses of
23 Community Supervision and Sex Offender Registration, to
24 include expenses relating to the supervision of adults sub-
25 ject to protection orders or the provision of services for

1 or related to such persons; of which \$59,435,000 shall be
2 available to the Pretrial Services Agency: *Provided*, That
3 notwithstanding any other provision of law, all amounts
4 under this heading shall be apportioned quarterly by the
5 Office of Management and Budget and obligated and ex-
6 pended in the same manner as funds appropriated for sal-
7 aries and expenses of other Federal agencies: *Provided fur-*
8 *ther*, That not less than \$1,500,000 shall be available for
9 re-entrant housing in the District of Columbia: *Provided*
10 *further*, That the Director is authorized to accept and use
11 gifts in the form of in-kind contributions of space and hos-
12 pitality to support offender and defendant programs, and
13 equipment and vocational training services to educate and
14 train offenders and defendants: *Provided further*, That the
15 Director shall keep accurate and detailed records of the
16 acceptance and use of any gift or donation under the pre-
17 vious proviso, and shall make such records available for
18 audit and public inspection: *Provided further*, That the
19 Court Services and Offender Supervision Agency Director
20 is authorized to accept and use reimbursement from the
21 District of Columbia Government for space and services
22 provided on a cost reimbursable basis.

1 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

2 PUBLIC DEFENDER SERVICE

3 For salaries and expenses, including the transfer and
4 hire of motor vehicles, of the District of Columbia Public
5 Defender Service, as authorized by the National Capital
6 Revitalization and Self-Government Improvement Act of
7 1997, \$37,241,000: *Provided*, That notwithstanding any
8 other provision of law, all amounts under this heading
9 shall be apportioned quarterly by the Office of Manage-
10 ment and Budget and obligated and expended in the same
11 manner as funds appropriated for salaries and expenses
12 of Federal agencies.

13 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE

14 COORDINATING COUNCIL

15 For a Federal payment to the Criminal Justice Co-
16 ordinating Council, \$1,796,000, to remain available until
17 expended, to support initiatives related to the coordination
18 of Federal and local criminal justice resources in the Dis-
19 trict of Columbia.

20 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

21 For a Federal payment, to remain available until
22 September 30, 2013, to the Commission on Judicial Dis-
23 abilities and Tenure, \$294,000, and for the Judicial Nomi-
24 nation Commission, \$205,000.

1 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

2 For a Federal payment for a school improvement pro-
3 gram in the District of Columbia, \$60,000,000, to remain
4 available until expended, for payments authorized under
5 the Scholarship for Opportunity and Results Act (division
6 C of Public Law 112–10).

7 FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA

8 NATIONAL GUARD

9 For a Federal payment to the District of Columbia
10 National Guard, \$375,000, to remain available until ex-
11 pended for the Major General David F. Wherley, Jr. Dis-
12 trict of Columbia National Guard Retention and College
13 Access Program.

14 DISTRICT OF COLUMBIA FUNDS

15 The following amounts are appropriated for the Dis-
16 trict of Columbia for the current fiscal year out of the
17 General Fund of the District of Columbia (“General
18 Fund”), except as otherwise specifically provided: *Pro-*
19 *vided*, That notwithstanding any other provision of law,
20 except as provided in section 450A of the District of Co-
21 lumbia Home Rule Act (114 Stat. 2440; D.C. Official
22 Code § 1-204.50a), and provisions of this Act, the total
23 amount appropriated in this Act for operating expenses
24 for the District of Columbia for fiscal year 2012 under
25 this heading shall not exceed the lesser of the sum of the

1 total revenues of the District of Columbia for such fiscal
2 year or \$10,807,191,000 (of which \$6,126,435,000 shall
3 be from local funds (including \$524,954,000 from dedi-
4 cated taxes), \$1,015,449,000 shall be from Federal grant
5 funds, \$1,499,115,000 from Medicaid payments,
6 \$2,032,945,000 shall be from other funds, and
7 \$25,677,000 shall be from private funds, and
8 \$107,570,000 shall be from funds previously appropriated
9 in this Act as Federal payments: *Provided further*, That
10 of the local funds, such amounts as may be necessary may
11 be derived from the District's General Fund balance: *Pro-*
12 *vided further*, That of these funds the District's intra-District
13 authority shall be \$619,632,000: in addition, for capital
14 construction projects, an increase of \$4,024,828,000,
15 of which \$2,934,012,000 shall be from local funds,
16 \$223,858,000 from the District of Columbia Highway
17 Trust Fund, \$50,466,000 from the Local Transportation
18 Fund, \$816,492,000 from Federal grant funds and a re-
19 scission of \$2,835,689,000 of which \$1,796,345,000 shall
20 be from local funds, \$749,426,000 from Federal grant
21 funds, \$252,694,000 from the District of Columbia High-
22 way Trust Fund, and \$37,224,000 from the Local Trans-
23 portation Fund appropriated under this heading in prior
24 fiscal years, for a net amount of \$1,189,139,000, to re-
25 main available until expended: *Provided further*, That the

1 amounts provided under this heading are to be available,
2 allocated, and expended as proposed under Title III of the
3 Fiscal Year 2012 Budget Request Act of 2011, at the rate
4 set forth under “District of Columbia Funds Division of
5 Expenses” as included in the Fiscal Year 2012 Proposed
6 Budget and Financial Plan submitted to the Congress by
7 the District of Columbia: *Provided further*, That this
8 amount may be increased by proceeds of one-time trans-
9 actions, which are expended for emergency or unantici-
10 pated operating or capital needs: *Provided further*, That
11 such increases shall be approved by enactment of local
12 District law and shall comply with all reserve requirements
13 contained in the District of Columbia Home Rule Act:
14 *Provided further*, That the Chief Financial Officer of the
15 District of Columbia shall take such steps as are necessary
16 to assure that the District of Columbia meets these re-
17 quirements, including the apportioning by the Chief Fi-
18 nancial Officer of the appropriations and funds made
19 available to the District during fiscal year 2012; except,
20 that the Chief Financial Officer may not reprogram for
21 operating expenses any funds derived from bonds, notes,
22 or other obligations issued for capital projects.

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

5 For necessary expenses of the Administrative Con-
6 ference of the United States, authorized by 5 U.S.C. 591
7 et seq., \$2,608,000, of which not to exceed \$1,000 shall
8 be for official reception and representation expenses.

9 CONSUMER PRODUCT SAFETY COMMISSION
10 SALARIES AND EXPENSES

11 For necessary expenses of the Consumer Product
12 Safety Commission, including hire of passenger motor ve-
13 hicles, services as authorized by 5 U.S.C. 3109, but at
14 rates for individuals not to exceed the per diem rate equiv-
15 alent to the maximum rate payable under 5 U.S.C. 5376,
16 purchase of nominal awards to recognize non-Federal offi-
17 cials' contributions to Commission activities, and not to
18 exceed \$2,000 for official reception and representation ex-
19 penses, \$111,288,000, of which \$500,000 shall remain
20 available until September 30, 2013, to implement the Vir-
21 ginia Graeme Baker Pool and Spa Safety Act grant pro-
22 gram as provided by section 1405 of Public Law 110-140
23 (15 U.S.C. 8004).

1 ELECTION ASSISTANCE COMMISSION
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses to carry out the Help Amer-
5 ica Vote Act of 2002 (Public Law 107–252), \$6,858,000,
6 of which \$1,625,000 shall be transferred to the National
7 Institute of Standards and Technology for election reform
8 activities authorized under the Help America Vote Act of
9 2002, and of which \$1,500,000 shall be for the Office of
10 Inspector General.

11 FEDERAL COMMUNICATIONS COMMISSION
12 SALARIES AND EXPENSES

13 For necessary expenses of the Federal Communica-
14 tions Commission, as authorized by law, including uni-
15 forms and allowances therefor, as authorized by 5 U.S.C.
16 5901–5902; not to exceed \$4,000 for official reception and
17 representation expenses; purchase and hire of motor vehi-
18 cles; special counsel fees; and services as authorized by
19 5 U.S.C. 3109, \$319,004,000: *Provided*, That
20 \$319,004,000 of offsetting collections shall be assessed
21 and collected pursuant to section 9 of title I of the Com-
22 munications Act of 1934, shall be retained and used for
23 necessary expenses in this appropriation, and shall remain
24 available until expended: *Provided further*, That the sum
25 herein appropriated shall be reduced as such offsetting

1 collections are received during fiscal year 2012 so as to
2 result in a final fiscal year 2012 appropriation estimated
3 at \$0: *Provided further*, That any offsetting collections re-
4 ceived in excess of \$319,004,000 in fiscal year 2012 shall
5 not be available for obligation: *Provided further*, That re-
6 maining offsetting collections from prior years collected in
7 excess of the amount specified for collection in each such
8 year and otherwise becoming available on October 1, 2011,
9 shall not be available for obligation: *Provided further*, That
10 notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from
11 the use of a competitive bidding system that may be re-
12 tained and made available for obligation shall not exceed
13 \$85,000,000 for fiscal year 2012.

14 FEDERAL DEPOSIT INSURANCE CORPORATION

15 OFFICE OF THE INSPECTOR GENERAL

16 For necessary expenses of the Office of Inspector
17 General in carrying out the provisions of the Inspector
18 General Act of 1978, \$45,261,000, to be derived from the
19 Deposit Insurance Fund or, only when appropriate, the
20 FSLIC Resolution Fund.

21 FEDERAL ELECTION COMMISSION

22 SALARIES AND EXPENSES

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

1 \$66,367,000, of which not to exceed \$5,000 shall be avail-
2 able for reception and representation expenses.

3 FEDERAL LABOR RELATIONS AUTHORITY

4 SALARIES AND EXPENSES

5 For necessary expenses to carry out functions of the
6 Federal Labor Relations Authority, pursuant to Reorga-
7 nization Plan Numbered 2 of 1978, and the Civil Service
8 Reform Act of 1978, including services authorized by 5
9 U.S.C. 3109, and including hire of experts and consult-
10 ants, hire of passenger motor vehicles, and including offi-
11 cial reception and representation expenses (not to exceed
12 \$1,500) and rental of conference rooms in the District of
13 Columbia and elsewhere, \$24,105,000: *Provided*, That
14 public members of the Federal Service Impasses Panel
15 may be paid travel expenses and per diem in lieu of sub-
16 sistence as authorized by law (5 U.S.C. 5703) for persons
17 employed intermittently in the Government service, and
18 compensation as authorized by 5 U.S.C. 3109: *Provided*
19 *further*, That notwithstanding 31 U.S.C. 3302, funds re-
20 ceived from fees charged to non-Federal participants at
21 labor-management relations conferences shall be credited
22 to and merged with this account, to be available without
23 further appropriation for the costs of carrying out these
24 conferences.

1 FEDERAL TRADE COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Trade Com-
4 mission, including uniforms or allowances therefor, as au-
5 thorized by 5 U.S.C. 5901–5902; services as authorized
6 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
7 not to exceed \$2,000 for official reception and representa-
8 tion expenses, \$284,067,000, to remain available until ex-
9 pended: *Provided*, That not to exceed \$300,000 shall be
10 available for use to contract with a person or persons for
11 collection services in accordance with the terms of 31
12 U.S.C. 3718: *Provided further*, That, notwithstanding any
13 other provision of law, not to exceed \$108,000,000 of off-
14 setting collections derived from fees collected for
15 premerger notification filings under the Hart-Scott-Ro-
16 dino Antitrust Improvements Act of 1976 (15 U.S.C.
17 18a), regardless of the year of collection, shall be retained
18 and used for necessary expenses in this appropriation:
19 *Provided further*, That, notwithstanding any other provi-
20 sion of law, not to exceed \$21,000,000 in offsetting collec-
21 tions derived from fees sufficient to implement and enforce
22 the Telemarketing Sales Rule, promulgated under the
23 Telemarketing and Consumer Fraud and Abuse Preven-
24 tion Act (15 U.S.C. 6101 et seq.), shall be credited to this
25 account, and be retained and used for necessary expenses

1 in this appropriation: *Provided further*, That the sum here-
2 in appropriated from the general fund shall be reduced
3 as such offsetting collections are received during fiscal
4 year 2012, so as to result in a final fiscal year 2012 appro-
5 priation from the general fund estimated at not more than
6 \$155,067,000: *Provided further*, That none of the funds
7 made available to the Federal Trade Commission may be
8 used to implement subsection (e)(2)(B) of section 43 of
9 the Federal Deposit Insurance Act (12 U.S.C. 1831t).

10 GENERAL SERVICES ADMINISTRATION

11 REAL PROPERTY ACTIVITIES

12 FEDERAL BUILDINGS FUND

13 LIMITATIONS ON AVAILABILITY OF REVENUE

14 Amounts in the Fund, including revenues and collec-
15 tions deposited into the Fund shall be available for nec-
16 essary expenses of real property management and related
17 activities not otherwise provided for, including operation,
18 maintenance, and protection of federally owned and leased
19 buildings; rental of buildings in the District of Columbia;
20 restoration of leased premises; moving governmental agen-
21 cies (including space adjustments and telecommunications
22 relocation expenses) in connection with the assignment, al-
23 location and transfer of space; contractual services inci-
24 dent to cleaning or servicing buildings, and moving; repair
25 and alteration of federally owned buildings including

1 grounds, approaches and appurtenances; care and safe-
2 guarding of sites; maintenance, preservation, demolition,
3 and equipment; acquisition of buildings and sites by pur-
4 chase, condemnation, or as otherwise authorized by law;
5 acquisition of options to purchase buildings and sites; con-
6 version and extension of federally owned buildings; pre-
7 liminary planning and design of projects by contract or
8 otherwise; construction of new buildings (including equip-
9 ment for such buildings); and payment of principal, inter-
10 est, and any other obligations for public buildings acquired
11 by installment purchase and purchase contract; in the ag-
12 gregate amount of \$7,223,801,000, of which: (1) \$0 is
13 available for construction and acquisition (including funds
14 for sites and expenses and associated design and construc-
15 tion services); (2) \$280,000,000 shall remain available
16 until expended for repairs and alterations, which includes
17 associated design and construction services:

18 Special Emphasis Programs:

19 Fire Prevention Program, \$15,000,000.

20 Courthouse Capital Security Program,
21 \$20,000,000.

22 Basic Repairs and Alterations,
23 \$245,000,000:

24 *Provided*, That funds made available in this or any
25 previous Act in the Federal Buildings Fund for Repairs

1 and Alterations shall, for prospectus projects, be limited
2 to the amount identified for each project, except each
3 project in this or any previous Act may be increased by
4 an amount not to exceed 10 percent unless advance ap-
5 proval is obtained from the Committees on Appropriations
6 of a greater amount: *Provided further*, That additional
7 projects for which prospectuses have been fully approved
8 may be funded under this category only if advance ap-
9 proval is obtained from the Committees on Appropria-
10 tions: *Provided further*, That the amounts provided in this
11 or any prior Act for “Repairs and Alterations” may be
12 used to fund costs associated with implementing security
13 improvements to buildings necessary to meet the minimum
14 standards for security in accordance with current law and
15 in compliance with the reprogramming guidelines of the
16 appropriate Committees of the House and Senate: *Pro-*
17 *vided further*, That the difference between the funds ap-
18 propriated and expended on any projects in this or any
19 prior Act, under the heading “Repairs and Alterations”,
20 may be transferred to Basic Repairs and Alterations or
21 used to fund authorized increases in prospectus projects:
22 *Provided further*, That all funds for repairs and alterations
23 prospectus projects shall expire on September 30, 2013
24 and remain in the Federal Buildings Fund except funds
25 for projects as to which funds for design or other funds

1 have been obligated in whole or in part prior to such date:
2 *Provided further*, That the amount provided in this or any
3 prior Act for Basic Repairs and Alterations may be used
4 to pay claims against the Government arising from any
5 projects under the heading “Repairs and Alterations” or
6 used to fund authorized increases in prospectus projects;
7 (3) \$126,801,000 for installment acquisition payments in-
8 cluding payments on purchase contracts which shall re-
9 main available until expended; (4) \$4,700,000,000 for
10 rental of space which shall remain available until ex-
11 pended; and (5) \$2,117,000,000 for building operations
12 which shall remain available until expended: *Provided fur-*
13 *ther*, That funds available to the General Services Admin-
14 istration shall not be available for expenses of any con-
15 struction, repair, alteration and acquisition project for
16 which a prospectus, if required by 40 U.S.C. 3307(a), has
17 not been approved, except that necessary funds may be
18 expended for each project for required expenses for the
19 development of a proposed prospectus: *Provided further*,
20 That funds available in the Federal Buildings Fund may
21 be expended for emergency repairs when advance approval
22 is obtained from the Committees on Appropriations: *Pro-*
23 *vided further*, That amounts necessary to provide reim-
24 bursable special services to other agencies under 40 U.S.C.
25 592(b)(2) and amounts to provide such reimbursable fenc-

1 ing, lighting, guard booths, and other facilities on private
2 or other property not in Government ownership or control
3 as may be appropriate to enable the United States Secret
4 Service to perform its protective functions pursuant to 18
5 U.S.C. 3056, shall be available from such revenues and
6 collections: *Provided further*, That revenues and collections
7 and any other sums accruing to this Fund during fiscal
8 year 2012, excluding reimbursements under 40 U.S.C.
9 592(b)(2) in excess of the aggregate new obligational au-
10 thority authorized for Real Property Activities of the Fed-
11 eral Buildings Fund in this Act shall remain in the Fund
12 and shall not be available for expenditure except as au-
13 thorized in appropriations Acts.

14 GENERAL ACTIVITIES

15 GOVERNMENT-WIDE POLICY

16 For expenses authorized by law, not otherwise pro-
17 vided for, for Government-wide policy and evaluation ac-
18 tivities associated with the management of real and per-
19 sonal property assets and certain administrative services;
20 Government-wide policy support responsibilities relating to
21 acquisition, telecommunications, information technology
22 management, and related technology activities; and serv-
23 ices as authorized by 5 U.S.C. 3109; \$64,826,000.

1 OPERATING EXPENSES

2 For expenses authorized by law, not otherwise pro-
3 vided for, for Government-wide activities associated with
4 utilization and donation of surplus personal property; dis-
5 posal of real property; agency-wide policy direction, man-
6 agement, and communications; the Civilian Board of Con-
7 tract Appeals; services as authorized by 5 U.S.C. 3109;
8 and not to exceed \$7,500 for official reception and rep-
9 resentation expenses; \$68,135,000.

10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector
12 General and service authorized by 5 U.S.C. 3109,
13 \$58,882,000: *Provided*, That not to exceed \$15,000 shall
14 be available for payment for information and detection of
15 fraud against the Government, including payment for re-
16 covery of stolen Government property: *Provided further*,
17 That not to exceed \$2,500 shall be available for awards
18 to employees of other Federal agencies and private citizens
19 in recognition of efforts and initiatives resulting in en-
20 hanced Office of Inspector General effectiveness.

21 INFORMATION AND ENGAGEMENT FOR CITIZENS

22 For necessary expenses of the Office of Citizen Serv-
23 ices, including services authorized by 5 U.S.C. 3109, and
24 to carry out the E-Government Act of 2002 (Public Law
25 107–347), \$50,000,000: *Provided*, That the revenues and

1 proved in advance to the Committees on Appropriations
2 of the House of Representatives and the Senate.

3 SEC. 503. Except as otherwise provided in this title,
4 it is the sense of Congress that projects to be included
5 in the fiscal year 2013 request for United States Court-
6 house construction will: (1) meet the design guide stand-
7 ards for construction as established and approved by the
8 General Services Administration, the Judicial Conference
9 of the United States, and the Office of Management and
10 Budget; (2) reflect the priorities of the Judicial Con-
11 ference of the United States as set out in its approved
12 5-year construction plan; and (3) include a standardized
13 courtroom utilization study of each facility to be con-
14 structed, replaced, or expanded.

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

24 SEC. 505. From funds made available under the
25 heading “Federal Buildings Fund, Limitations on Avail-

1 ability of Revenue”, claims against the Government of less
2 than \$250,000 arising from direct construction projects
3 and acquisition of buildings may be liquidated from sav-
4 ings effected in other construction projects with prior noti-
5 fication to the Committees on Appropriations of the House
6 of Representatives and the Senate.

7 SEC. 506. In any case in which the Committee on
8 Transportation and Infrastructure of the House of Rep-
9 resentatives and the Committee on Environment and Pub-
10 lic Works of the Senate adopt a resolution granting lease
11 authority pursuant to a prospectus transmitted to Con-
12 gress by the Administrator of the General Services Admin-
13 istration under 40 U.S.C. 3307, the Administrator shall
14 ensure that the delineated area of procurement is identical
15 to the delineated area included in the prospectus for all
16 lease agreements, except that, if the Administrator deter-
17 mines that the delineated area of the procurement should
18 not be identical to the delineated area included in the pro-
19 spectus, the Administrator shall provide an explanatory
20 statement to each of such committees and the Committees
21 on Appropriations of the House of Representatives and the
22 Senate prior to exercising any lease authority provided in
23 the resolution.

24 SEC. 507. Within 120 days of enactment, the General
25 Services Administration shall submit a detailed report to

1 the Committees on Appropriations of the House of Rep-
 2 resentatives and the Senate that describes each program,
 3 project, or activity that is funded by appropriations to
 4 General Services Administration but is not under the con-
 5 trol or direction, in statute or in practice, of the Adminis-
 6 trator of General Services.

7 SEC. 508. Of the amounts made available under the
 8 heading “Policy and Operations” for the maintenance,
 9 protection, and disposal of the U.S. Coast Guard Service
 10 Center at Governor’s Island, NY and the Lorton Correc-
 11 tional Facility in Lorton, VA in prior years whether appro-
 12 priated directly to the General Services Administration
 13 (GSA) or to any other agency of the Government and re-
 14 ceived by GSA for such purpose, \$4,600,000 is rescinded.

15 HARRY S TRUMAN SCHOLARSHIP FOUNDATION

16 SALARIES AND EXPENSES

17 For payment to the Harry S Truman Scholarship
 18 Foundation Trust Fund, established by section 10 of Pub-
 19 lic Law 93–642, \$748,000, to remain available until ex-
 20 pended.

21 MERIT SYSTEMS PROTECTION BOARD

22 SALARIES AND EXPENSES

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses to carry out functions of the
 25 Merit Systems Protection Board pursuant to Reorganiza-

1 tion Plan Numbered 2 of 1978, the Civil Service Reform
2 Act of 1978, and the Whistleblower Protection Act of
3 1989 (5 U.S.C. 5509 note), including services as author-
4 ized by 5 U.S.C. 3109, rental of conference rooms in the
5 District of Columbia and elsewhere, hire of passenger
6 motor vehicles, direct procurement of survey printing, and
7 not to exceed \$2,000 for official reception and representa-
8 tion expenses, \$39,416,000 together with not to exceed
9 \$2,345,000 for administrative expenses to adjudicate re-
10 tirement appeals to be transferred from the Civil Service
11 Retirement and Disability Fund in amounts determined
12 by the Merit Systems Protection Board.

13 MORRIS K. UDALL AND STEWART L. UDALL
14 FOUNDATION

15 For payments to the Morris K. Udall and Stewart
16 L. Udall Foundation to carry out tribal leadership and
17 management training activities authorized by 20 U.S.C.
18 5604(7), to the Morris K. Udall and Stewart L. Udall
19 Trust Fund, pursuant to the Morris K. Udall and Stewart
20 L. Udall Foundation Act (20 U.S.C. 5601 et seq.), and
21 to the Environmental Dispute Resolution Fund to carry
22 out activities authorized in the Environmental Policy and
23 Conflict Resolution Act of 1998, \$3,000,000 to remain
24 available until expended: *Provided*, That up to \$50,000
25 shall be used to conduct financial audits pursuant to the

1 Accountability of Tax Dollars Act of 2002 (Public Law
2 107–289) notwithstanding sections 8 and 9 of Public Law
3 102–259.

4 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
5 OPERATING EXPENSES

6 For necessary expenses in connection with the admin-
7 istration of the National Archives and Records Adminis-
8 tration (including the Information Security Oversight Of-
9 fice) and archived Federal records and related activities,
10 as provided by law, and for expenses necessary for the re-
11 view and declassification of documents and the activities
12 of the Public Interest Declassification Board, and for nec-
13 essary expenses in connection with the operations and
14 maintenance of the electronic records archives to include
15 all direct project costs associated with research, program
16 management, and corrective and adaptive software main-
17 tenance, and for the hire of passenger motor vehicles, and
18 for uniforms or allowances therefor, as authorized by law
19 (5 U.S.C. 5901 et seq.), including maintenance, repairs,
20 and cleaning, \$360,969,000.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses of the Office of Inspector
23 General in carrying out the provisions of the Inspector
24 General Reform Act of 2008, Public Law 110–409, 122
25 Stat. 4302–16 (2008), and the Inspector General Act of

1 1978 (5 U.S.C. App.), and for the hire of passenger motor
2 vehicles, \$4,100,000.

3 REPAIRS AND RESTORATION

4 For the repair, alteration, and improvement of ar-
5 chives facilities, and to provide adequate storage for hold-
6 ings, \$8,693,000, to remain available until expended: *Pro-*
7 *vided*, That from amounts made available for the Military
8 Personnel Records Center requirement study under this
9 heading in Public Law 108–199, the remaining unobli-
10 gated balances shall be available to implement the Na-
11 tional Archives and Records Administration Capital Im-
12 provement Plan: *Provided further*, That from amounts
13 made available under this heading in Public Law 111–8
14 for construction costs and related services for building the
15 addition to the John F. Kennedy Presidential Library and
16 Museum and other necessary expenses, including ren-
17 ovating the Library as needed in constructing the addi-
18 tion, the remaining unobligated balances shall be available
19 to implement the National Archives and Records Adminis-
20 tration Capital Improvement Plan.

21 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

22 COMMISSION

23 GRANTS PROGRAM

24 For necessary expenses for allocations and grants for
25 historical publications and records as authorized by 44

1 U.S.C. 2504, \$1,000,000, to remain available until ex-
2 pended.

3 NATIONAL CREDIT UNION ADMINISTRATION

4 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

5 For the Community Development Revolving Loan
6 Fund program as authorized by 42 U.S.C. 9812, 9822
7 and 9910, \$500,000 shall be available until September 30,
8 2013 for technical assistance to low-income designated
9 credit unions.

10 OFFICE OF GOVERNMENT ETHICS

11 SALARIES AND EXPENSES

12 For necessary expenses to carry out functions of the
13 Office of Government Ethics pursuant to the Ethics in
14 Government Act of 1978, and the Ethics Reform Act of
15 1989, including services as authorized by 5 U.S.C. 3109,
16 rental of conference rooms in the District of Columbia and
17 elsewhere, hire of passenger motor vehicles, and not to ex-
18 ceed \$1,500 for official reception and representation ex-
19 penses, \$13,483,000.

20 OFFICE OF PERSONNEL MANAGEMENT

21 SALARIES AND EXPENSES

22 (INCLUDING TRANSFER OF TRUST FUNDS)

23 For necessary expenses to carry out functions of the
24 Office of Personnel Management pursuant to Reorganiza-
25 tion Plan Numbered 2 of 1978 and the Civil Service Re-

1 form Act of 1978, including services as authorized by 5
2 U.S.C. 3109; medical examinations performed for veterans
3 by private physicians on a fee basis; rental of conference
4 rooms in the District of Columbia and elsewhere; hire of
5 passenger motor vehicles; not to exceed \$2,500 for official
6 reception and representation expenses; advances for reim-
7 bursements to applicable funds of the Office of Personnel
8 Management and the Federal Bureau of Investigation for
9 expenses incurred under Executive Order No. 10422 of
10 January 9, 1953, as amended; and payment of per diem
11 and/or subsistence allowances to employees where Voting
12 Rights Act activities require an employee to remain over-
13 night at his or her post of duty, \$97,774,000, of which
14 \$6,004,000 shall remain available until expended for the
15 Enterprise Human Resources Integration project, and of
16 which \$1,416,000 shall remain available until expended
17 for the Human Resources Line of Business project; and
18 in addition \$112,516,000 for administrative expenses, to
19 be transferred from the appropriate trust funds of the Of-
20 fice of Personnel Management without regard to other
21 statutes, including direct procurement of printed mate-
22 rials, for the retirement and insurance programs: *Pro-*
23 *vided*, That the provisions of this appropriation shall not
24 affect the authority to use applicable trust funds as pro-
25 vided by sections 8348(a)(1)(B), and 9004(f)(2)(A) of

1 title 5, United States Code: *Provided further*, That no part
2 of this appropriation shall be available for salaries and ex-
3 penses of the Legal Examining Unit of the Office of Per-
4 sonnel Management established pursuant to Executive
5 Order No. 9358 of July 1, 1943, or any successor unit
6 of like purpose: *Provided further*, That the President's
7 Commission on White House Fellows, established by Exec-
8 utive Order No. 11183 of October 3, 1964, may, during
9 fiscal year 2012, accept donations of money, property, and
10 personal services: *Provided further*, That such donations,
11 including those from prior years, may be used for the de-
12 velopment of publicity materials to provide information
13 about the White House Fellows, except that no such dona-
14 tions shall be accepted for travel or reimbursement of trav-
15 el expenses, or for the salaries of employees of such Com-
16 mission.

17 OFFICE OF INSPECTOR GENERAL

18 SALARIES AND EXPENSES

19 (INCLUDING TRANSFER OF TRUST FUNDS)

20 For necessary expenses of the Office of Inspector
21 General in carrying out the provisions of the Inspector
22 General Act of 1978, including services as authorized by
23 5 U.S.C. 3109, hire of passenger motor vehicles,
24 \$3,142,000, and in addition, not to exceed \$21,174,000
25 for administrative expenses to audit, investigate, and pro-

1 vide other oversight of the Office of Personnel Manage-
2 ment's retirement and insurance programs, to be trans-
3 ferred from the appropriate trust funds of the Office of
4 Personnel Management, as determined by the Inspector
5 General: *Provided*, That the Inspector General is author-
6 ized to rent conference rooms in the District of Columbia
7 and elsewhere.

8 OFFICE OF SPECIAL COUNSEL

9 SALARIES AND EXPENSES

10 For necessary expenses to carry out functions of the
11 Office of Special Counsel pursuant to Reorganization Plan
12 Numbered 2 of 1978, the Civil Service Reform Act of
13 1978 (Public Law 95-454), the Whistleblower Protection
14 Act of 1989 (Public Law 101-12), Public Law 107-304,
15 and the Uniformed Services Employment and Reemploy-
16 ment Rights Act of 1994 (Public Law 103-353), including
17 services as authorized by 5 U.S.C. 3109, payment of fees
18 and expenses for witnesses, rental of conference rooms in
19 the District of Columbia and elsewhere, and hire of pas-
20 senger motor vehicles; \$17,997,000.

21 POSTAL REGULATORY COMMISSION

22 SALARIES AND EXPENSES

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses of the Postal Regulatory
25 Commission in carrying out the provisions of the Postal

1 Accountability and Enhancement Act (Public Law 109–
2 435), \$13,946,000, to be derived by transfer from the
3 Postal Service Fund and expended as authorized by sec-
4 tion 603(a) of such Act.

5 RECOVERY ACCOUNTABILITY AND TRANSPARENCY

6 BOARD

7 SALARIES AND EXPENSES

8 For necessary expenses of the Recovery Account-
9 ability and Transparency Board to carry out the provi-
10 sions of title XV of the American Recovery and Reinvest-
11 ment Act of 2009 (Public Law 111–5), \$25,000,000.

12 SECURITIES AND EXCHANGE COMMISSION

13 SALARIES AND EXPENSES

14 For necessary expenses for the Securities and Ex-
15 change Commission, including services as authorized by
16 5 U.S.C. 3109, the rental of space (to include multiple
17 year leases) in the District of Columbia and elsewhere, and
18 not to exceed \$3,500 for official reception and representa-
19 tion expenses, \$1,185,000,000, to remain available until
20 expended; of which not less than \$6,790,000 shall be for
21 the Office of Inspector General; of which not to exceed
22 \$45,000 shall be for a permanent secretariat for the Inter-
23 national Organization of Securities Commissions; and of
24 which not to exceed \$100,000 shall be available for ex-
25 penses for consultations and meetings hosted by the Com-

1 mission with foreign governmental and other regulatory
2 officials, members of their delegations and staffs to ex-
3 change views concerning securities matters, such expenses
4 to include necessary logistic and administrative expenses
5 and the expenses of Commission staff and foreign invitees
6 in attendance including: (1) incidental expenses such as
7 meals; (2) travel and transportation; and (3) related lodg-
8 ing or subsistence: *Provided*, That fees and charges au-
9 thorized by section 31 of the Securities Exchange Act of
10 1934 (15 U.S.C. 78ee) shall be credited to this account
11 as offsetting collections: *Provided further*, That not to ex-
12 ceed \$1,185,000,000 of such offsetting collections shall be
13 available until expended for necessary expenses of this ac-
14 count: *Provided further*, That the total amount appro-
15 priated under this heading from the general fund for fiscal
16 year 2012 shall be reduced as such offsetting fees are re-
17 ceived so as to result in a final total fiscal year 2012 ap-
18 propriation from the general fund estimated at not more
19 than \$0.

20 SELECTIVE SERVICE SYSTEM

21 SALARIES AND EXPENSES

22 For necessary expenses of the Selective Service Sys-
23 tem, including expenses of attendance at meetings and of
24 training for uniformed personnel assigned to the Selective
25 Service System, as authorized by 5 U.S.C. 4101–4118 for

1 civilian employees; purchase of uniforms, or allowances
2 therefor, as authorized by 5 U.S.C. 5901–5902; hire of
3 passenger motor vehicles; services as authorized by 5
4 U.S.C. 3109; and not to exceed \$750 for official reception
5 and representation expenses; \$23,620,000: *Provided*, That
6 during the current fiscal year, the President may exempt
7 this appropriation from the provisions of 31 U.S.C. 1341,
8 whenever the President deems such action to be necessary
9 in the interest of national defense: *Provided further*, That
10 none of the funds appropriated by this Act may be ex-
11 pended for or in connection with the induction of any per-
12 son into the Armed Forces of the United States.

13 SMALL BUSINESS ADMINISTRATION

14 SALARIES AND EXPENSES

15 For necessary expenses, not otherwise provided for,
16 of the Small Business Administration as authorized by
17 Public Law 108–447, including hire of passenger motor
18 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
19 not to exceed \$3,500 for official reception and representa-
20 tion expenses, \$422,296,000: *Provided*, That the Adminis-
21 trator is authorized to charge fees to cover the cost of pub-
22 lications developed by the Small Business Administration,
23 and certain loan program activities, including fees author-
24 ized by section 5(b) of the Small Business Act: *Provided*
25 *further*, That, notwithstanding 31 U.S.C. 3302, revenues

1 received from all such activities shall be credited to this
2 account, to remain available until expended, for carrying
3 out these purposes without further appropriations: *Pro-*
4 *vided further*, That \$112,000,000 shall be available until
5 September 30, 2013 for grants as authorized by section
6 21 of the Small Business Act: *Provided further*, That
7 \$14,480,000 shall remain available until September 30,
8 2013 for marketing, management, and technical assist-
9 ance under section 7(m) of the Small Business Act (15
10 U.S.C. 636(m)(4)) by intermediaries that make
11 microloans under the microloan program: *Provided fur-*
12 *ther*, That \$7,100,000 shall be available for the Loan Mod-
13 ernization and Accounting System, to be available until
14 September 30, 2013.

15 OFFICE OF INSPECTOR GENERAL

16 For necessary expenses of the Office of Inspector
17 General in carrying out the provisions of the Inspector
18 General Act of 1978, \$16,267,000.

19 OFFICE OF ADVOCACY

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses of the Office of Advocacy in
22 carrying out the provisions of Title II of Public Law 94-
23 305 (15 U.S.C. 634a et seq.) and the Regulatory Flexi-
24 bility Act of 1980 (5 U.S.C. 601 et seq.), \$9,120,000, to
25 remain available until expended: *Provided*, That funds

1 may be transferred from Salaries and Expenses to cover
2 required administrative and facilities related costs as nec-
3 essary.

4 BUSINESS LOANS PROGRAM ACCOUNT

5 (INCLUDING TRANSFERS OF FUNDS)

6 For the cost of direct loans, \$3,765,000, to remain
7 available until expended, and for the cost of guaranteed
8 loans as authorized by section 7(a) of the Small Business
9 Act (Public Law 85-536) and section 503 of the Small
10 Business Investment Act of 1958 (Public Law 85-699),
11 \$211,600,000, to remain available until expended: *Pro-*
12 *vided*, That such costs, including the cost of modifying
13 such loans, shall be as defined in section 502 of the Con-
14 gressional Budget Act of 1974: *Provided further*, That
15 subject to section 502 of the Congressional Budget Act
16 of 1974, during fiscal year 2012 commitments to guar-
17 antee loans under section 503 of the Small Business In-
18 vestment Act of 1958 shall not exceed \$7,500,000,000:
19 *Provided further*, That during fiscal year 2012 commit-
20 ments for general business loans authorized under section
21 7(a) of the Small Business Act shall not exceed
22 \$17,500,000,000 for a combination of amortizing term
23 loans and the aggregated maximum line of credit provided
24 by revolving loans: *Provided further*, That during fiscal
25 year 2012 commitments to guarantee loans for debentures

1 under section 303(b) of the Small Business Investment
2 Act of 1958 shall not exceed \$3,000,000,000: *Provided*
3 *further*, That during fiscal year 2012, guarantees of trust
4 certificates authorized by section 5(g) of the Small Busi-
5 ness Act shall not exceed a principal amount of
6 \$12,000,000,000. In addition, for administrative expenses
7 to carry out the direct and guaranteed loan programs,
8 \$147,958,000, which may be transferred to and merged
9 with the appropriations for Salaries and Expenses.

10 DISASTER LOANS PROGRAM ACCOUNT
11 (INCLUDING TRANSFERS OF FUNDS)

12 For administrative expenses to carry out the direct
13 loan program authorized by section 7(b) of the Small
14 Business Act, \$167,300,000, to be available until ex-
15 pended, of which \$1,000,000 is for the Office of Inspector
16 General of the Small Business Administration for audits
17 and reviews of disaster loans and the disaster loan pro-
18 grams and shall be transferred to and merged with the
19 appropriations for the Office of Inspector General; of
20 which \$157,300,000 is for direct administrative expenses
21 of loan making and servicing to carry out the direct loan
22 program, which may be transferred to and merged with
23 the appropriations for Salaries and Expenses; and of
24 which \$9,000,000 is for indirect administrative expenses
25 for the direct loan program, which may be transferred to

1 and merged with the appropriations for Salaries and Ex-
2 penses.

3 ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

4 ADMINISTRATION

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 509. Not to exceed 5 percent of any appropria-
7 tion made available for the current fiscal year for the
8 Small Business Administration in this Act may be trans-
9 ferred between such appropriations, but no such appro-
10 priation shall be increased by more than 10 percent by
11 any such transfers: *Provided*, That any transfer pursuant
12 to this paragraph shall be treated as a reprogramming of
13 funds.

14 SEC. 510. Section 7(d)(5)(D) of the Small Business
15 Act (15 U.S.C. 636(d)(5)(D)) is amended by striking
16 “three years” and inserting “7 years”.

17 SEC. 511. Beginning in fiscal year 2013 and each fis-
18 cal year thereafter, the budget request for the Small Busi-
19 ness Administration shall provided a detailed justification
20 of any proposed changes from the enacted level by indi-
21 vidual appropriation. The detailed justification shall in-
22 clude at a minimum a description of each credit and non-
23 credit program including amount of funding and costs by
24 appropriation account and fiscal year. For activities fund-
25 ed in multiple appropriations, the budget justification

1 shall specify the amount included in each enacted appro-
2 priation, the amount proposed in the budget year and a
3 justification for any proposed changes.

4 UNITED STATES POSTAL SERVICE

5 PAYMENT TO THE POSTAL SERVICE FUND

6 For payment to the Postal Service Fund for revenue
7 forgone on free and reduced rate mail, pursuant to sub-
8 sections (c) and (d) of section 2401 of title 39, United
9 States Code, \$78,153,000, which shall not be available for
10 obligation until October 1, 2012: *Provided*, That mail for
11 overseas voting and mail for the blind shall continue to
12 be free: *Provided further*, That 6-day delivery and rural
13 delivery of mail shall continue at not less than the 1983
14 level: *Provided further*, That none of the funds made avail-
15 able to the Postal Service by this Act shall be used to im-
16 plement any rule, regulation, or policy of charging any of-
17 ficer or employee of any State or local child support en-
18 forcement agency, or any individual participating in a
19 State or local program of child support enforcement, a fee
20 for information requested or provided concerning an ad-
21 dress of a postal customer: *Provided further*, That none
22 of the funds provided in this Act shall be used to consoli-
23 date or close small rural and other small post offices in
24 fiscal year 2012.

1 OFFICE OF INSPECTOR GENERAL

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978, \$237,810,000, to be derived by
7 transfer from the Postal Service Fund and expended as
8 authorized by section 603(b)(3) of the Postal Account-
9 ability and Enhancement Act (Public Law 109–435).

10 UNITED STATES TAX COURT

11 SALARIES AND EXPENSES

12 For necessary expenses, including contract reporting
13 and other services as authorized by 5 U.S.C. 3109,
14 \$50,689,000: *Provided*, That travel expenses of the judges
15 shall be paid upon the written certificate of the judge.

16 TITLE VI

17 GENERAL PROVISIONS—THIS ACT

18 (RESCISSION)

19 SEC. 601. None of the funds in this Act shall be used
20 for the planning or execution of any program to pay the
21 expenses of, or otherwise compensate, non-Federal parties
22 intervening in regulatory or adjudicatory proceedings
23 funded in this Act.

24 SEC. 602. None of the funds appropriated in this Act
25 shall remain available for obligation beyond the current

1 fiscal year, nor may any be transferred to other appropria-
2 tions, unless expressly so provided herein.

3 SEC. 603. The expenditure of any appropriation
4 under this Act for any consulting service through procure-
5 ment contract pursuant to 5 U.S.C. 3109, shall be limited
6 to those contracts where such expenditures are a matter
7 of public record and available for public inspection, except
8 where otherwise provided under existing law, or under ex-
9 isting Executive order issued pursuant to existing law.

10 SEC. 604. None of the funds made available in this
11 Act may be transferred to any department, agency, or in-
12 strumentality of the United States Government, except
13 pursuant to a transfer made by, or transfer authority pro-
14 vided in, this Act or any other appropriations Act.

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

22 SEC. 606. No funds appropriated pursuant to this
23 Act may be expended by an entity unless the entity agrees
24 that in expending the assistance the entity will comply
25 with the Buy American Act (41 U.S.C. 10a-10e).

1 SEC. 607. No funds appropriated or otherwise made
2 available under this Act shall be made available to any
3 person or entity that has been convicted of violating the
4 Buy American Act (41 U.S.C. 10a-10c).

5 SEC. 608. Except as otherwise provided in this Act,
6 none of the funds provided in this Act, provided by pre-
7 vious appropriations Acts to the agencies or entities fund-
8 ed in this Act that remain available for obligation or ex-
9 penditure in fiscal year 2012, or provided from any ac-
10 counts in the Treasury derived by the collection of fees
11 and available to the agencies funded by this Act, shall be
12 available for obligation or expenditure through a re-
13 programming of funds that: (1) creates a new program;
14 (2) eliminates a program, project, or activity; (3) increases
15 funds or personnel for any program, project, or activity
16 for which funds have been denied or restricted by the Con-
17 gress; (4) proposes to use funds directed for a specific ac-
18 tivity by the Committee on Appropriations of either the
19 House of Representatives or the Senate for a different
20 purpose; (5) augments existing programs, projects, or ac-
21 tivities in excess of \$5,000,000 or 10 percent, whichever
22 is less; (6) reduces existing programs, projects, or activi-
23 ties by \$5,000,000 or 10 percent, whichever is less; or (7)
24 creates or reorganizes offices, programs, or activities un-
25 less prior approval is received from the Committees on Ap-

1 appropriations of the House of Representatives and the Sen-
2 ate: *Provided*, That prior to any significant reorganization
3 or restructuring of offices, programs, or activities, each
4 agency or entity funded in this Act shall consult with the
5 Committees on Appropriations of the House of Represent-
6 atives and the Senate: *Provided further*, That not later
7 than 60 days after the date of enactment of this Act, each
8 agency funded by this Act shall submit a report to the
9 Committees on Appropriations of the House of Represent-
10 atives and the Senate to establish the baseline for applica-
11 tion of reprogramming and transfer authorities for the
12 current fiscal year: *Provided further*, That at a minimum
13 the report shall include: (1) a table for each appropriation
14 with a separate column to display the President's budget
15 request, adjustments made by Congress, adjustments due
16 to enacted rescissions, if appropriate, and the fiscal year
17 enacted level; (2) a delineation in the table for each appro-
18 priation both by object class and program, project, and
19 activity as detailed in the budget appendix for the respec-
20 tive appropriation; and (3) an identification of items of
21 special congressional interest: *Provided further*, That the
22 amount appropriated or limited for salaries and expenses
23 for an agency shall be reduced by \$100,000 per day for
24 each day after the required date that the report has not
25 been submitted to the Congress.

1 SEC. 609. Except as otherwise specifically provided
2 by law, not to exceed 50 percent of unobligated balances
3 remaining available at the end of fiscal year 2012 from
4 appropriations made available for salaries and expenses
5 for fiscal year 2012 in this Act, shall remain available
6 through September 30, 2013, for each such account for
7 the purposes authorized: *Provided*, That a request shall
8 be submitted to the Committees on Appropriations of the
9 House of Representatives and the Senate for approval
10 prior to the expenditure of such funds: *Provided further*,
11 That these requests shall be made in compliance with re-
12 programming guidelines.

13 SEC. 610. None of the funds made available in this
14 Act may be used by the Executive Office of the President
15 to request from the Federal Bureau of Investigation any
16 official background investigation report on any individual,
17 except when—

18 (1) such individual has given his or her express
19 written consent for such request not more than 6
20 months prior to the date of such request and during
21 the same presidential administration; or

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

24 SEC. 611. The cost accounting standards promul-
25 gated under chapter 15 of title 41, United States Code

1 shall not apply with respect to a contract under the Fed-
2 eral Employees Health Benefits Program established
3 under chapter 89 of title 5, United States Code.

4 SEC. 612. For the purpose of resolving litigation and
5 implementing any settlement agreements regarding the
6 nonforeign area cost-of-living allowance program, the Of-
7 fice of Personnel Management may accept and utilize
8 (without regard to any restriction on unanticipated travel
9 expenses imposed in an Appropriations Act) funds made
10 available to the Office of Personnel Management pursuant
11 to court approval.

12 SEC. 613. No funds appropriated by this Act shall
13 be available to pay for an abortion, or the administrative
14 expenses in connection with any health plan under the
15 Federal employees health benefits program which provides
16 any benefits or coverage for abortions.

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

21 SEC. 615. In order to promote Government access to
22 commercial information technology, the restriction on pur-
23 chasing nondomestic articles, materials, and supplies set
24 forth in chapter 83 of title 41, United States Code (popu-
25 larly known as the Buy American Act), shall not apply

1 to the acquisition by the Federal Government of informa-
2 tion technology (as defined in section 11101 of title 40,
3 United States Code), that is a commercial item (as defined
4 in section 103 of title 41, United States Code).

5 SEC. 616. Notwithstanding section 1353 of title 31,
6 United States Code, no officer or employee of any regu-
7 latory agency or commission funded by this Act may ac-
8 cept on behalf of that agency, nor may such agency or
9 commission accept, payment or reimbursement from a
10 non-Federal entity for travel, subsistence, or related ex-
11 penses for the purpose of enabling an officer or employee
12 to attend and participate in any meeting or similar func-
13 tion relating to the official duties of the officer or em-
14 ployee when the entity offering payment or reimbursement
15 is a person or entity subject to regulation by such agency
16 or commission, or represents a person or entity subject
17 to regulation by such agency or commission, unless the
18 person or entity is an organization described in section
19 501(c)(3) of the Internal Revenue Code of 1986 and ex-
20 empt from tax under section 501(a) of such Code.

21 SEC. 617. From the unobligated balances of prior
22 year appropriations made available for the Privacy and
23 Civil Liberties Oversight Board, \$998,000 is rescinded.

24 SEC. 618. During fiscal year 2012, for purposes of
25 section 908(b)(1) of the Trade Sanctions Reform and Ex-

1 port Enhancement Act of 2000 (22 U.S.C. 7207(b)(1)),
2 the term “payment of cash in advance” shall be inter-
3 preted as payment before the transfer of title to, and con-
4 trol of, the exported items to the Cuban purchaser.

5 SEC. 619. Notwithstanding section 708 of this Act,
6 funds made available to the Commodity Futures Trading
7 Commission and the Securities and Exchange Commission
8 by this or any other Act may be used for the interagency
9 funding and sponsorship of a joint advisory committee to
10 advise on emerging regulatory issues.

11 SEC. 620. None of the funds made available by this
12 Act may be used to carry out chapter 95 or chapter 96
13 of the Internal Revenue Code of 1986.

14 SEC. 621. None of the funds made available by this
15 Act may be used to implement the Report and Order of
16 the Federal Communications Commission relating to the
17 matter of preserving the open Internet and broadband in-
18 dustry practices (FCC 10-201, adopted by the Commis-
19 sion on December 21, 2010).

20 SEC. 622. None of the funds made available by this
21 Act may be used to carry out any of the activities de-
22 scribed in section 6A of the Consumer Product Safety Act
23 (15 U.S.C. 2055a).

24 SEC. 623. During fiscal year 2012, no funds shall be
25 obligated from the Securities and Exchange Commission

1 Reserve Fund established by section 991 of the Dodd-
2 Frank Wall Street Reform and Consumer Protection Act
3 (Public Law 111–203).

4 SEC. 624. Within 270 days after the date of enact-
5 ment of this section, the Comptroller General of the
6 United States shall conduct an analysis of the benefits and
7 costs of the Consumer Product Safety Improvement Act
8 of 2008 (Public Law 110–314) including both quantitative
9 and qualitative measures, both market and nonmarket,
10 and report to Committees on Appropriations of the House
11 and the Senate on its findings.

12 SEC. 625. Sections 73.1910, 76.209, 76.1612, and
13 76.1613 of title 47, Code of Federal Regulations, shall
14 have no force or effect after the date of the enactment
15 of this Act, and the Federal Communications Commission
16 shall, by notice in the Federal Register, take such action
17 as is necessary to remove such sections from the Code of
18 Federal Regulations.

19 SEC. 626. The Department of Treasury, the Execu-
20 tive Office of the President, the Judiciary, the Federal
21 Communications Commission, the Federal Trade Commis-
22 sion, the General Services Administration, the National
23 Archives and Records Administration, the Securities and
24 Exchange Commission, and the Small Business Adminis-
25 tration shall provide the Committees on Appropriations of

1 the House and the Senate a quarterly accounting of the
2 cumulative balances of any unobligated funds that were
3 received by such agency during any previous fiscal year.

4 SEC. 627. (a) Within 180 days after the date of en-
5 actment of this section, the agencies specified in sub-
6 section (b) shall report to the Committees on Appropria-
7 tions of the House and Senate on—

8 (1) increasing public participation in the rule-
9 making process and reducing uncertainty;

10 (2) improving coordination with other Federal
11 agencies to eliminate redundant, inconsistent, and
12 overlapping regulations; and

13 (3) identifying existing regulations that have
14 been reviewed and determined to be outmoded, inef-
15 fective, or excessively burdensome.

16 (b) Agencies required to submit the report specified
17 in subsection (a) shall include—

18 (1) the Consumer Product Safety Commission;

19 (2) the Federal Communications Commission;

20 (3) the Federal Trade Commission; and

21 (4) the Securities and Exchange Commission

22 SEC. 628. (a) There are appropriated for the fol-
23 lowing activities the amounts required under current law:

24 (1) Compensation of the President (3 U.S.C.
25 102).

1 (2) Payments to—

2 (A) the Judicial Officers' Retirement Fund

3 (28 U.S.C. 377(o));

4 (B) the Judicial Survivors' Annuities Fund

5 (28 U.S.C. 376(c)); and

6 (C) the United States Court of Federal

7 Claims Judges' Retirement Fund (28 U.S.C.

8 178(l)).

9 (3) Payment of Government contributions—

10 (A) with respect to the health benefits of

11 retired employees, as authorized by chapter 89

12 of title 5, United States Code, and the Retired

13 Federal Employees Health Benefits Act (74

14 Stat. 849); and

15 (B) with respect to the life insurance bene-

16 fits for employees retiring after December 31,

17 1989 (5 U.S.C. ch. 87).

18 (4) Payment to finance the unfunded liability of

19 new and increased annuity benefits under the Civil

20 Service Retirement and Disability Fund (5 U.S.C.

21 8348).

22 (5) Payment of annuities authorized to be paid

23 from the Civil Service Retirement and Disability

24 Fund by statutory provisions other than subchapter

1 III of chapter 83 or chapter 84 of title 5, United
2 States Code.

3 (b) Nothing in this section may be construed to ex-
4 empt any amount appropriated by this section from any
5 otherwise applicable limitation on the use of funds con-
6 tained in this Act.

7 SEC. 629. (a)(1) Notwithstanding any other provision
8 of law, in the current fiscal year and any fiscal year there-
9 after, an Executive agency covered by this Act otherwise
10 authorized to enter into contracts for either leases or the
11 construction or alteration of real property for office, meet-
12 ing, storage, or other space must consult with the General
13 Services Administration before issuing a solicitation for of-
14 fers of new leases or construction contracts, and in the
15 case of succeeding leases, before entering into negotiations
16 with the current lessor.

17 (2) Any such agency with authority to enter into an
18 emergency lease may do so during any period declared by
19 the President to require emergency leasing authority with
20 respect to such agency.

21 (b) For purposes of this section, the term “Executive
22 agency covered by this Act” means any Executive agency
23 provided funds by this Act, the Federal Deposit Insurance
24 Corporation, the Bureau of Consumer Financial Protec-
25 tion, the Office of Financial Research, and Office of the

1 Comptroller of the Currency, but does not include the
2 General Services Administration or the United States
3 Postal Service.

4 SEC. 630. None of the funds made available in this
5 Act may be used to implement or enforce section 101(a)
6 of the Consumer Product Safety Improvement Act of 2008
7 with respect to off-highway vehicles or to implement or
8 enforce section 101(a)(2)(C) of such Act with respect to
9 bicycles. For purposes of this section the term “off-high-
10 way vehicles” means motorized vehicle designed to travel
11 on 2, 3, or 4 wheels, having a seat designed to be straddled
12 by the operator and handlebars for steering control, and
13 such term includes snowmobiles, and the term “bicycle”
14 has the meaning given such term in section 1512.2(a) of
15 title 16, Code of Federal Regulations, as in effect on June
16 15, 2011.

17 SEC. 631. None of the funds made available in this
18 Act may be used by the Federal Trade Commission to
19 complete the draft report entitled “Interagency Working
20 Group on Food Marketed to Children: Preliminary Pro-
21 posed Nutrition Principles to Guide Industry Self-Regu-
22 latory Efforts” unless the Interagency Working Group on
23 Food Marketed to Children complies with Executive Order
24 13563.

1 SEC. 632. None of the funds made available by this
2 Act or any other Act may be used to pay the salaries and
3 expenses for the following positions:

4 (1) White House Director of the Office of
5 Health Reform, or any substantially similar position.

6 (2) Assistant to the President for Energy and
7 Climate Change, or any substantially similar posi-
8 tion.

9 (3) Senior Advisor to the Secretary of the
10 Treasury assigned to the Presidential Task Force on
11 the Auto Industry and Senior Counselor for Manu-
12 facturing Policy, or any substantially similar posi-
13 tion.

14 (4) White House Director of Urban Affairs, or
15 any substantially similar position.

16 SEC. 633. None of the funds made available in this
17 Act may be used by the Federal Communications Commis-
18 sion to remove the conditions imposed on commercial ter-
19 restrial operations in the Order and Authorization adopted
20 by the Commission on January 26, 2011 (DA 11–133),
21 or otherwise permit such operations, until the Commission
22 has resolved concerns of potential widespread harmful in-
23 terference by such commercial terrestrial operations to
24 commercially available Global Positioning System devices.

1 TITLE VII
2 GENERAL PROVISIONS—GOVERNMENT-WIDE
3 DEPARTMENTS, AGENCIES, AND CORPORATIONS

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

15 SEC. 702. Unless otherwise specifically provided, the
16 maximum amount allowable during the current fiscal year
17 in accordance with subsection 1343(c) of title 31, United
18 States Code, for the purchase of any passenger motor ve-
19 hicle (exclusive of buses, ambulances, law enforcement,
20 and undercover surveillance vehicles), is hereby fixed at
21 \$13,197 except station wagons for which the maximum
22 shall be \$13,631: *Provided*, That these limits may be ex-
23 ceeded by not to exceed \$3,700 for police-type vehicles,
24 and by not to exceed \$4,000 for special heavy-duty vehi-
25 cles: *Provided further*, That the limits set forth in this sec-

1 tion may not be exceeded by more than 5 percent for elec-
2 tric or hybrid vehicles purchased for demonstration under
3 the provisions of the Electric and Hybrid Vehicle Re-
4 search, Development, and Demonstration Act of 1976:
5 *Provided further*, That the limits set forth in this section
6 may be exceeded by the incremental cost of clean alter-
7 native fuels vehicles acquired pursuant to Public Law
8 101–549 over the cost of comparable conventionally fueled
9 vehicles: *Provided further*, That the limits set forth in this
10 section shall not apply to any vehicle that is a commercial
11 item and which operates on emerging motor vehicle tech-
12 nology, including but not limited to electric, plug-in hybrid
13 electric, and hydrogen fuel cell vehicles.

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

20 SEC. 704. Unless otherwise specified during the cur-
21 rent fiscal year, no part of any appropriation contained
22 in this or any other Act shall be used to pay the compensa-
23 tion of any officer or employee of the Government of the
24 United States (including any agency the majority of the
25 stock of which is owned by the Government of the United

1 States) whose post of duty is in the continental United
2 States unless such person: (1) is a citizen of the United
3 States; (2) is a person who is lawfully admitted for perma-
4 nent residence and is seeking citizenship as outlined in 8
5 U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted
6 as a refugee under 8 U.S.C. 1157 or is granted asylum
7 under 8 U.S.C. 1158 and has filed a declaration of inten-
8 tion to become a lawful permanent resident and then a
9 citizen when eligible; or (4) is a person who owes alle-
10 giance to the United States: *Provided*, That for purposes
11 of this section, affidavits signed by any such person shall
12 be considered prima facie evidence that the requirements
13 of this section with respect to his or her status are being
14 complied with: *Provided further*, That any person making
15 a false affidavit shall be guilty of a felony, and upon con-
16 viction, shall be fined no more than \$4,000 or imprisoned
17 for not more than 1 year, or both: *Provided further*, That
18 the above penal clause shall be in addition to, and not in
19 substitution for, any other provisions of existing law: *Pro-*
20 *vided further*, That any payment made to any officer or
21 employee contrary to the provisions of this section shall
22 be recoverable in action by the Federal Government: *Pro-*
23 *vided further*, That this section shall not apply to any per-
24 son who is an officer or employee of the Government of
25 the United States on the date of enactment of this Act,

1 or to international broadcasters employed by the Broad-
2 casting Board of Governors, or to temporary employment
3 of translators, or to temporary employment in the field
4 service (not to exceed 60 days) as a result of emergencies:
5 *Provided further*, That this section does not apply to the
6 employment as Wildland firefighters for not more than
7 120 days of nonresident aliens employed by the Depart-
8 ment of the Interior or the USDA Forest Service pursuant
9 to an agreement with another country.

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

20 SEC. 706. In addition to funds provided in this or
21 any other Act, all Federal agencies are authorized to re-
22 ceive and use funds resulting from the sale of materials,
23 including Federal records disposed of pursuant to a
24 records schedule recovered through recycling or waste pre-

1 vention programs. Such funds shall be available until ex-
2 pended for the following purposes:

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

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

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

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

1 penses are subsequently transferred to or paid from other
2 funds, the limitations on administrative expenses shall be
3 correspondingly reduced.

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

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

17 SEC. 710. During the period in which the head of
18 any department or agency, or any other officer or civilian
19 employee of the Federal Government appointed by the
20 President of the United States, holds office, no funds may
21 be obligated or expended in excess of \$5,000 to furnish
22 or redecorate the office of such department head, agency
23 head, officer, or employee, or to purchase furniture or
24 make improvements for any such office, unless advance
25 notice of such furnishing or redecoration is transmitted

1 to the Committees on Appropriations of the House of Rep-
2 resentatives and the Senate. For the purposes of this sec-
3 tion, the term “office” shall include the entire suite of of-
4 fices assigned to the individual, as well as any other space
5 used primarily by the individual or the use of which is
6 directly controlled by the individual.

7 SEC. 711. Notwithstanding section 31 U.S.C. 1346,
8 or section 708 of this Act, funds made available for the
9 current fiscal year by this or any other Act shall be avail-
10 able for the interagency funding of national security and
11 emergency preparedness telecommunications initiatives
12 which benefit multiple Federal departments, agencies, or
13 entities, as provided by Executive Order No. 12472 (April
14 3, 1984).

15 SEC. 712. (a) None of the funds appropriated by this
16 or any other Act may be obligated or expended by any
17 Federal department, agency, or other instrumentality for
18 the salaries or expenses of any employee appointed to a
19 position of a confidential or policy-determining character
20 excepted from the competitive service pursuant to 5
21 U.S.C. 3302, without a certification to the Office of Per-
22 sonnel Management from the head of the Federal depart-
23 ment, agency, or other instrumentality employing the
24 Schedule C appointee that the Schedule C position was

1 not created solely or primarily in order to detail the em-
2 ployee to the White House.

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

6 (1) the Central Intelligence Agency;

7 (2) the National Security Agency;

8 (3) the Defense Intelligence Agency;

9 (4) the National Geospatial-Intelligence Agency;

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

13 (6) the Bureau of Intelligence and Research of
14 the Department of State;

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

23 (8) the Director of National Intelligence or the
24 Office of the Director of National Intelligence.

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

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

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

1 commit any of the foregoing actions with respect to
2 such other officer or employee, by reason of any
3 communication or contact of such other officer or
4 employee with any Member, committee, or sub-
5 committee of the Congress as described in paragraph
6 (1).

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

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

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

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

19 (4) contains any methods or content associated
20 with religious or quasi-religious belief systems or
21 “new age” belief systems as defined in Equal Em-
22 ployment Opportunity Commission Notice N-
23 915.022, dated September 2, 1988; or

1 (5) is offensive to, or designed to change, par-
2 ticipants' personal values or lifestyle outside the
3 workplace.

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

7 SEC. 715. No funds appropriated in this or any other
8 Act may be used to implement or enforce the agreements
9 in Standard Forms 312 and 4414 of the Government or
10 any other nondisclosure policy, form, or agreement if such
11 policy, form, or agreement does not contain the following
12 provisions: "These restrictions are consistent with and do
13 not supersede, conflict with, or otherwise alter the em-
14 ployee obligations, rights, or liabilities created by Execu-
15 tive Order No. 12958; section 7211 of title 5, United
16 States Code (governing disclosures to Congress); section
17 1034 of title 10, United States Code, as amended by the
18 Military Whistleblower Protection Act (governing dislo-
19 sure to Congress by members of the military); section
20 2302(b)(8) of title 5, United States Code, as amended by
21 the Whistleblower Protection Act of 1989 (governing dis-
22 closures of illegality, waste, fraud, abuse or public health
23 or safety threats); the Intelligence Identities Protection
24 Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures
25 that could expose confidential Government agents); and

1 the statutes which protect against disclosure that may
2 compromise the national security, including sections 641,
3 793, 794, 798, and 952 of title 18, United States Code,
4 and section 4(b) of the Subversive Activities Act of 1950
5 (50 U.S.C. 783(b)). The definitions, requirements, obliga-
6 tions, rights, sanctions, and liabilities created by said Ex-
7 ecutive order and listed statutes are incorporated into this
8 agreement and are controlling.”: *Provided*, That notwith-
9 standing the preceding paragraph, a nondisclosure policy
10 form or agreement that is to be executed by a person con-
11 nected with the conduct of an intelligence or intelligence-
12 related activity, other than an employee or officer of the
13 United States Government, may contain provisions appro-
14 priate to the particular activity for which such document
15 is to be used. Such form or agreement shall, at a min-
16 imum, require that the person will not disclose any classi-
17 fied information received in the course of such activity un-
18 less specifically authorized to do so by the United States
19 Government. Such nondisclosure forms shall also make it
20 clear that they do not bar disclosures to Congress, or to
21 an authorized official of an executive agency or the De-
22 partment of Justice, that are essential to reporting a sub-
23 stantial violation of law.

24 SEC. 716. No part of any funds appropriated in this
25 or any other Act shall be used by an agency of the execu-

1 tive branch, other than for normal and recognized execu-
2 tive-legislative relationships, for publicity or propaganda
3 purposes, and for the preparation, distribution or use of
4 any kit, pamphlet, booklet, publication, radio, television,
5 or film presentation designed to support or defeat legisla-
6 tion pending before the Congress, except in presentation
7 to the Congress itself.

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

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

21 SEC. 719. No part of any appropriation contained in
22 this or any other Act shall be used directly or indirectly,
23 including by private contractor, for publicity or propa-
24 ganda purposes within the United States not heretofore
25 authorized by the Congress.

1 SEC. 720. (a) In this section, the term “agency”—

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

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

7 (b) Unless authorized in accordance with law or regu-
8 lations to use such time for other purposes, an employee
9 of an agency shall use official time in an honest effort
10 to perform official duties. An employee not under a leave
11 system, including a Presidential appointee exempted under
12 5 U.S.C. 6301(2), has an obligation to expend an honest
13 effort and a reasonable proportion of such employee’s time
14 in the performance of official duties.

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

22 (TRANSFER OF FUNDS)

23 SEC. 722. Notwithstanding 31 U.S.C. 1346 and sec-
24 tion 708 of this Act, the head of each Executive depart-
25 ment and agency is hereby authorized to transfer to or

1 reimburse “General Services Administration, Government-
2 wide Policy” with the approval of the Director of the Of-
3 fice of Management and Budget, funds made available for
4 the current fiscal year by this or any other Act, including
5 rebates from charge card and other contracts: *Provided*,
6 That these funds shall be administered by the Adminis-
7 trator of General Services to support Government-wide
8 and other multi-agency financial, information technology,
9 procurement, and other management innovations, initia-
10 tives, and activities, as approved by the Director of the
11 Office of Management and Budget, in consultation with
12 the appropriate interagency and multi-agency groups des-
13 ignated by the Director (including the President’s Man-
14 agement Council for overall management improvement ini-
15 tiatives, the Chief Financial Officers Council for financial
16 management initiatives, the Chief Information Officers
17 Council for information technology initiatives, the Chief
18 Human Capital Officers Council for human capital initia-
19 tives, the Chief Acquisition Officers Council for procure-
20 ment initiatives, and the Performance Improvement Coun-
21 cil for performance improvement initiatives): *Provided fur-*
22 *ther*, That the total funds transferred or reimbursed shall
23 not exceed \$17,000,000 for Government-Wide innovations,
24 initiatives, and activities: *Provided further*, That the funds
25 transferred to or for reimbursement of “General Services

1 Administration, Government-wide Policy” during fiscal
2 year 2012 shall remain available for obligation through
3 September 30, 2013: *Provided further*, That such trans-
4 fers or reimbursements may only be made after 15 days
5 following notification of the Committees on Appropriations
6 by the Director of the Office of Management and Budget.

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

12 SEC. 724. Notwithstanding 31 U.S.C. 1346, or sec-
13 tion 708 of this Act, funds made available for the current
14 fiscal year by this or any other Act shall be available for
15 the interagency funding of specific projects, workshops,
16 studies, and similar efforts to carry out the purposes of
17 the National Science and Technology Council (authorized
18 by Executive Order No. 12881), which benefit multiple
19 Federal departments, agencies, or entities: *Provided*, That
20 the Office of Management and Budget shall provide a re-
21 port describing the budget of and resources connected with
22 the National Science and Technology Council to the Com-
23 mittees on Appropriations, the House Committee on
24 Science and Technology, and the Senate Committee on

1 Commerce, Science, and Transportation 90 days after en-
2 actment of this Act.

3 SEC. 725. Any request for proposals, solicitation,
4 grant application, form, notification, press release, or
5 other publications involving the distribution of Federal
6 funds shall indicate the agency providing the funds, the
7 Catalog of Federal Domestic Assistance Number, as appli-
8 cable, and the amount provided: *Provided*, That this provi-
9 sion shall apply to direct payments, formula funds, and
10 grants received by a State receiving Federal funds.

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

15 (1) to collect, review, or create any aggregation
16 of data, derived from any means, that includes any
17 personally identifiable information relating to an in-
18 dividual's access to or use of any Federal Govern-
19 ment Internet site of the agency; or

20 (2) to enter into any agreement with a third
21 party (including another government agency) to col-
22 lect, review, or obtain any aggregation of data, de-
23 rived from any means, that includes any personally
24 identifiable information relating to an individual's

1 access to or use of any nongovernmental Internet
2 site.

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

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

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

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

12 (4) any action described in subsection (a)(1)
13 that is a system security action taken by the oper-
14 ator of an Internet site and is necessarily incident
15 to providing the Internet site services or to pro-
16 tecting the rights or property of the provider of the
17 Internet site.

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

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

22 (2) The term “supervisory” means examina-
23 tions of the agency’s supervised institutions, includ-
24 ing assessing safety and soundness, overall financial
25 condition, management practices and policies and

1 compliance with applicable standards as provided in
2 law.

3 SEC. 727. (a) None of the funds appropriated by this
4 Act may be used to enter into or renew a contract which
5 includes a provision providing prescription drug coverage,
6 except where the contract also includes a provision for con-
7 traceptive coverage.

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

10 (1) any of the following religious plans:

11 (A) Personal Care's HMO; and

12 (B) OSF HealthPlans, Inc.; and

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

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

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

24 SEC. 728. The United States is committed to ensur-
25 ing the health of its Olympic, Pan American, and

1 Paralympic athletes, and supports the strict adherence to
2 antidoping in sport through testing, adjudication, edu-
3 cation, and research as performed by nationally recognized
4 oversight authorities.

5 SEC. 729. Notwithstanding any other provision of
6 law, funds appropriated for official travel by Federal de-
7 partments and agencies may be used by such departments
8 and agencies, if consistent with Office of Management and
9 Budget Circular A-126 regarding official travel for Gov-
10 ernment personnel, to participate in the fractional aircraft
11 ownership pilot program.

12 SEC. 730. Notwithstanding any other provision of
13 law, none of the funds appropriated or made available
14 under this Act or any other appropriations Act may be
15 used to implement or enforce restrictions or limitations on
16 the Coast Guard Congressional Fellowship Program, or to
17 implement the proposed regulations of the Office of Per-
18 sonnel Management to add sections 300.311 through
19 300.316 to part 300 of title 5 of the Code of Federal Reg-
20 ulations, published in the Federal Register, volume 68,
21 number 174, on September 9, 2003 (relating to the detail
22 of executive branch employees to the legislative branch).

23 SEC. 731. Notwithstanding any other provision of
24 law, no executive branch agency shall purchase, construct,
25 and/or lease any additional facilities, except within or con-

1 tiguous to existing locations, to be used for the purpose
2 of conducting Federal law enforcement training without
3 advance notice to the Committees on Appropriations of the
4 House of Representatives and the Senate, except that the
5 Federal Law Enforcement Training Center is authorized
6 to obtain the temporary use of additional facilities by
7 lease, contract, or other agreement for training which can-
8 not be accommodated in existing Center facilities.

9 SEC. 732. (a) For fiscal year 2012, no funds shall
10 be available for transfers or reimbursements to the E-Gov-
11 ernment initiatives sponsored by the Office of Manage-
12 ment and Budget prior to 15 days following submission
13 of a report to the Committees on Appropriations of the
14 House of Representatives and the Senate by the Director
15 of the Office of Management and Budget and receipt of
16 approval to transfer funds by the Committees on Appro-
17 priations of the House of Representatives and the Senate.

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

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

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

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

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

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

21 SEC. 734. Unless otherwise authorized by existing
22 law, none of the funds provided in this Act or any other
23 Act may be used by an executive branch agency to produce
24 any prepackaged news story intended for broadcast or dis-
25 tribution in the United States, unless the story includes

1 a clear notification within the text or audio of the pre-
2 packaged news story that the prepackaged news story was
3 prepared or funded by that executive branch agency.

4 SEC. 735. None of the funds made available in this
5 Act may be used in contravention of section 552a of title
6 5, United States Code (popularly known as the Privacy
7 Act) and regulations implementing that section.

8 SEC. 736. Each executive department and agency
9 shall evaluate the creditworthiness of an individual before
10 issuing the individual a government travel charge card.
11 Such evaluations for individually billed travel charge cards
12 shall include an assessment of the individual's consumer
13 report from a consumer reporting agency as those terms
14 are defined in section 603 of the Fair Credit Reporting
15 Act (Public Law 91-508): *Provided*, That the department
16 or agency may not issue a government travel charge card
17 to an individual that either lacks a credit history or is
18 found to have an unsatisfactory credit history as a result
19 of this evaluation: *Provided further*, That this restriction
20 shall not preclude issuance of a restricted-use charge,
21 debit, or stored value card made in accordance with agency
22 procedures to: (1) an individual with an unsatisfactory
23 credit history where such card is used to pay travel ex-
24 penses and the agency determines there is no suitable al-
25 ternative payment mechanism available before issuing the

1 card; or (2) an individual who lacks a credit history. Each
2 executive department and agency shall establish guidelines
3 and procedures for disciplinary actions to be taken against
4 agency personnel for improper, fraudulent, or abusive use
5 of government charge cards, which shall include appro-
6 priate disciplinary actions for use of charge cards for pur-
7 poses, and at establishments, that are inconsistent with
8 the official business of the Department or agency or with
9 applicable standards of conduct.

10 SEC. 737. (a) IN GENERAL.—None of the funds ap-
11 propriated or otherwise made available by this or any
12 other Act may be used for any Federal Government con-
13 tract with any foreign incorporated entity which is treated
14 as an inverted domestic corporation under section 835(b)
15 of the Homeland Security Act of 2002 (6 U.S.C. 395(b))
16 or any subsidiary of such an entity.

17 (b) WAIVERS.—

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

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

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

5 SEC. 738. (a) None of the funds made available in
6 this or any other Act may be used to recommend or re-
7 quire any entity submitting an offer for a Federal contract
8 or otherwise participating in acquisition (as defined in sec-
9 tion 131 of title 41, United States Code) of property or
10 services by the Federal Government to disclose any of the
11 following information as a condition of submitting the
12 offer or otherwise participating in such acquisition:

13 (1) Any payment consisting of a contribution,
14 expenditure, independent expenditure, or disburse-
15 ment for an electioneering communication that is
16 made by the entity, its officers or directors, or any
17 of its affiliates or subsidiaries to a candidate for
18 election for Federal office or to a political com-
19 mittee, or that is otherwise made with respect to any
20 election for Federal office.

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

1 funds to make a payment described in paragraph
2 (1).

3 (b) In this section, each of the terms “contribution”,
4 “expenditure”, “independent expenditure”, “election-
5 eering communication”, “candidate”, “election”, and
6 “Federal office” has the meaning given such term in the
7 Federal Election Campaign Act of 1971 (2 U.S.C. 431
8 et seq.).

9 SEC. 739. Except as expressly provided otherwise,
10 any reference to “this Act” contained in any title other
11 than title IV or VIII shall not apply to such title IV or
12 VIII.

13 SEC. 740. None of the funds made available by this
14 Act may be used to enter into a contract, memorandum
15 of understanding, or cooperative agreement with, make a
16 grant to, or provide a loan or loan guarantee to, any cor-
17 poration with an unpaid Federal tax liability that has been
18 assessed, for which all judicial and administrative rem-
19 edies have been exhausted or have lapsed, and that is not
20 being paid in a timely manner pursuant to an agreement
21 with the authority responsible for collecting the tax liabil-
22 ity.

23 SEC. 741. None of the funds made available by this
24 Act may be used to enter into a contract, memorandum
25 of understanding, or cooperative agreement with, make a

1 grant to, or provide a loan or loan guarantee to, any cor-
2 poration that was convicted of a felony criminal violation
3 under any Federal law within the preceding 24 months.

4 SEC. 742. None of the funds made available by this
5 Act may be expended for any new hire by any Federal
6 agency funded in this Act that is not verified through the
7 E-Verify Program established under section 403(a) of the
8 Illegal Immigration Reform and Immigrant Responsibility
9 Act of 1996 (8 U.S.C. 1324a note).

10 TITLE VIII
11 GENERAL PROVISIONS—DISTRICT OF
12 COLUMBIA

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

18 SEC. 802. None of the Federal funds provided in this
19 Act shall be used for publicity or propaganda purposes or
20 implementation of any policy including boycott designed
21 to support or defeat legislation pending before Congress
22 or any State legislature.

23 SEC. 803. (a) None of the Federal funds provided
24 under this Act to the agencies funded by this Act, both
25 Federal and District government agencies, that remain

1 available for obligation or expenditure in fiscal year 2012,
2 or provided from any accounts in the Treasury of the
3 United States derived by the collection of fees available
4 to the agencies funded by this Act, shall be available for
5 obligation or expenditures for an agency through a re-
6 programming of funds which—

7 (1) creates new programs;

8 (2) eliminates a program, project, or responsi-
9 bility center;

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

12 (4) increases funds or personnel by any means
13 for any program, project, or responsibility center for
14 which funds have been denied or restricted;

15 (5) re-establishes any program or project pre-
16 viously deferred through reprogramming;

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

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

24 unless the Committees on Appropriations of the
25 House of Representatives and the Senate and the

1 President are notified in writing 15 days in advance
2 of the reprogramming.

3 (b) The District of Columbia government is author-
4 ized to approve and execute reprogramming and transfer
5 requests of local funds under this title through November
6 1, 2012.

7 SEC. 804. None of the Federal funds provided in this
8 Act may be used by the District of Columbia to provide
9 for salaries, expenses, or other costs associated with the
10 offices of United States Senator or United States Rep-
11 resentative under section 4(d) of the District of Columbia
12 Statehood Constitutional Convention Initiatives of 1979
13 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

14 SEC. 805. Except as otherwise provided in this sec-
15 tion, none of the funds made available by this Act or by
16 any other Act may be used to provide any officer or em-
17 ployee of the District of Columbia with an official vehicle
18 unless the officer or employee uses the vehicle only in the
19 performance of the officer’s or employee’s official duties.
20 For purposes of this section, the term “official duties”
21 does not include travel between the officer’s or employee’s
22 residence and workplace, except in the case of—

23 (1) an officer or employee of the Metropolitan
24 Police Department who resides in the District of Co-
25 lumbia or a District of Columbia government em-

1 ployee as may otherwise be designated by the Chief
2 of the Department;

3 (2) at the discretion of the Fire Chief, an offi-
4 cer or employee of the District of Columbia Fire and
5 Emergency Medical Services Department who re-
6 sides in the District of Columbia and is on call 24
7 hours a day or is otherwise designated by the Fire
8 Chief;

9 (3) at the discretion of the Director of the De-
10 partment of Corrections, an officer or employee of
11 the District of Columbia Department of Corrections
12 who resides in the District of Columbia and is on
13 call 24 hours a day or is otherwise designated by the
14 Director;

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

16 (5) the Chairman of the Council of the District
17 of Columbia.

18 SEC. 806. (a) None of the Federal funds contained
19 in this Act may be used by the District of Columbia Attor-
20 ney General or any other officer or entity of the District
21 government to provide assistance for any petition drive or
22 civil action which seeks to require Congress to provide for
23 voting representation in Congress for the District of Co-
24 lumbia.

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

5 SEC. 807. None of the Federal funds contained in
6 this Act may be used for any program of distributing ster-
7 ile needles or syringes for the hypodermic injection of any
8 illegal drug.

9 SEC. 808. Nothing in this Act may be construed to
10 prevent the Council or Mayor of the District of Columbia
11 from addressing the issue of the provision of contraceptive
12 coverage by health insurance plans, but it is the intent
13 of Congress that any legislation enacted on such issue
14 should include a “conscience clause” which provides excep-
15 tions for religious beliefs and moral convictions.

16 SEC. 809. None of the Federal funds contained in
17 this Act may be used to enact or carry out any law, rule,
18 or regulation to legalize or otherwise reduce penalties asso-
19 ciated with the possession, use, or distribution of any
20 schedule I substance under the Controlled Substances Act
21 (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols de-
22 rivative.

23 SEC. 810. None of the funds appropriated under this
24 Act shall be expended for any abortion except where the
25 life of the mother would be endangered if the fetus were

1 carried to term or where the pregnancy is the result of
2 an act of rape or incest.

3 SEC. 811. (a) No later than 30 calendar days after
4 the date of the enactment of this Act, the Chief Financial
5 Officer for the District of Columbia shall submit to the
6 appropriate committees of Congress, the Mayor, and the
7 Council of the District of Columbia, a revised appropriated
8 funds operating budget in the format of the budget that
9 the District of Columbia government submitted pursuant
10 to section 442 of the District of Columbia Home Rule Act
11 (D.C. Official Code, sec. 1–204.42), for all agencies of the
12 District of Columbia government for fiscal year 2012 that
13 is in the total amount of the approved appropriation and
14 that realigns all budgeted data for personal services and
15 other-than-personal services, respectively, with anticipated
16 actual expenditures.

17 (b) This section shall apply only to an agency for
18 which the Chief Financial Officer for the District of Co-
19 lumbia certifies that a reallocation is required to address
20 unanticipated changes in program requirements.

21 SEC. 812. No later than 30 calendar days after the
22 date of the enactment of this Act, the Chief Financial Offi-
23 cer for the District of Columbia shall submit to the appro-
24 priate committees of Congress, the Mayor, and the Council
25 for the District of Columbia, a revised appropriated funds

1 operating budget for the District of Columbia Public
2 Schools that aligns schools budgets to actual enrollment.
3 The revised appropriated funds budget shall be in the for-
4 mat of the budget that the District of Columbia govern-
5 ment submitted pursuant to section 442 of the District
6 of Columbia Home Rule Act (D.C. Official Code, Sec.1-
7 204.42).

8 SEC. 813. Amounts appropriated in this Act as oper-
9 ating funds may be transferred to the District of Colum-
10 bia’s enterprise and capital funds and such amounts, once
11 transferred, shall retain appropriation authority consistent
12 with the provisions of this Act.

13 SEC. 814. Except as expressly provided otherwise,
14 any reference to “this Act” contained in this title or in
15 title IV shall be treated as referring only to the provisions
16 of this title or of title IV.

17 TITLE IX—ADDITIONAL GENERAL PROVISIONS

18 SPENDING REDUCTION ACCOUNT

19 SEC. 901. Any amendments made after January 19,
20 2009, to the regulations set forth in sections
21 515.560(a)(1), 515.560(e)(4)(i), 515.561, and 515.570 of
22 title 31, Code of Federal Regulations, are hereby repealed,
23 and such regulations are restored and shall be carried out
24 as in effect on such date, notwithstanding any guidelines,
25 opinions, letters, Presidential directives, or agency prac-

1 tices relating to such regulations issued or carried out
2 after such date: *Provided*, That any references in such sec-
3 tion 515.561 to the regulations set forth in section
4 515.560(c) of such Code shall be considered to be ref-
5 erences to such regulations as in effect on January 19,
6 2009.

7 SEC. 902. The amount by which the applicable alloca-
8 tion of new budget authority made by the Committee on
9 Appropriations of the House of Representatives under sec-
10 tion 302(b) of the Congressional Budget Act of 1974 ex-
11 ceeds the amount of proposed new budget authority is \$0.

12 This Act may be cited as the “Financial Services and
13 General Government Appropriations Act, 2012”.

Union Calendar No. 86

112TH CONGRESS
1ST Session

H. R. 2434

[Report No. 112-136]

A BILL

Making appropriations for financial services and general government for the fiscal year ending September 30, 2012, and for other purposes.

JULY 7, 2011

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