

1 DIVISION ~~_____~~ —FINANCIAL SERVICES AND (C)
2 GENERAL GOVERNMENT APPROPRIATIONS
3 ACT, 2010

4 ~~The following sums are appropriated, out of any~~
5 ~~money in the Treasury not otherwise appropriated, for the~~
6 ~~fiscal year ending September 30, 2010, and for other pur-~~
7 ~~poses, namely.~~

8 TITLE I

9 DEPARTMENT OF THE TREASURY

10 DEPARTMENTAL OFFICES

11 SALARIES AND EXPENSES

12 (INCLUDING TRANSFERS OF FUNDS)

13 For necessary expenses of the Departmental Offices
14 including operation and maintenance of the Treasury
15 Building and Annex; hire of passenger motor vehicles;
16 maintenance, repairs, and improvements of, and purchase
17 of commercial insurance policies for, real properties leased
18 or owned overseas, when necessary for the performance
19 of official business, \$304,888,000, of which not to exceed
20 \$21,983,000 is for executive direction program activities;
21 not to exceed \$47,249,000 is for economic policies and

1 programs activities, including \$1,000,000 that shall be
2 transferred to the National Academy of Sciences for a
3 study by the Board on Mathematical Sciences and Their
4 Applications on the long-term economic effects of the
5 aging population in the United States, to remain available
6 until September 30, 2011, and \$1,500,000 that shall be
7 transferred to the National Academy of Sciences for a car-
8 bon audit of the tax code as authorized in section 117
9 of the Energy Improvement and Extension Act of 2008
10 (Public Law 110-343), to remain available until Sep-
11 tember 30, 2011; not to exceed \$48,580,000 is for finan-
12 cial policies and programs activities; not to exceed
13 \$64,611,000 is for terrorism and financial intelligence ac-
14 tivities; not to exceed \$22,679,000 is for Treasury-wide
15 management policies and programs activities; and not to
16 exceed \$99,786,000 is for administration programs activi-
17 ties: *Provided*, That the Secretary of the Treasury is au-
18 thorized to transfer funds appropriated for any program
19 activity of the Departmental Offices to any other program
20 activity of the Departmental Offices upon notification to
21 the House and Senate Committees on Appropriations:

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

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

14 DEPARTMENT-WIDE SYSTEMS AND CAPITAL
15 INVESTMENTS PROGRAMS
16 (INCLUDING TRANSFER OF FUNDS)

17 For development and acquisition of automatic data
18 processing equipment, software, and services for the De-
19 partment of the Treasury, \$9,544,000, to remain available
20 until September 30, 2012: *Provided*, That \$4,544,000 is
21 for repairs to the Treasury Annex Building: *Provided fur-*

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

11 OFFICE OF INSPECTOR GENERAL

12 SALARIES AND EXPENSES

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

1 available for official reception and representation ex-
2 penses.

3 TREASURY INSPECTOR GENERAL FOR TAX

4 ADMINISTRATION

5 SALARIES AND EXPENSES

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

1 SPECIAL INSPECTOR GENERAL FOR THE TROUBLED
2 ASSET RELIEF PROGRAM
3 SALARIES AND EXPENSES

4 For necessary expenses of the Office of the Special
5 Inspector General in carrying out the provisions of the
6 Emergency Economic Stabilization Act of 2008 (Public
7 Law 110–343), \$23,300,000.

8 FINANCIAL CRIMES ENFORCEMENT NETWORK
9 SALARIES AND EXPENSES

10 For necessary expenses of the Financial Crimes En-
11 forcement Network, including hire of passenger motor ve-
12 hicles; travel and training expenses, including for course
13 development, of non-Federal and foreign government per-
14 sonnel to attend meetings and training concerned with do-
15 mestic and foreign financial intelligence activities, law en-
16 forcement, and financial regulation; not to exceed \$14,000
17 for official reception and representation expenses; and for
18 assistance to Federal law enforcement agencies, with or
19 without reimbursement, \$111,010,000, of which not to ex-
20 ceed \$26,085,000 shall remain available until September
21 30, 2012; and of which \$9,316,000 shall remain available

1 until September 30, 2011: *Provided*, That funds appro-
2 priated in this account may be used to procure personal
3 services contracts.

4 TREASURY FORFEITURE FUND

5 (RESCISSION)

6 Of the unobligated balances available under this
7 heading, \$90,000,000 are rescinded.

8 FINANCIAL MANAGEMENT SERVICE

9 SALARIES AND EXPENSES

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

16 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

17 SALARIES AND EXPENSES

18 For necessary expenses of carrying out section 1111
19 of the Homeland Security Act of 2002, including hire of
20 passenger motor vehicles, \$103,000,000; of which not to
21 exceed \$6,000 for official reception and representation ex-

1 penses; not to exceed \$50,000 for cooperative research and
2 development programs for laboratory services; and provi-
3 sion of laboratory assistance to State and local agencies
4 with or without reimbursement: *Provided*, That of the
5 amount appropriated under this heading, \$3,000,000, to
6 remain available until September 30, 2011, shall be for
7 the hiring, training, and equipping of special agents and
8 related support personnel.

9

UNITED STATES MINT

10

UNITED STATES MINT PUBLIC ENTERPRISE FUND

11

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

1 BUREAU OF THE PUBLIC DEBT

2 ADMINISTERING THE PUBLIC DEBT

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

1 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
2 FUND PROGRAM ACCOUNT
3 (INCLUDING TRANSFER OF FUNDS)

4 To carry out the Community Development Banking
5 and Financial Institutions Act of 1994 (Public Law 103-
6 325), including services authorized by 5 U.S.C. 3109, but
7 at rates for individuals not to exceed the per diem rate
8 equivalent to the rate for ES-3, notwithstanding sections
9 4707(d) and 4707(e) of title 12, United States Code,
10 \$166,750,000, to remain available until September 30,
11 2011; of which \$12,000,000 shall be for financial assist-
12 ance, technical assistance, training and outreach pro-
13 grams, designed to benefit Native American, Native Ha-
14 waiian, and Alaskan Native communities and provided pri-
15 marily through qualified community development lender
16 organizations with experience and expertise in community
17 development banking and lending in Indian country, Na-
18 tive American organizations, tribes and tribal organiza-
19 tions and other suitable providers; of which \$1,000,000
20 shall be available for the pilot project grant program under
21 section 1132(d) of division A of the Housing and Eco-

1 nomic Recovery Act of 2008 (Public Law 110–289); of
2 which \$3,150,000 shall be for an additional pilot project
3 grant to an eligible organization located in the State of
4 Hawaii for financial education and pre-home ownership
5 counseling as authorized in section 1132(d) of division A
6 of the Housing and Economic Recovery Act of 2008 (Pub-
7 lic Law 110–289), and of which up to \$18,000,000 may
8 be used for administrative expenses, including administra-
9 tion of the New Markets Tax Credit.

10 For an additional amount to be transferred to the
11 “Capital Magnet Fund”, as authorized by section 1339
12 of the Federal Housing Enterprises Financial Safety and
13 Soundness Act of 1992 (12 U.S.C. 1301 et seq.), as
14 amended by section 1131 of the Housing and Economic
15 Recovery Act of 2008 (Public Law 110–289), to support
16 financing for affordable housing and economic develop-
17 ment projects, \$80,000,000, to remain available until Sep-
18 tember 30, 2011: *Provided*, That, for fiscal year 2010, sec-
19 tion 1339(h)(3) of the Federal Housing Enterprises Fi-
20 nancial Safety and Soundness Act of 1992, as amended
21 by section 1131 of the Housing and Economic Recovery

1 Act of 2008 (Public Law 110–289), shall be applied by
2 substituting the term “at least 10 times the grant amount
3 or such other amount that the Secretary may require” for
4 “at least 10 times the grant amount”.

5 INTERNAL REVENUE SERVICE

6 TAXPAYER SERVICES

7 For necessary expenses of the Internal Revenue Serv-
8 ice to provide taxpayer services, including pre-filing assist-
9 ance and education, filing and account services, taxpayer
10 advocacy services, and other services as authorized by 5
11 U.S.C. 3109, at such rates as may be determined by the
12 Commissioner, \$2,278,830,000, of which not less than
13 \$6,100,000 shall be for the Tax Counseling for the Elderly
14 Program, of which not less than \$10,000,000 shall be
15 available for low-income taxpayer clinic grants, of which
16 not less than \$12,000,000, to remain available until Sep-
17 tember 30, 2011, shall be available for a Community Vol-
18 unteer Income Tax Assistance matching grants dem-
19 onstration program for tax return preparation assistance,
20 and of which not less than \$205,954,000 shall be available
21 for operating expenses of the Taxpayer Advocate Service.

1

ENFORCEMENT

2

(INCLUDING TRANSFER OF FUNDS)

3

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

1 of which not to exceed \$25,000 shall be for official recep-
2 tion and representation; and of which \$290,000,000 shall
3 be made available to support enhanced tax enforcement
4 activities: *Provided*, That of the amounts provided under
5 this heading, such sums as are necessary shall be available
6 to fully support tax enforcement and enhanced tax en-
7 forcement activities.

8 BUSINESS SYSTEMS MODERNIZATION

9 For necessary expenses of the Internal Revenue Serv-
10 ice's business systems modernization program,
11 \$263,897,000, to remain available until September 30,
12 2012, for the capital asset acquisition of information tech-
13 nology systems, including management and related con-
14 tractual costs of said acquisitions, including related Inter-
15 nal Revenue Service labor costs, and contractual costs as-
16 sociated with operations authorized by 5 U.S.C. 3109:
17 *Provided*, That, with the exception of labor costs, none of
18 these funds may be obligated until the Internal Revenue
19 Service submits to the Committees on Appropriations, and
20 such Committees approve, a plan for expenditure that: (1)
21 meets the capital planning and investment control review

1 requirements established by the Office of Management
2 and Budget, including Circular A-11; (2) complies with
3 the Internal Revenue Service's enterprise architecture, in-
4 cluding the modernization blueprint; (3) conforms with the
5 Internal Revenue Service's enterprise life cycle method-
6 ology; (4) is approved by the Internal Revenue Service,
7 the Department of the Treasury, and the Office of Man-
8 agement and Budget; (5) has been reviewed by the Gov-
9 ernment Accountability Office; and (6) complies with the
10 acquisition rules, requirements, guidelines, and systems
11 acquisition management practices of the Federal Govern-
12 ment.

13 HEALTH INSURANCE TAX CREDIT ADMINISTRATION

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

17 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

18 SERVICE

19 (INCLUDING TRANSFER OF FUNDS)

20 SEC. 101. Not to exceed 5 percent of any appropria-
21 tion made available in this Act to the Internal Revenue

1 Service or not to exceed 3 percent of appropriations under
2 the heading "Enforcement" may be transferred to any
3 other Internal Revenue Service appropriation upon the ad-
4 vance approval of the Committees on Appropriations.

5 SEC. 102. The Internal Revenue Service shall main-
6 tain a training program to ensure that Internal Revenue
7 Service employees are trained in taxpayers' rights, in deal-
8 ing courteously with taxpayers, and in cross-cultural rela-
9 tions.

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

13 SEC. 104. Funds made available by this or any other
14 Act to the Internal Revenue Service shall be available for
15 improved facilities and increased staffing to provide suffi-
16 cient and effective 1-800 help line service for taxpayers.
17 The Commissioner shall continue to make the improve-
18 ment of the Internal Revenue Service 1-800 help line serv-
19 ice a priority and allocate resources necessary to increase
20 phone lines and staff to improve the Internal Revenue
21 Service 1-800 help line service.

1 general purchase price limitations for vehicles purchased
2 and used overseas for the current fiscal year; entering into
3 contracts with the Department of State for the furnishing
4 of health and medical services to employees and their de-
5 pendants serving in foreign countries; and services author-
6 ized by 5 U.S.C. 3109.

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

17 SEC. 109. Not to exceed 2 percent of any appropria-
18 tion made available in this Act to the Internal Revenue
19 Service may be transferred to the Treasury Inspector Gen-
20 eral for Tax Administration's appropriation upon the ad-
21 vance approval of the Committees on Appropriations: *Pro-*

1 *vided*, That no transfer may increase or decrease any such
2 appropriation by more than 2 percent.

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

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

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

1 SEC. 113. Section 122(g)(1) of Public Law 105–119
2 (5 U.S.C. 3104 note), is further amended by striking “11
3 years” and inserting “12 years”.

4 SEC. 114. None of the funds appropriated or other-
5 wise made available by this or any other Act may be used
6 by the United States Mint to construct or operate any mu-
7 seum without the explicit approval of the Committees on
8 Appropriations of the House of Representatives and the
9 Senate, the House Committee on Financial Services, and
10 the Senate Committee on Banking, Housing and Urban
11 Affairs.

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

1 House Committee on Appropriations; and the Senate
2 Committee on Appropriations.

3 SEC. 116. Funds appropriated by this Act, or made
4 available by the transfer of funds in this Act, for the De-
5 partment of the Treasury's intelligence or intelligence re-
6 lated activities are deemed to be specifically authorized by
7 the Congress for purposes of section 504 of the National
8 Security Act of 1947 (50 U.S.C. 414) during fiscal year
9 2010 until the enactment of the Intelligence Authorization
10 Act for Fiscal Year 2010.

11 SEC. 117. Not to exceed \$5,000 shall be made avail-
12 able from the Bureau of Engraving and Printing's Indus-
13 trial Revolving Fund for necessary official reception and
14 representation expenses.

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

1 entertainment expenses, to be available for allocation with-
2 in the Executive Office of the President; and for necessary
3 expenses of the Office of Policy Development, including
4 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107,
5 \$59,143,000, of which not less than \$1,400,000 shall be
6 for the Office of National AIDS Policy.

7 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

8 OPERATING EXPENSES

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

15 REIMBURSABLE EXPENSES

16 For the reimbursable expenses of the Executive Resi-
17 dence at the White House, such sums as may be nec-
18 essary: *Provided*, That all reimbursable operating expenses
19 of the Executive Residence shall be made in accordance
20 with the provisions of this paragraph: *Provided further*,
21 That, notwithstanding any other provision of law, such

1 amount for reimbursable operating expenses shall be the
2 exclusive authority of the Executive Residence to incur ob-
3 ligations and to receive offsetting collections, for such ex-
4 penses: *Provided further*, That the Executive Residence
5 shall require each person sponsoring a reimbursable polit-
6 ical event to pay in advance an amount equal to the esti-
7 mated cost of the event, and all such advance payments
8 shall be credited to this account and remain available until
9 expended: *Provided further*, That the Executive Residence
10 shall require the national committee of the political party
11 of the President to maintain on deposit \$25,000, to be
12 separately accounted for and available for expenses relat-
13 ing to reimbursable political events sponsored by such
14 committee during such fiscal year: *Provided further*, That
15 the Executive Residence shall ensure that a written notice
16 of any amount owed for a reimbursable operating expense
17 under this paragraph is submitted to the person owing
18 such amount within 60 days after such expense is in-
19 curred, and that such amount is collected within 30 days
20 after the submission of such notice: *Provided further*, That
21 the Executive Residence shall charge interest and assess

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

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

7 WHITE HOUSE REPAIR AND RESTORATION

8 For the repair, alteration, and improvement of the
9 Executive Residence at the White House, \$2,500,000, to
10 remain available until expended, for required maintenance,
11 resolution of safety and health issues, and continued pre-
12 ventative maintenance.

13 COUNCIL OF ECONOMIC ADVISERS

14 SALARIES AND EXPENSES

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

1 NATIONAL SECURITY COUNCIL

2 SALARIES AND EXPENSES

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

6 OFFICE OF ADMINISTRATION

7 SALARIES AND EXPENSES

8 For necessary expenses of the Office of Administra-
9 tion, including services as authorized by 5 U.S.C. 3109
10 and 3 U.S.C. 107, and hire of passenger motor vehicles,
11 \$115,280,000, of which \$16,768,000 shall remain avail-
12 able until expended for continued modernization of the in-
13 formation technology infrastructure within the Executive
14 Office of the President.

15 OFFICE OF MANAGEMENT AND BUDGET

16 SALARIES AND EXPENSES

17 For necessary expenses of the Office of Management
18 and Budget, including hire of passenger motor vehicles
19 and services as authorized by 5 U.S.C. 3109 and to carry
20 out the provisions of chapter 35 of title 44, United States
21 Code, \$92,863,000, of which not to exceed \$3,000 shall

1 be available for official representation expenses: *Provided*,
2 That none of the funds appropriated in this Act for the
3 Office of Management and Budget may be used for the
4 purpose of reviewing any agricultural marketing orders or
5 any activities or regulations under the provisions of the
6 Agricultural Marketing Agreement Act of 1937 (7 U.S.C.
7 601 et seq.): *Provided further*, That none of the funds
8 made available for the Office of Management and Budget
9 by this Act may be expended for the altering of the tran-
10 script of actual testimony of witnesses, except for testi-
11 mony of officials of the Office of Management and Budget,
12 before the Committees on Appropriations or their sub-
13 committees: *Provided further*, That none of the funds pro-
14 vided in this or prior Acts shall be used, directly or indi-
15 rectly, by the Office of Management and Budget, for eval-
16 uating or determining if water resource project or study
17 reports submitted by the Chief of Engineers acting
18 through the Secretary of the Army are in compliance with
19 all applicable laws, regulations, and requirements relevant
20 to the Civil Works water resource planning process: *Pro-*
21 *vided further*, That the Office of Management and Budget

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

14 OFFICE OF NATIONAL DRUG CONTROL POLICY

15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of National
17 Drug Control Policy; for research activities pursuant to
18 the Office of National Drug Control Policy Reauthoriza-
19 tion Act of 2006 (Public Law 109-469); not to exceed
20 \$10,000 for official reception and representation expenses;
21 and for participation in joint projects or in the provision

1 of services on matters of mutual interest with nonprofit,
2 research, or public organizations or agencies, with or with-
3 out reimbursement, \$29,575,000; of which \$1,300,000
4 shall remain available until expended for policy research
5 and evaluation: *Provided*, That the Office is authorized to
6 accept, hold, administer, and utilize gifts, both real and
7 personal, public and private, without fiscal year limitation,
8 for the purpose of aiding or facilitating the work of the
9 Office.

10 COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses for the Counterdrug Tech-
13 nology Assessment Center (CTAC) for research activities
14 pursuant to the Office of National Drug Control Policy
15 Reauthorization Act of 2006 (Public Law 109-469),
16 \$5,000,000, which shall remain available until expended
17 for counternarcotics research and development projects:
18 *Provided*, That such amount shall be available for transfer
19 to other Federal departments or agencies: *Provided fur-*
20 *ther*, That the Office of National Drug Control Policy shall
21 submit for approval by the Committees on Appropriations

1 of the House of Representatives and the Senate, a mission
2 statement for CTAC, a detailed explanation of the CTAC
3 program, and a detailed spending plan for the use of these
4 funds, prior to obligation of any funds provided in this
5 paragraph: *Provided further*, That the report required by
6 the preceding proviso shall be in lieu of inclusion of CTAC
7 in the financial plan required by section 202.

8 FEDERAL DRUG CONTROL PROGRAMS
9 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM
10 (INCLUDING TRANSFERS OF FUNDS)

11 For necessary expenses of the Office of National
12 Drug Control Policy's High Intensity Drug Trafficking
13 Areas Program, \$239,000,000, to remain available until
14 September 30, 2011, for drug control activities consistent
15 with the approved strategy for each of the designated
16 High Intensity Drug Trafficking Areas ("HIDTAs"), of
17 which not less than 51 percent shall be transferred to
18 State and local entities for drug control activities and shall
19 be obligated not later than 120 days after enactment of
20 this Act: *Provided*, That up to 49 percent may be trans-
21 ferred to Federal agencies and departments in amounts

1 determined by the Director of the Office of National Drug
2 Control Policy (“the Director”), of which up to
3 \$2,700,000 may be used for auditing services and associ-
4 ated activities (including up to \$500,000 to ensure the
5 continued operation and maintenance of the Performance
6 Management System): *Provided further*, That, notwith-
7 standing the requirements of Public Law 106–58, any un-
8 expended funds obligated prior to fiscal year 2008 may
9 be used for any other approved activities of that High In-
10 tensity Drug Trafficking Area, subject to reprogramming
11 requirements: *Provided further*, That each High Intensity
12 Drug Trafficking Area designated as of September 30,
13 2009, shall be funded at not less than the fiscal year 2009
14 base level, unless the Director submits to the Committees
15 on Appropriations of the House of Representatives and the
16 Senate justification for changes to those levels based on
17 clearly articulated priorities and published Office of Na-
18 tional Drug Control Policy performance measures of effec-
19 tiveness: *Provided further*, That the Director shall notify
20 the Committees on Appropriations of the initial allocation
21 of fiscal year 2010 funding among HIDTAs not later than

1 45 days after enactment of this Act, and shall notify the
2 Committees of planned uses of discretionary HIDTA
3 funding, as determined in consultation with the HIDTA
4 Directors, not later than 90 days after enactment of this
5 Act.

6 OTHER FEDERAL DRUG CONTROL PROGRAMS

7 (INCLUDING TRANSFERS OF FUNDS)

8 For other drug control activities authorized by the
9 Office of National Drug Control Policy Reauthorization
10 Act of 2006 (Public Law 109–469), \$154,400,000, to re-
11 main available until expended, which shall be available as
12 follows: \$45,000,000 to support a national media cam-
13 paign; \$95,000,000 for the Drug-Free Communities Pro-
14 gram, of which \$2,000,000 shall be made available as di-
15 rected by section 4 of Public Law 107–82, as amended
16 by Public Law 109–469 (21 U.S.C. 1521 note);
17 \$1,000,000 for the National Drug Court Institute;
18 \$10,000,000 for the United States Anti-Doping Agency
19 for anti-doping activities; \$1,900,000 for the United
20 States membership dues to the World Anti-Doping Agen-
21 cy; \$1,250,000 for the National Alliance for Model State

1 Drug Laws; and \$250,000 for evaluations and research
2 related to National Drug Control Program performance
3 measures, which may be transferred to other Federal de-
4 partments and agencies to carry out such activities.

5 UNANTICIPATED NEEDS

6 For expenses necessary to enable the President to
7 meet unanticipated needs, in furtherance of the national
8 interest, security, or defense which may arise at home or
9 abroad during the current fiscal year, as authorized by
10 3 U.S.C. 108, \$1,000,000, to remain available until Sep-
11 tember 30, 2011.

12 PARTNERSHIP FUND FOR PROGRAM INTEGRITY

13 INNOVATION

14 (INCLUDING TRANSFER OF FUNDS)

15 For the Partnership Fund for Program Integrity In-
16 novation, \$37,500,000, to remain available until Sep-
17 tember 30, 2012, which may be used for grants, contracts,
18 cooperative agreements, and administrative costs of car-
19 rying out Partnership Fund for Program Integrity Inno-
20 vation pilot projects: *Provided*, That these funds shall be
21 transferred by the Director of the Office of Management

1 and Budget to appropriate agencies to carry out pilot
2 projects and to conduct or provide for evaluation of such
3 projects: *Provided further*, That such transfers shall be
4 contingent upon the Director of the Office of Management
5 and Budget determining, in consultation with an inter-
6 agency council consisting of representatives of appropriate
7 Federal agencies, States, and other stakeholders, that the
8 pilot projects address Federal programs that have a sub-
9 stantial State role in eligibility determination or adminis-
10 tration or where Federal-State cooperation could other-
11 wise be beneficial; in aggregate, save at least as much
12 money as they cost; demonstrate the potential to stream-
13 line administration or strengthen program integrity; and
14 do not achieve savings primarily by reducing the participa-
15 tion of eligible beneficiaries: *Provided further*, That the
16 interagency council required by the previous proviso shall
17 submit a progress report to the Committees on Appropria-
18 tions of the House of Representatives and the Senate not
19 later than March 31, 2010 and semiannually thereafter
20 until the program is completed, including detailed infor-
21 mation on goals, objectives, performance measures, and

1 evaluations of the program in general and of each specific
2 pilot undertaken.

3 SPECIAL ASSISTANCE TO THE PRESIDENT

4 SALARIES AND EXPENSES

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

12 OFFICIAL RESIDENCE OF THE VICE PRESIDENT

13 OPERATING EXPENSES

14 (INCLUDING TRANSFER OF FUNDS)

15 For the care, operation, refurnishing, improvement,
16 and to the extent not otherwise provided for, heating and
17 lighting, including electric power and fixtures, of the offi-
18 cial residence of the Vice President; the hire of passenger
19 motor vehicles; and not to exceed \$90,000 for official en-
20 tertainment expenses of the Vice President, to be ac-
21 counted for solely on his certificate, \$330,000: *Provided,*

1 That advances or repayments or transfers from this ap-
2 propriation may be made to any department or agency for
3 expenses of carrying out such activities.

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

7 (INCLUDING TRANSFERS OF FUNDS)

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

1 to which transferred: *Provided*, That the amount of an ap-
2 propriation shall not be increased by more than 50 percent
3 by such transfers: *Provided further*, That no amount shall
4 be transferred from “Special Assistance to the President”
5 or “Official Residence of the Vice President” without the
6 approval of the Vice President.

7 SEC. 202. The Director of the Office of National
8 Drug Control Policy shall submit to the Committees on
9 Appropriations of the House of Representatives and the
10 Senate not later than 60 days after the date of enactment
11 of this Act, and prior to the initial obligation of more than
12 20 percent of the funds appropriated in any account (ex-
13 cept “Counterdrug Technology Assessment Center”)
14 under the heading “Office of National Drug Control Pol-
15 icy”, a detailed narrative and financial plan on the pro-
16 posed uses of all funds under the account by program,
17 project, and activity: *Provided*, That the reports required
18 by this section shall be updated and submitted to the Com-
19 mittees on Appropriations every 6 months and shall in-
20 clude information detailing how the estimates and assump-
21 tions contained in previous reports have changed: *Provided*

1 *further*, That any new projects and changes in funding of
2 ongoing projects shall be subject to the prior approval of
3 the Committees on Appropriations.

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

11 SEC. 204. Not to exceed \$1,000,000 of any appro-
12 priations in this Act made available to the Office of Na-
13 tional Drug Control Policy may be reprogrammed within
14 a program, project, or activity upon the advance approval
15 of the Committees on Appropriations.

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

1

TITLE III

2

THE JUDICIARY

3

SUPREME COURT OF THE UNITED STATES

4

SALARIES AND EXPENSES

5

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed \$10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed \$10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, \$74,034,000, of which \$2,000,000 shall remain available until expended.

16

CARE OF THE BUILDING AND GROUNDS

17

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by 40 U.S.C. 6111 and 6112, \$14,525,000, which shall remain available until expended.

20

1 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
2 CIRCUIT

3 SALARIES AND EXPENSES

4 For salaries of the chief judge, judges, and other offi-
5 cers and employees, and for necessary expenses of the
6 court, as authorized by law, \$32,560,000.

7 UNITED STATES COURT OF INTERNATIONAL TRADE

8 SALARIES AND EXPENSES

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

13 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER
14 JUDICIAL SERVICES

15 SALARIES AND EXPENSES

16 For the salaries of circuit and district judges (includ-
17 ing judges of the territorial courts of the United States),
18 justices and judges retired from office or from regular ac-
19 tive service, judges of the United States Court of Federal
20 Claims, bankruptcy judges, magistrate judges, and all
21 other officers and employees of the Federal Judiciary not

1 otherwise specifically provided for, and necessary expenses
2 of the courts, as authorized by law, \$5,011,018,000 (in-
3 cluding the purchase of firearms and ammunition); of
4 which not to exceed \$27,817,000 shall remain available
5 until expended for space alteration projects and for fur-
6 niture and furnishings related to new space alteration and
7 construction projects.

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

14 DEFENDER SERVICES

15 For the operation of Federal Defender organizations;
16 the compensation and reimbursement of expenses of attor-
17 neys appointed to represent persons under 18 U.S.C.
18 3006A, and also under 18 U.S.C. 3599, in cases in which
19 a defendant is charged with a crime that may be punish-
20 able by death; the compensation and reimbursement of ex-
21 penses of persons furnishing investigative, expert, and

1 other services under 18 U.S.C. 3006A(e), and also under
2 18 U.S.C. 3599(f) and (g)(2), in cases in which a defend-
3 ant is charged with a crime that may be punishable by
4 death; the compensation (in accordance with the maxi-
5 mums under 18 U.S.C. 3006A) and reimbursement of ex-
6 penses of attorneys appointed to assist the court in crimi-
7 nal cases where the defendant has waived representation
8 by counsel; the compensation and reimbursement of travel
9 expenses of guardians ad litem acting on behalf of finan-
10 cially eligible minor or incompetent offenders in connec-
11 tion with transfers from the United States to foreign coun-
12 tries with which the United States has a treaty for the
13 execution of penal sentences; the compensation and reim-
14 bursement of expenses of attorneys appointed to represent
15 jurors in civil actions for the protection of their employ-
16 ment, as authorized by 28 U.S.C. 1875(d); the compensa-
17 tion and reimbursement of expenses of attorneys ap-
18 pointed under 18 U.S.C. 983(b)(1) in connection with cer-
19 tain judicial civil forfeiture proceedings; and for necessary
20 training and general administrative expenses,
21 \$977,748,000, to remain available until expended.

1 FEES OF JURORS AND COMMISSIONERS

2 For fees and expenses of jurors as authorized by 28
3 U.S.C. 1871 and 1876; compensation of jury commis-
4 sioners as authorized by 28 U.S.C. 1863; and compensa-
5 tion of commissioners appointed in condemnation cases
6 pursuant to rule 71.1(h) of the Federal Rules of Civil Pro-
7 cedure (28 U.S.C. Appendix Rule 71.1(h)), \$61,861,000,
8 to remain available until expended: *Provided*, That the
9 compensation of land commissioners shall not exceed the
10 daily equivalent of the highest rate payable under 5 U.S.C.
11 5332.

12 COURT SECURITY
13 (INCLUDING TRANSFERS OF FUNDS)

14 For necessary expenses, not otherwise provided for,
15 incident to the provision of protective guard services for
16 United States courthouses and other facilities housing
17 Federal court operations, and the procurement, installa-
18 tion, and maintenance of security systems and equipment
19 for United States courthouses and other facilities housing
20 Federal court operations, including building ingress-egress
21 control, inspection of mail and packages, directed security

1 patrols, perimeter security, basic security services provided
2 by the Federal Protective Service, and other similar activi-
3 ties as authorized by section 1010 of the Judicial Improve-
4 ment and Access to Justice Act (Public Law 100-702),
5 \$452,607,000, of which not to exceed \$15,000,000 shall
6 remain available until expended, to be expended directly
7 or transferred to the United States Marshals Service,
8 which shall be responsible for administering the Judicial
9 Facility Security Program consistent with standards or
10 guidelines agreed to by the Director of the Administrative
11 Office of the United States Courts and the Attorney Gen-
12 eral.

13 ADMINISTRATIVE OFFICE OF THE UNITED STATES
14 COURTS
15 SALARIES AND EXPENSES

16 For necessary expenses of the Administrative Office
17 of the United States Courts as authorized by law, includ-
18 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
19 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
20 advertising and rent in the District of Columbia and else-

1 where, \$83,075,000, of which not to exceed \$8,500 is au-
2 thorized for official reception and representation expenses.

3 FEDERAL JUDICIAL CENTER

4 SALARIES AND EXPENSES

5 For necessary expenses of the Federal Judicial Cen-
6 ter, as authorized by Public Law 90-219, \$27,328,000;
7 of which \$1,800,000 shall remain available through Sep-
8 tember 30, 2011, to provide education and training to
9 Federal court personnel; and of which not to exceed
10 \$1,500 is authorized for official reception and representa-
11 tion expenses.

12 JUDICIAL RETIREMENT FUNDS

13 PAYMENT TO JUDICIARY TRUST FUNDS

14 For payment to the Judicial Officers' Retirement
15 Fund, as authorized by 28 U.S.C. 377(o), \$71,874,000;
16 to the Judicial Survivors' Annuities Fund, as authorized
17 by 28 U.S.C. 376(c), \$6,500,000; and to the United
18 States Court of Federal Claims Judges' Retirement Fund,
19 as authorized by 28 U.S.C. 178(l), \$4,000,000.

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, \$16,837,000, 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)

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 appropria-
15 tions, 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

1 funds under sections 604 and 608 of this Act and shall
2 not be available for obligation or expenditure except in
3 compliance with the procedures set forth in section 608.

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

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

1 tion of reprogramming and transfer authorities for the
2 current fiscal year.

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

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

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

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

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

7 (3) in the seventh sentence (relating to the Dis-
8 trict of Hawaii), by striking “15 years” and insert-
9 ing “16 years”.

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

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TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, \$35,100,000, to remain available until expended: *Provided*, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to \$2,500 each year at eligible private institutions of higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: *Provided further*, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the

1 Federal funds appropriated to the Program in this Act
2 and any subsequent appropriations, any unobligated bal-
3 ances from prior fiscal years, and any interest earned in
4 this or any fiscal year: *Provided further*, That the account
5 shall be under the control of the District of Columbia
6 Chief Financial Officer, who shall use those funds solely
7 for the purposes of carrying out the Resident Tuition Sup-
8 port Program: *Provided further*, That the Office of the
9 Chief Financial Officer shall provide a quarterly financial
10 report to the Committees on Appropriations of the House
11 of Representatives and the Senate for these funds show-
12 ing, by object class, the expenditures made and the pur-
13 pose therefor.

14 FEDERAL PAYMENT FOR EMERGENCY PLANNING AND
15 SECURITY COSTS IN THE DISTRICT OF COLUMBIA

16 For a Federal payment of necessary expenses, as de-
17 termined by the Mayor of the District of Columbia in writ-
18 ten consultation with the elected county or city officials
19 of surrounding jurisdictions, \$15,000,000, to remain
20 available until expended and in addition any funds that
21 remain available from prior year appropriations under this

1 heading for the District of Columbia Government, for the
2 costs of providing public safety at events related to the
3 presence of the national capital in the District of Colum-
4 bia, including support requested by the Director of the
5 United States Secret Service Division in carrying out pro-
6 tective duties under the direction of the Secretary of
7 Homeland Security, and for the costs of providing support
8 to respond to immediate and specific terrorist threats or
9 attacks in the District of Columbia or surrounding juris-
10 dictions.

11 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

12 COURTS

13 For salaries and expenses for the District of Colum-
14 bia Courts, \$261,180,000 to be allocated as follows: for
15 the District of Columbia Court of Appeals, \$12,022,000,
16 of which not to exceed \$2,500 is for official reception and
17 representation expenses; for the District of Columbia Su-
18 perior Court, \$108,524,000, of which not to exceed \$2,500
19 is for official reception and representation expenses; for
20 the District of Columbia Court System, \$65,114,000, of
21 which not to exceed \$2,500 is for official reception and

1 representation expenses; and \$75,520,000, to remain
2 available until September 30, 2011, for capital improve-
3 ments for District of Columbia courthouse facilities, in-
4 cluding structural improvements to the District of Colum-
5 bia cell block at the Moultrie Courthouse: *Provided*, That
6 funds made available for capital improvements shall be ex-
7 pended consistent with the General Services Administra-
8 tion (GSA) master plan study and building evaluation re-
9 port: *Provided further*, That notwithstanding any other
10 provision of law, all amounts under this heading shall be
11 apportioned quarterly by the Office of Management and
12 Budget and obligated and expended in the same manner
13 as funds appropriated for salaries and expenses of other
14 Federal agencies, with payroll and financial services to be
15 provided on a contractual basis with the GSA, and such
16 services shall include the preparation of monthly financial
17 reports, copies of which shall be submitted directly by GSA
18 to the President and to the Committees on Appropriations
19 of the House of Representatives and the Senate, the Com-
20 mittee on Oversight and Government Reform of the House
21 of Representatives, and the Committee on Homeland Se-

1 curity and Governmental Affairs of the Senate: *Provided*
2 *further*, That 30 days after providing written notice to the
3 Committees on Appropriations of the House of Represent-
4 atives and the Senate, the District of Columbia Courts
5 may reallocate not more than \$1,000,000 of the funds pro-
6 vided under this heading among the items and entities
7 funded under this heading for operations, and not more
8 than 4 percent of the funds provided under this heading
9 for facilities.

10 FEDERAL PAYMENT FOR DEFENDER SERVICES IN

11 DISTRICT OF COLUMBIA COURTS

12 For payments authorized under section 11-2604 and
13 section 11-2605, D.C. Official Code (relating to represen-
14 tation provided under the District of Columbia Criminal
15 Justice Act), payments for counsel appointed in pro-
16 ceedings in the Family Court of the Superior Court of the
17 District of Columbia under chapter 23 of title 16, D.C.
18 Official Code, or pursuant to contractual agreements to
19 provide guardian ad litem representation, training, tech-
20 nical assistance, and such other services as are necessary
21 to improve the quality of guardian ad litem representation,

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

1 on Oversight and Government Reform of the House of
2 Representatives, and the Committee on Homeland Secu-
3 rity and Governmental Affairs of the Senate.

4 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
5 FENDER SUPERVISION AGENCY FOR THE DISTRICT
6 OF COLUMBIA

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

1 or related to such persons; of which \$58,552,000 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 \$2,000,000 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

1 District of Columbia Government for space and services
2 provided on a cost reimbursable basis.

3 FEDERAL PAYMENT TO THE PUBLIC DEFENDER SERVICE
4 FOR THE DISTRICT OF COLUMBIA

5 For salaries and expenses, including the transfer and
6 hire of motor vehicles, of the District of Columbia Public
7 Defender Service, as authorized by the National Capital
8 Revitalization and Self-Government Improvement Act of
9 1997, \$37,316,000: *Provided*, That notwithstanding any
10 other provision of law, all amounts under this heading
11 shall be apportioned quarterly by the Office of Manage-
12 ment and Budget and obligated and expended in the same
13 manner as funds appropriated for salaries and expenses
14 of Federal agencies.

15 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
16 WATER AND SEWER AUTHORITY

17 For a Federal payment to the District of Columbia
18 Water and Sewer Authority, \$20,000,000, to remain avail-
19 able until expended, to continue implementation of the
20 Combined Sewer Overflow Long-Term Plan: *Provided*,

1 That the District of Columbia Water and Sewer Authority
2 provides a 100 percent match for this payment.

3 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE

4 COORDINATING COUNCIL

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

10 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

11 For a Federal payment, to remain available until
12 September 30, 2011, to the Commission on Judicial Dis-
13 abilities and Tenure, \$295,000, and for the Judicial Nomi-
14 nation Commission, \$205,000.

15 FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF

16 FINANCIAL OFFICER FOR THE DISTRICT OF COLUMBIA

17 For a Federal payment to the Office of the Chief Fi-
18 nancial Officer for the District of Columbia, \$1,850,000,
19 in the amounts and for the projects specified in the table
20 that appears under the heading "Federal Payment to the
21 Office of the Chief Financial Officer for the District of

1 Columbia” in the statement of managers to accompany
2 this Act: *Provided*, That each entity that receives funding
3 under this heading shall submit to the Office of the Chief
4 Financial Officer for the District of Columbia (CFO), not
5 later than 60 days after enactment of this Act, a detailed
6 budget and comprehensive description of the activities to
7 be carried out with such funds, and the CFO shall submit
8 a comprehensive report to the Committees on Appropria-
9 tions of the House of Representatives and the Senate not
10 later than June 1, 2010.

11 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

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

1 III of division C of the District of Columbia Appropria-
2 tions Act, 2004 (Public Law 108–199; 118 Stat. 126),
3 to remain available until expended, of which up to
4 \$1,000,000 may be used to administer and fund assess-
5 ments, and of which up to \$1,000,000 may be used to
6 administer testing of students to determine and compare
7 academic performance of the schools enrolling students
8 participating in the opportunity scholarship program: *Pro-*
9 *vided*, That notwithstanding the second proviso under this
10 heading in Public Law 111–8, funds provided herein may
11 only be used to provide opportunity scholarships to stu-
12 dents who received scholarships in the 2009–2010 school
13 year: *Provided further*, That funds available under this
14 heading for opportunity scholarships, including from
15 prior-year appropriations Acts, may be made available
16 only for scholarships to students who received scholarships
17 in the 2009–2010 school year: *Provided further*, That none
18 of the funds provided in this Act or any other Act for op-
19 portunity scholarships may be used by an eligible student
20 to enroll in a participating school under the DC School
21 Choice Incentive Act of 2003 unless (1) the participating

1 school has and maintains a valid certificate of occupancy
2 issued by the District of Columbia; (2) the core subject
3 matter teachers of the eligible student hold 4-year bach-
4 elor's degrees; and (3) the participating school is in com-
5 pliance with the accreditation and other standards pre-
6 scribed under the District of Columbia compulsory school
7 attendance laws that apply to educational institutions not
8 affiliated with the District of Columbia Public Schools:
9 *Provided further*, That the Secretary of Education shall
10 submit a report to Congress not later than June 15, 2010
11 detailing the academic rigor and quality of each partici-
12 pating school and that for the purposes of submitting the
13 report the Secretary shall administer to eligible students
14 participating in the program the same tests of academic
15 performance as those administered to students enrolled in
16 the District of Columbia Public Schools in the 2009–2010
17 school year and the Secretary shall utilize the performance
18 of scholarship recipients on that test as well as other
19 metrics of academic quality considered appropriate by the
20 Secretary to evaluate the academic rigor and quality of
21 participating schools and include in this report compara-

1 tive data on District of Columbia Public Schools and Pub-
2 lic Charter Schools: *Provided further*, That the Secretary
3 of Education shall ensure that site inspections of partici-
4 pating schools are conducted at least twice annually.

5 FEDERAL PAYMENT FOR CONSOLIDATED LABORATORY
6 FACILITY

7 For a Federal payment to the District of Columbia,
8 \$15,000,000, to remain available until September 30,
9 2011, for costs associated with the construction of a con-
10 solidated bioterrorism and forensics laboratory: *Provided*,
11 That the District of Columbia provides a 100 percent
12 match for this payment.

13 FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA
14 NATIONAL GUARD

15 For a Federal payment to the District of Columbia
16 National Guard, \$375,000, to remain available until ex-
17 pended for the District of Columbia National Guard reten-
18 tion and college access programs, which shall hereafter be
19 known as the “Major General David F. Wherley, Jr. Dis-
20 trict of Columbia National Guard Retention and College
21 Access Program”.

1 FEDERAL PAYMENT FOR HOUSING FOR THE HOMELESS

2 For a Federal payment to the District of Columbia,
3 \$17,000,000, to remain available until September 30,
4 2011, to support permanent supportive housing programs
5 in the District.

6 FEDERAL PAYMENT FOR YOUTH SERVICES

7 For a Federal payment to the District of Columbia,
8 \$4,000,000, to remain available until September 30, 2011,
9 to support the “Reconnecting Disconnected Youth” initia-
10 tive.

11 DISTRICT OF COLUMBIA FUNDS

12 The following amounts are appropriated for the Dis-
13 trict of Columbia for the current fiscal year out of the
14 General Fund of the District of Columbia (“General
15 Fund”), except as otherwise specifically provided: *Pro-*
16 *vided*, That notwithstanding any other provision of law,
17 except as provided in section 450A of the District of Co-
18 lumbia Home Rule Act, (114 Stat. 2440; D.C. Official
19 Code, section 1–204.50a) and provisions of the Fiscal
20 Year 2010 Budget Request Act, the total amount appro-
21 priated in this Act for operating expenses for the District

1 of Columbia for fiscal year 2010 under this heading shall
2 not exceed the lesser of the sum of the total revenues of
3 the District of Columbia for such fiscal year or
4 \$10,016,041,000 (of which \$5,637,824,000 shall be from
5 local funds, (including \$394,417,000 from dedicated
6 taxes) \$2,661,782,000 shall be from Federal grant funds,
7 \$1,711,249,000 shall be from other funds, and \$5,187,000
8 shall be from private funds); in addition, \$185,725,000
9 from funds previously appropriated in this Act as Federal
10 payments, which does not include funds appropriated
11 under the American Recovery and Reinvestment Act of
12 2009 (Public Law 111-5): *Provided further*, That of the
13 local funds, such amounts as may be necessary may be
14 derived from the District's General Fund balance: *Pro-*
15 *vided further*, That of these funds the District's
16 intradistrict authority shall be \$791,096,000: in addition
17 for capital construction projects, an increase of
18 \$3,249,642,000, of which \$2,685,760,000 shall be from
19 local funds, \$54,893,000 from the District of Columbia
20 Highway Trust fund, \$186,805,000 from the Local Street
21 Maintenance fund, \$322,184,000 from Federal grant

1 funds, and a rescission of \$1,834,494,000 from local funds
2 and a rescission of \$91,327,000 from Local Street Mainte-
3 nance funds appropriated under this heading in prior fis-
4 cal years for a net amount of \$1,323,821,000, to remain
5 available until expended: *Provided further*, That the
6 amounts provided under this heading are to be available,
7 allocated and expended as proposed under Title III of the
8 Fiscal Year 2010 Budget Request Act at the rate set forth
9 under “District of Columbia Funds Division of Expenses”
10 of the Fiscal Year 2010 Proposed Budget and Financial
11 Plan submitted to the Congress of the United States by
12 the District of Columbia on September 28, 2009: *Provided*
13 *further*, That this amount may be increased by proceeds
14 of one-time transactions, which are expended for emer-
15 gency or unanticipated operating or capital needs: *Pro-*
16 *vided further*, That such increases shall be approved by
17 enactment of local District law and shall comply with all
18 reserve requirements contained in the District of Columbia
19 Home Rule Act (87 Stat. 777; D.C. Official Code sec. 1–
20 201.01 et seq.): *Provided further*, That the Chief Financial
21 Officer of the District of Columbia shall take such steps

1 as are necessary to assure that the District of Columbia
2 meets these requirements, including the apportioning by
3 the Chief Financial Officer of the appropriations and
4 funds made available to the District during fiscal year
5 2010, except that the Chief Financial Officer may not re-
6 program for operating expenses any funds derived from
7 bonds, notes, or other obligations issued for capital
8 projects.

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

1 purchase of nominal awards to recognize non-Federal offi-
2 cials' contributions to Commission activities, and not to
3 exceed \$2,000 for official reception and representation ex-
4 penses, \$118,200,000, of which \$2,000,000 shall remain
5 available for obligation until September 30, 2011, to im-
6 plement the Virginia Graeme Baker Pool and Spa Safety
7 Act grant program as provided by section 1405 of Public
8 Law 110-140 (15 U.S.C. 8004).

9 ELECTION ASSISTANCE COMMISSION

10 SALARIES AND EXPENSES

11 (INCLUDING TRANSFER OF FUNDS)

12 For necessary expenses to carry out the Help Amer-
13 ica Vote Act of 2002 (Public Law 107-252), \$17,959,000,
14 of which \$3,500,000 shall be transferred to the National
15 Institute of Standards and Technology for election reform
16 activities authorized under the Help America Vote Act of
17 2002: *Provided*, That \$750,000 shall be for the Help
18 America Vote College Program as authorized by the Help
19 America Vote Act of 2002: *Provided further*, That
20 \$300,000 shall be for a competitive grant program to sup-

1 port community involvement in student and parent mock
2 elections.

3 ELECTION REFORM PROGRAMS

4 For necessary expenses relating to election reform
5 programs, \$75,000,000, to remain available until ex-
6 pended, of which \$70,000,000 shall be for requirements
7 payments under part 1 of subtitle D of title II of the Help
8 America Vote Act of 2002 (Public Law 107-252),
9 \$3,000,000 shall be for grants to carry out research on
10 voting technology improvements as authorized under part
11 3 of subtitle D of title II of such Act, and \$2,000,000,
12 shall be to conduct a pilot program for grants to States
13 and units of local government for pre-election logic and
14 accuracy testing and post-election voting systems
15 verification.

16 FEDERAL COMMUNICATIONS COMMISSION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Federal Communica-
19 tions Commission, as authorized by law, including uni-
20 forms and allowances therefor, as authorized by 5 U.S.C.
21 5901-5902; not to exceed \$4,000 for official reception and

1 representation expenses; purchase and hire of motor vehi-
2 cles; special counsel fees; and services as authorized by
3 5 U.S.C. 3109, \$335,794,000: *Provided*, That
4 \$335,794,000 of offsetting collections shall be assessed
5 and collected pursuant to section 9 of title I of the Com-
6 munications Act of 1934, shall be retained and used for
7 necessary expenses in this appropriation, and shall remain
8 available until expended: *Provided further*, That the sum
9 herein appropriated shall be reduced as such offsetting
10 collections are received during fiscal year 2010 so as to
11 result in a final fiscal year 2010 appropriation estimated
12 at \$0: *Provided further*, That any offsetting collections re-
13 ceived in excess of \$335,794,000 in fiscal year 2010 shall
14 not be available for obligation: *Provided further*, That re-
15 maining offsetting collections from prior years collected in
16 excess of the amount specified for collection in each such
17 year and otherwise becoming available on October 1, 2009,
18 shall not be available for obligation: *Provided further*, That
19 notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from
20 the use of a competitive bidding system that may be re-
21 tained and made available for obligation shall not exceed

1 \$85,000,000 for fiscal year 2010: *Provided further*, That
2 the Inspector General of the Federal Communications
3 Commission shall examine whether, and to what extent,
4 the National Exchange Carrier Association, Inc. is acting
5 in compliance with the Communications Act of 1934, as
6 amended, and the regulations promulgated thereunder,
7 and whether, and to what extent, the FCC has delegated
8 authority to National Exchange Carrier Association, Inc.
9 consistent with the Communications Act of 1934, as
10 amended: *Provided further*, That the Federal Communica-
11 tions Commission Inspector General shall submit a report
12 to Congress not later than July 1, 2010, setting forth the
13 conclusions of such examination.

14 ADMINISTRATIVE PROVISIONS—FEDERAL
15 COMMUNICATIONS COMMISSION

16 SEC. 501. Section 302 of the Universal Service
17 Antideficiency Temporary Suspension Act is amended by
18 striking “December 31, 2009”, each place it appears and
19 inserting “December 31, 2010”.

20 SEC. 502. None of the funds appropriated by this Act
21 may be used by the Federal Communications Commission

1 to modify, amend, or change its rules or regulations for
2 universal service support payments to implement the Feb-
3 ruary 27, 2004 recommendations of the Federal-State
4 Joint Board on Universal Service regarding single connec-
5 tion or primary line restrictions on universal service sup-
6 port payments.

7 FEDERAL DEPOSIT INSURANCE CORPORATION

8 OFFICE OF THE INSPECTOR GENERAL

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

14 FEDERAL ELECTION COMMISSION

15 SALARIES AND EXPENSES

16 For necessary expenses to carry out the provisions
17 of the Federal Election Campaign Act of 1971,
18 \$66,500,000, of which not to exceed \$5,000 shall be avail-
19 able for reception and representation expenses.

1 FEDERAL LABOR RELATIONS AUTHORITY

2 SALARIES AND EXPENSES

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

1 FEDERAL TRADE COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Trade Com-
4 mission, including uniforms or allowances therefor, as au-
5 thorized by 5 U.S.C. 5901–5902; services as authorized
6 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
7 not to exceed \$2,000 for official reception and representa-
8 tion expenses, \$291,700,000, to remain available until ex-
9 pended: *Provided*, That not to exceed \$300,000 shall be
10 available for use to contract with a person or persons for
11 collection services in accordance with the terms of 31
12 U.S.C. 3718: *Provided further*, That, notwithstanding any
13 other provision of law, not to exceed \$102,000,000 of off-
14 setting collections derived from fees collected for
15 premerger notification filings under the Hart-Scott-Ro-
16 dino Antitrust Improvements Act of 1976 (15 U.S.C.
17 18a), regardless of the year of collection, shall be retained
18 and used for necessary expenses in this appropriation:
19 *Provided further*, That, notwithstanding any other provi-
20 sion of law, not to exceed \$21,000,000 in offsetting collec-
21 tions derived from fees sufficient to implement and enforce

1 the Telemarketing Sales Rule, promulgated under the
2 Telemarketing and Consumer Fraud and Abuse Preven-
3 tion Act (15 U.S.C. 6101 et seq.), shall be credited to this
4 account, and be retained and used for necessary expenses
5 in this appropriation: *Provided further*, That the sum here-
6 in appropriated from the general fund shall be reduced
7 as such offsetting collections are received during fiscal
8 year 2010, so as to result in a final fiscal year 2010 appro-
9 priation from the general fund estimated at not more than
10 \$168,700,000: *Provided further*, That none of the funds
11 made available to the Federal Trade Commission may be
12 used to implement subsection (e)(2)(B) of section 43 of
13 the Federal Deposit Insurance Act (12 U.S.C. 1831t).

14 GENERAL SERVICES ADMINISTRATION
15 REAL PROPERTY ACTIVITIES
16 FEDERAL BUILDINGS FUND
17 LIMITATIONS ON AVAILABILITY OF REVENUE

18 For an additional amount to be deposited in the Fed-
19 eral Buildings Fund, \$537,900,000. Amounts in the
20 Fund, including revenues and collections deposited into
21 the Fund shall be available for necessary expenses of real

1 property management and related activities not otherwise
2 provided for, including operation, maintenance, and pro-
3 tection of federally owned and leased buildings; rental of
4 buildings in the District of Columbia; restoration of leased
5 premises; moving governmental agencies (including space
6 adjustments and telecommunications relocation expenses)
7 in connection with the assignment, allocation and transfer
8 of space; contractual services incident to cleaning or serv-
9 icing buildings, and moving; repair and alteration of feder-
10 ally owned buildings including grounds, approaches and
11 appurtenances; care and safeguarding of sites; mainte-
12 nance, preservation, demolition, and equipment; acquisi-
13 tion of buildings and sites by purchase, condemnation, or
14 as otherwise authorized by law; acquisition of options to
15 purchase buildings and sites; conversion and extension of
16 federally owned buildings; preliminary planning and de-
17 sign of projects by contract or otherwise; construction of
18 new buildings (including equipment for such buildings);
19 and payment of principal, interest, and any other obliga-
20 tions for public buildings acquired by installment purchase
21 and purchase contract; in the aggregate amount of

1 \$8,543,585,000, of which: (1) \$894,037,000 shall remain
2 available until expended for construction and acquisition
3 (including funds for sites and expenses and associated de-
4 sign and construction services) of additional projects at
5 the following locations:

6 New Construction:

7 Alabama:

8 Mobile, United States Courthouse,
9 \$50,000,000.

10 California:

11 Calexico, Calexico West, Land Port of
12 Entry, \$9,437,000.

13 Colorado:

14 Lakewood, Denver Federal Center Remedi-
15 ation, \$9,962,000.

16 District of Columbia:

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

18 Southeast Federal Center Remediation,
19 \$15,000,000.

20 Florida:

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

3 Georgia:

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

6 Maine:

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

9 Maryland:

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

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

14 Pennsylvania:

15 Lancaster, United States Courthouse,
16 \$6,500,000.

17 Texas:

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

20 San Antonio, United States Courthouse,
21 \$4,000,000.

1 Utah:

2 Salt Lake City, United States Courthouse,
3 \$211,000,000:

4 *Provided*, That each of the foregoing limits of costs on
5 new construction projects may be exceeded to the extent
6 that savings are effected in other such projects, but not
7 to exceed 10 percent of the amounts included in an ap-
8 proved prospectus, if required, unless advance approval is
9 obtained from the Committees on Appropriations of a
10 greater amount: *Provided further*, That all funds for direct
11 construction projects shall expire on September 30, 2011
12 and remain in the Federal Buildings Fund except for
13 funds for projects as to which funds for design or other
14 funds have been obligated in whole or in part prior to such
15 date: *Provided further*, That for fiscal year 2011 and
16 thereafter, the annual budget submission to Congress for
17 the General Services Administration shall include a de-
18 tailed 5-year plan for Federal building construction
19 projects with a yearly update of total projected future
20 funding needs: *Provided further*, That for fiscal year 2011
21 and thereafter, the annual budget submission to Congress

1 for the General Services Administration shall, in consulta-
2 tion with U.S. Customs and Border Protection, include a
3 detailed 5-year plan for Federal land port-of-entry projects
4 with a yearly update of total projected future funding
5 needs; (2) \$413,776,000 shall remain available until ex-
6 pended for repairs and alterations, which includes associ-
7 ated design and construction services:

8 Repairs and Alterations:

9 District of Columbia:

10 East Wing Infrastructure Systems Re-
11 placement, \$84,500,000.

12 Eisenhower Executive Office Building Roof
13 Replacement, \$15,000,000.

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

16 Special Emphasis Programs:

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

19 Energy and Water Retrofit and Conserva-
20 tion Measures, \$2,000,000.

1 Federal High-Performance Green Build-
2 ings, \$2,000,000.

3 Basic Repairs and Alterations, \$260,000,000:

4 *Provided further*, That funds made available in this or any
5 previous Act in the Federal Buildings Fund for Repairs
6 and Alterations shall, for prospectus projects, be limited
7 to the amount identified for each project, except each
8 project in this or any previous Act may be increased by
9 an amount not to exceed 10 percent unless advance ap-
10 proval is obtained from the Committees on Appropriations
11 of a greater amount: *Provided further*, That additional
12 projects for which prospectuses have been fully approved
13 may be funded under this category only if advance ap-
14 proval is obtained from the Committees on Appropria-
15 tions: *Provided further*, That the amounts provided in this
16 or any prior Act for “Repairs and Alterations” may be
17 used to fund costs associated with implementing security
18 improvements to buildings necessary to meet the minimum
19 standards for security in accordance with current law and
20 in compliance with the reprogramming guidelines of the
21 appropriate Committees of the House and Senate: *Pro-*

1 *vided further*, That the difference between the funds ap-
2 propriated and expended on any projects in this or any
3 prior Act, under the heading “Repairs and Alterations”,
4 may be transferred to Basic Repairs and Alterations or
5 used to fund authorized increases in prospectus projects:
6 *Provided further*, That all funds for repairs and alterations
7 prospectus projects shall expire on September 30, 2011
8 and remain in the Federal Buildings Fund except funds
9 for projects as to which funds for design or other funds
10 have been obligated in whole or in part prior to such date:
11 *Provided further*, That the amount provided in this or any
12 prior Act for Basic Repairs and Alterations may be used
13 to pay claims against the Government arising from any
14 projects under the heading “Repairs and Alterations” or
15 used to fund authorized increases in prospectus projects;
16 (3) \$140,525,000 for installment acquisition payments in-
17 cluding payments on purchase contracts which shall re-
18 main available until expended; (4) \$4,804,871,000 for
19 rental of space which shall remain available until ex-
20 pended; and (5) \$2,290,376,000 for building operations
21 which shall remain available until expended: *Provided fur-*

1 *ther*, That funds available to the General Services Admin-
2 istration shall not be available for expenses of any con-
3 struction, repair, alteration and acquisition project for
4 which a prospectus, if required by the Public Buildings
5 Act of 1959, has not been approved, except that necessary
6 funds may be expended for each project for required ex-
7 penses for the development of a proposed prospectus: *Pro-*
8 *vided further*, That funds available in the Federal Build-
9 ings Fund may be expended for emergency repairs when
10 advance approval is obtained from the Committees on Ap-
11 propriations: *Provided further*, That amounts necessary to
12 provide reimbursable special services to other agencies
13 under 40 U.S.C. 592(b)(2) and amounts to provide such
14 reimbursable fencing, lighting, guard booths, and other fa-
15 cilities on private or other property not in Government
16 ownership or control as may be appropriate to enable the
17 United States Secret Service to perform its protective
18 functions pursuant to 18 U.S.C. 3056, shall be available
19 from such revenues and collections: *Provided further*, That
20 revenues and collections and any other sums accruing to
21 this Fund during fiscal year 2010, excluding reimburse-

1 ments under 40 U.S.C. 592(b)(2) in excess of the aggre-
2 gate new obligational authority authorized for Real Prop-
3 erty Activities of the Federal Buildings Fund in this Act
4 shall remain in the Fund and shall not be available for
5 expenditure except as authorized in appropriations Acts.

6 GENERAL ACTIVITIES

7 GOVERNMENT-WIDE POLICY

8 For expenses authorized by law, not otherwise pro-
9 vided for, for Government-wide policy and evaluation ac-
10 tivities associated with the management of real and per-
11 sonal property assets and certain administrative services;
12 Government-wide policy support responsibilities relating to
13 acquisition, telecommunications, information technology
14 management, and related technology activities; and serv-
15 ices as authorized by 5 U.S.C. 3109; \$59,665,000.

16 OPERATING EXPENSES

17 For expenses authorized by law, not otherwise pro-
18 vided for, for Government-wide activities associated with
19 utilization and donation of surplus personal property; dis-
20 posal of real property; agency-wide policy direction, man-
21 agement, and communications; the Civilian Board of Con-

1 tract Appeals; services as authorized by 5 U.S.C. 3109;
2 and not to exceed \$7,500 for official reception and rep-
3 resentation expenses; \$72,881,000, of which \$1,000,000
4 shall be for a payment to the Oklahoma City National Me-
5 morial Foundation as authorized by 16 U.S.C. 450ss-5.

6 OFFICE OF INSPECTOR GENERAL

7 For necessary expenses of the Office of Inspector
8 General and service authorized by 5 U.S.C. 3109,
9 \$59,000,000: *Provided*, That not to exceed \$15,000 shall
10 be available for payment for information and detection of
11 fraud against the Government, including payment for re-
12 covery of stolen Government property: *Provided further*,
13 That not to exceed \$2,500 shall be available for awards
14 to employees of other Federal agencies and private citizens
15 in recognition of efforts and initiatives resulting in en-
16 hanced Office of Inspector General effectiveness.

17 ELECTRONIC GOVERNMENT FUND

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses in support of interagency
20 projects that enable the Federal Government to expand
21 its ability to conduct activities electronically, through the

1 development and implementation of innovative uses of the
2 Internet and other electronic methods, \$34,000,000, to re-
3 main available until expended: *Provided*, That these funds
4 may be transferred to Federal agencies to carry out the
5 purpose of the Fund: *Provided further*, That this transfer
6 authority shall be in addition to any other transfer author-
7 ity provided in this Act: *Provided further*, That such trans-
8 fers may not be made until 10 days after a proposed
9 spending plan and explanation for each project to be un-
10 dertaken has been submitted to the Committees on Appro-
11 priations of the House of Representatives and the Senate.

12 ALLOWANCES AND OFFICE STAFF FOR FORMER

13 PRESIDENTS

14 For carrying out the provisions of the Act of August
15 25, 1958 (3 U.S.C. 102 note), and Public Law 95-138,
16 \$3,756,000.

17 FEDERAL CITIZEN SERVICES FUND

18 For necessary expenses of the Office of Citizen Serv-
19 ices, including services authorized by 5 U.S.C. 3109,
20 \$36,515,000, to be deposited into the Federal Citizen
21 Services Fund: *Provided*, That the appropriations, reve-

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

9 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

10 ADMINISTRATION

11 (INCLUDING TRANSFERS OF FUNDS)

12 SEC. 510. Funds available to the General Services
13 Administration shall be available for the hire of passenger
14 motor vehicles.

15 SEC. 511. Funds in the Federal Buildings Fund
16 made available for fiscal year 2010 for Federal Buildings
17 Fund activities may be transferred between such activities
18 only to the extent necessary to meet program require-
19 ments: *Provided*, That any proposed transfers shall be ap-
20 proved in advance by the Committees on Appropriations
21 of the House of Representatives and the Senate.

1 SEC. 512. Except as otherwise provided in this title,
2 funds made available by this Act shall be used to transmit
3 a fiscal year 2011 request for United States Courthouse
4 construction only if the request: (1) meets the design guide
5 standards for construction as established and approved by
6 the General Services Administration, the Judicial Con-
7 ference of the United States, and the Office of Manage-
8 ment and Budget; (2) reflects the priorities of the Judicial
9 Conference of the United States as set out in its approved
10 5-year construction plan; and (3) includes a standardized
11 courtroom utilization study of each facility to be con-
12 structed, replaced, or expanded.

13 SEC. 513. None of the funds provided in this Act may
14 be used to increase the amount of occupiable square feet,
15 provide cleaning services, security enhancements, or any
16 other service usually provided through the Federal Build-
17 ings Fund, to any agency that does not pay the rate per
18 square foot assessment for space and services as deter-
19 mined by the General Services Administration in compli-
20 ance with the Public Buildings Amendments Act of 1972
21 (Public Law 92-313).

1 SEC. 514. From funds made available under the
2 heading “Federal Buildings Fund, Limitations on Avail-
3 ability of Revenue”, claims against the Government of less
4 than \$250,000 arising from direct construction projects
5 and acquisition of buildings may be liquidated from sav-
6 ings effected in other construction projects with prior noti-
7 fication to the Committees on Appropriations of the House
8 of Representatives and the Senate.

9 SEC. 515. In any case in which the Committee on
10 Transportation and Infrastructure of the House of Rep-
11 resentatives and the Committee on Environment and Pub-
12 lic Works of the Senate adopt a resolution granting lease
13 authority pursuant to a prospectus transmitted to Con-
14 gress by the Administrator of the General Services Admin-
15 istration under 40 U.S.C. 3307, the Administrator shall
16 ensure that the delineated area of procurement is identical
17 to the delineated area included in the prospectus for all
18 lease agreements, except that, if the Administrator deter-
19 mines that the delineated area of the procurement should
20 not be identical to the delineated area included in the pro-
21 spectus, the Administrator shall provide an explanatory

1 statement to each of such committees and the Committees
2 on Appropriations of the House of Representatives and the
3 Senate prior to exercising any lease authority provided in
4 the resolution.

5 SEC. 516. In furtherance of the emergency manage-
6 ment policy set forth in the Robert T. Stafford Disaster
7 Relief and Emergency Assistance Act, the Administrator
8 of the General Services Administration may provide for
9 the use of the Federal supply schedules of the General
10 Services Administration by relief and disaster assistance
11 organizations as described in section 309 of that Act. Pur-
12 chases under this authority shall be limited to use in prep-
13 aration for, response to, and recovery from hazards as de-
14 fined in section 602 of that Act.

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, \$660,000, to remain available until ex-
20 pended.

1 MERIT SYSTEMS PROTECTION BOARD

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

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

1 MORRIS K. UDALL AND STEWART L. UDALL

2 FOUNDATION

3 MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND

4 (INCLUDING TRANSFER OF FUNDS)

5 For payment to the Morris K. Udall and Stewart L.
6 Udall Trust Fund, pursuant to the Morris K. Udall and
7 Stewart L. Udall Foundation Act (20 U.S.C. 5601 et
8 seq.), \$2,500,000, to remain available until expended, of
9 which up to \$50,000 shall be used to conduct financial
10 audits pursuant to the Accountability of Tax Dollars Act
11 of 2002 (Public Law 107-289) notwithstanding sections
12 8 and 9 of Public Law 102-259: *Provided*, That up to
13 60 percent of such funds may be transferred by the Morris
14 K. Udall and Stewart L. Udall Foundation for the nec-
15 essary expenses of the Native Nations Institute.

16 ENVIRONMENTAL DISPUTE RESOLUTION FUND

17 For payment to the Environmental Dispute Resolu-
18 tion Fund to carry out activities authorized in the Envi-
19 ronmental Policy and Conflict Resolution Act of 1998,
20 \$3,800,000, to remain available until expended.

1 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

2 OPERATING EXPENSES

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

14 OFFICE OF INSPECTOR GENERAL

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

1 ELECTRONIC RECORDS ARCHIVES

2 For necessary expenses in connection with the devel-
3 opment of the electronic records archives, to include all
4 direct project costs associated with research, analysis, de-
5 sign, development, and program management,
6 \$85,500,000, of which \$61,757,000 shall remain available
7 until September 30, 2012: *Provided*, That none of the
8 multi-year funds may be obligated until the National Ar-
9 chives and Records Administration submits to the Com-
10 mittees on Appropriations, and such Committees approve,
11 a plan for expenditure that: (1) meets the capital planning
12 and investment control review requirements established by
13 the Office of Management and Budget, including Circular
14 A-11; (2) complies with the National Archives and
15 Records Administration's enterprise architecture; (3) con-
16 forms with the National Archives and Records Adminis-
17 tration's enterprise life cycle methodology; (4) is approved
18 by the National Archives and Records Administration and
19 the Office of Management and Budget; (5) has been re-
20 viewed by the Government Accountability Office; and (6)
21 complies with the acquisition rules, requirements, guide-

1 lines, and systems acquisition management practices of
2 the Federal Government.

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, \$27,500,000, to remain available until expended.

7 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

8 COMMISSION

9 GRANTS PROGRAM

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

14 NATIONAL CREDIT UNION ADMINISTRATION

15 CENTRAL LIQUIDITY FACILITY

16 During fiscal year 2010, gross obligations of the Cen-
17 tral Liquidity Facility for the principal amount of new di-
18 rect loans to member credit unions, as authorized by 12
19 U.S.C. 1795 et seq., shall be the amount authorized by
20 section 307(a)(4)(A) of the Federal Credit Union Act (12
21 U.S.C. 1795f(a)(4)(A)): *Provided*, That administrative ex-

1 penses of the Central Liquidity Facility in fiscal year 2010
2 shall not exceed \$1,250,000.

3 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

4 For the Community Development Revolving Loan
5 Fund program as authorized by 42 U.S.C. 9812, 9822
6 and 9910, \$1,250,000 shall be available until September
7 30, 2011 for technical assistance to low-income designated
8 credit unions.

9 OFFICE OF GOVERNMENT ETHICS

10 SALARIES AND EXPENSES

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

1 OFFICE OF PERSONNEL MANAGEMENT

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF TRUST FUNDS)

4 For necessary expenses to carry out functions of the
5 Office of Personnel Management pursuant to Reorganiza-
6 tion Plan Numbered 2 of 1978 and the Civil Service Re-
7 form Act of 1978, including services as authorized by 5
8 U.S.C. 3109; medical examinations performed for veterans
9 by private physicians on a fee basis; rental of conference
10 rooms in the District of Columbia and elsewhere; hire of
11 passenger motor vehicles; not to exceed \$2,500 for official
12 reception and representation expenses; advances for reim-
13 bursements to applicable funds of the Office of Personnel
14 Management and the Federal Bureau of Investigation for
15 expenses incurred under Executive Order No. 10422 of
16 January 9, 1953, as amended; and payment of per diem
17 and/or subsistence allowances to employees where Voting
18 Rights Act activities require an employee to remain over-
19 night at his or her post of duty, \$102,970,000, of which
20 \$5,908,000 shall remain available until September 30,
21 2011 for the Enterprise Human Resources Integration

1 project; \$1,364,000 shall remain available until September
2 30, 2011 for the Human Resources Line of Business
3 project; and in addition \$112,738,000 for administrative
4 expenses, to be transferred from the appropriate trust
5 funds of the Office of Personnel Management without re-
6 gard to other statutes, including direct procurement of
7 printed materials, for the retirement and insurance pro-
8 grams, of which not more than \$9,300,000 shall remain
9 available until September 30, 2011 for the cost of imple-
10 menting the new integrated financial system and not more
11 than \$4,000,000 shall remain available until September
12 30, 2011 for automating the retirement recordkeeping sys-
13 tems: *Provided*, That the provisions of this appropriation
14 shall not affect the authority to use applicable trust funds
15 as provided by sections 8348(a)(1)(B), and 9004(f)(2)(A)
16 of title 5, United States Code: *Provided further*, That no
17 part of this appropriation shall be available for salaries
18 and expenses of the Legal Examining Unit of the Office
19 of Personnel Management established pursuant to Execu-
20 tive Order No. 9358 of July 1, 1943, or any successor
21 unit of like purpose: *Provided further*, That the President's

1 Commission on White House Fellows, established by Exec-
2 utive Order No. 11183 of October 3, 1964, may, during
3 fiscal year 2010, accept donations of money, property, and
4 personal services: *Provided further*, That such donations,
5 including those from prior years, may be used for the de-
6 velopment of publicity materials to provide information
7 about the White House Fellows, except that no such dona-
8 tions shall be accepted for travel or reimbursement of trav-
9 el expenses, or for the salaries of employees of such Com-
10 mission: *Provided further*, That within the funds provided,
11 the Office of Personnel Management shall carry out the
12 Intergovernmental Personnel Act Mobility Program, with
13 special attention to Federal agencies employing more than
14 2,000 nurses: *Provided further*, That funding may be allo-
15 cated to develop guidelines that provide Federal agencies
16 direction in using their authority under the Intergovern-
17 mental Personnel Act Mobility Program, according to the
18 directives outlined in the joint explanatory statement.

1 OFFICE OF INSPECTOR GENERAL
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF TRUST 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, including services as authorized by
7 5 U.S.C. 3109, hire of passenger motor vehicles,
8 \$3,148,000, and in addition, not to exceed \$21,215,000
9 for administrative expenses to audit, investigate, and pro-
10 vide other oversight of the Office of Personnel Manage-
11 ment's retirement and insurance programs, to be trans-
12 ferred from the appropriate trust funds of the Office of
13 Personnel Management, as determined by the Inspector
14 General: *Provided*, That the Inspector General is author-
15 ized to rent conference rooms in the District of Columbia
16 and elsewhere.

17 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES
18 HEALTH BENEFITS

19 For payment of Government contributions with re-
20 spect to retired employees, as authorized by chapter 89
21 of title 5, United States Code, and the Retired Federal

1 Employees Health Benefits Act (74 Stat. 849), such sums
2 as may be necessary.

3 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE
4 LIFE INSURANCE

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

9 PAYMENT TO CIVIL SERVICE RETIREMENT AND
10 DISABILITY FUND

11 For financing the unfunded liability of new and in-
12 creased annuity benefits becoming effective on or after Oc-
13 tober 20, 1969, as authorized by 5 U.S.C. 8348, and an-
14 nnuities under special Acts to be credited to the Civil Serv-
15 ice Retirement and Disability Fund, such sums as may
16 be necessary: *Provided*, That annuities authorized by the
17 Act of May 29, 1944, and the Act of August 19, 1950
18 (33 U.S.C. 771-775), may hereafter be paid out of the
19 Civil Service Retirement and Disability Fund.

1 OFFICE OF SPECIAL COUNSEL

2 SALARIES AND EXPENSES

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

14 POSTAL REGULATORY COMMISSION

15 SALARIES AND EXPENSES

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses of the Postal Regulatory
18 Commission in carrying out the provisions of the Postal
19 Accountability and Enhancement Act (Public Law 109-
20 435), \$14,333,000, to be derived by transfer from the

1 Postal Service Fund and expended as authorized by sec-
2 tion 603(a) of such Act.

3 PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

4 SALARIES AND EXPENSES

5 For necessary expenses of the Privacy and Civil Lib-
6 erties Oversight Board, as authorized by section 1061 of
7 the Intelligence Reform and Terrorism Prevention Act of
8 2004 (5 U.S.C. 601 note), \$1,500,000, to remain available
9 until September 30, 2011.

10 SECURITIES AND EXCHANGE COMMISSION

11 SALARIES AND EXPENSES

12 For necessary expenses for the Securities and Ex-
13 change Commission, including services as authorized by
14 5 U.S.C. 3109, the rental of space (to include multiple
15 year leases) in the District of Columbia and elsewhere, and
16 not to exceed \$3,500 for official reception and representa-
17 tion expenses, \$1,111,000,000, to remain available until
18 expended; of which not less than \$4,400,000 shall be for
19 the Office of Inspector General; of which not to exceed
20 \$20,000 may be used toward funding a permanent secre-
21 tariat for the International Organization of Securities

1 Commissions; and of which not to exceed \$100,000 shall
2 be available for expenses for consultations and meetings
3 hosted by the Commission with foreign governmental and
4 other regulatory officials, members of their delegations,
5 appropriate representatives and staff to exchange views
6 concerning developments relating to securities matters, de-
7 velopment and implementation of cooperation agreements
8 concerning securities matters and provision of technical
9 assistance for the development of foreign securities mar-
10 kets, such expenses to include necessary logistic and ad-
11 ministrative expenses and the expenses of Commission
12 staff and foreign invitees in attendance at such consulta-
13 tions and meetings including: (1) such incidental expenses
14 as meals taken in the course of such attendance; (2) any
15 travel and transportation to or from such meetings; and
16 (3) any other related lodging or subsistence: *Provided,*
17 That fees and charges authorized by sections 6(b) of the
18 Securities Exchange Act of 1933 (15 U.S.C. 77f(b)), and
19 13(e), 14(g) and 31 of the Securities Exchange Act of
20 1934 (15 U.S.C. 78m(e), 78n(g), and 78ee), shall be cred-
21 ited to this account as offsetting collections: *Provided fur-*

1 *ther*, That not to exceed \$1,094,915,800 of such offsetting
2 collections shall be available until expended for necessary
3 expenses of this account: *Provided further*, That
4 \$16,084,200 shall be derived from prior year unobligated
5 balances from funds previously appropriated to the Securi-
6 ties and Exchange Commission: *Provided further*, That the
7 total amount appropriated under this heading from the
8 general fund for fiscal year 2010 shall be reduced as such
9 offsetting fees are received so as to result in a final total
10 fiscal year 2010 appropriation from the general fund esti-
11 mated at not more than \$0.

12 SELECTIVE SERVICE SYSTEM

13 SALARIES AND EXPENSES

14 For necessary expenses of the Selective Service Sys-
15 tem, including expenses of attendance at meetings and of
16 training for uniformed personnel assigned to the Selective
17 Service System, as authorized by 5 U.S.C. 4101–4118 for
18 civilian employees; purchase of uniforms, or allowances
19 therefor, as authorized by 5 U.S.C. 5901–5902; hire of
20 passenger motor vehicles; services as authorized by 5
21 U.S.C. 3109; and not to exceed \$750 for official reception

1 and representation expenses; \$24,275,000: *Provided*, That
2 during the current fiscal year, the President may exempt
3 this appropriation from the provisions of 31 U.S.C. 1341,
4 whenever the President deems such action to be necessary
5 in the interest of national defense: *Provided further*, That
6 none of the funds appropriated by this Act may be ex-
7 pended for or in connection with the induction of any per-
8 son into the Armed Forces of the United States.

9 SMALL BUSINESS ADMINISTRATION

10 SALARIES AND EXPENSES

11 For necessary expenses, not otherwise provided for,
12 of the Small Business Administration as authorized by
13 Public Law 108-447, including hire of passenger motor
14 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
15 not to exceed \$3,500 for official reception and representa-
16 tion expenses, \$433,438,000: *Provided*, That the Adminis-
17 trator is authorized to charge fees to cover the cost of pub-
18 lications developed by the Small Business Administration,
19 and certain loan program activities, including fees author-
20 ized by section 5(b) of the Small Business Act: *Provided*
21 *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 \$113,000,000 shall be available to
5 fund grants for performance in fiscal year 2010 or fiscal
6 year 2011 as authorized by section 21 of the Small Busi-
7 ness Act, of which \$1,000,000 shall be for the Veterans
8 Assistance and Services Program authorized by section
9 21(n) of the Small Business Act, as added by section 107
10 of Public Law 110–186, and of which \$1,000,000 shall
11 be for the Small Business Energy Efficiency Program au-
12 thorized by section 1203(c) of Public Law 110–140: *Pro-*
13 *vided further*, That \$22,000,000 shall remain available
14 until September 30, 2011 for marketing, management,
15 and technical assistance under section 7(m) of the Small
16 Business Act (15 U.S.C. 636(m)(4)) by intermediaries
17 that make microloans under the microloan program: *Pro-*
18 *vided further*, That during fiscal year 2010, the applicable
19 percentage under section 7(m)(4)(A) of the Small Busi-
20 ness Act shall be 50 percent: *Provided further*, That
21 \$11,690,500 shall be available for the Loan Modernization

1 and Accounting System, to be available until September
2 30, 2011: *Provided further*, That \$2,000,000 shall be for
3 the Federal and State Technology Partnership Program
4 under section 34 of the Small Business Act (15 U.S.C.
5 657d).

6 OFFICE OF INSPECTOR GENERAL

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

10 SURETY BOND GUARANTEES REVOLVING FUND

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

15 BUSINESS LOANS PROGRAM ACCOUNT

16 (INCLUDING TRANSFER OF FUNDS)

17 For the cost of direct loans, \$3,000,000, to remain
18 available until expended, and for the cost of guaranteed
19 loans as authorized by section 7(a) of the Small Business
20 Act, \$80,000,000, to remain available until expended: *Pro-*
21 *vided*, That such costs, including the cost of modifying

1 such loans, shall be as defined in section 502 of the Con-
2 gressional Budget Act of 1974: *Provided further*, That
3 subject to section 502 of the Congressional Budget Act
4 of 1974, during fiscal year 2010 commitments to guar-
5 antee loans under section 503 of the Small Business In-
6 vestment Act of 1958 shall not exceed \$7,500,000,000:
7 *Provided further*, That during fiscal year 2010 commit-
8 ments for general business loans authorized under section
9 7(a) of the Small Business Act shall not exceed
10 \$17,500,000,000: *Provided further*, That during fiscal
11 year 2010 commitments to guarantee loans for debentures
12 under section 303(b) of the Small Business Investment
13 Act of 1958, shall not exceed \$3,000,000,000: *Provided*
14 *further*, That during fiscal year 2010, guarantees of trust
15 certificates authorized by section 5(g) of the Small Busi-
16 ness Act shall not exceed a principal amount of
17 \$12,000,000,000. In addition, for administrative expenses
18 to carry out the direct and guaranteed loan programs,
19 \$153,000,000, which may be transferred to and merged
20 with the appropriations for Salaries and Expenses.

1 DISASTER LOANS PROGRAM ACCOUNT
2 (INCLUDING TRANSFERS OF FUNDS)

3 For the cost of guaranteed loans, including the cost
4 of modifying such loans as defined in section 502 of the
5 Congressional Budget Act of 1974, \$1,690,000, to remain
6 available until expended, of which \$352,357 is for loan
7 guarantees as authorized by section 42 of the Small Busi-
8 ness Act, and \$1,337,643 is for loan guarantees as author-
9 ized by section 12085 of Public Law 110-246.

10 In addition, for administrative expenses to carry out
11 the direct loan program authorized by section 7(b) of the
12 Small Business Act and the guaranteed loan programs au-
13 thorized by section 42 of the Small Business Act and sec-
14 tion 12085 of Public Law 110-246, \$76,588,200, to be
15 available until expended, of which \$1,000,000 is for the
16 Office of Inspector General of the Small Business Admin-
17 istration for audits and reviews of disaster loans and the
18 disaster loan programs and shall be transferred to and
19 merged with the appropriations for the Office of Inspector
20 General; of which \$65,278,200 is for direct administrative
21 expenses of loan making and servicing to carry out the

1 direct loan program, which may be transferred to and
2 merged with the appropriations for Salaries and Expenses;
3 of which \$9,000,000 is for indirect administrative ex-
4 penses for the direct loan program, which may be trans-
5 ferred to and merged with the appropriations for Salaries
6 and Expenses, and of which \$1,310,000 is for administra-
7 tive expenses to carry out the guaranteed loan programs,
8 which may be transferred to and merged with the appro-
9 priations for Salaries and Expenses.

10 ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

11 ADMINISTRATION

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 520. Not to exceed 5 percent of any appropria-
14 tion made available for the current fiscal year for the
15 Small Business Administration in this Act may be trans-
16 ferred between such appropriations, but no such appro-
17 priation shall be increased by more than 10 percent by
18 any such transfers: *Provided*, That any transfer pursuant
19 to this paragraph shall be treated as a reprogramming of
20 funds under section 608 of this Act and shall not be avail-

1 able for obligation or expenditure except in compliance
2 with the procedures set forth in that section.

3 SEC. 521. All disaster loans issued in Alaska or
4 North Dakota shall be administered by the Small Business
5 Administration and shall not be sold during fiscal year
6 2010.

7 SEC. 522. Funds made available under section 525
8 of Public Law 111–8 for the Jackie Joyner-Kersey Center
9 shall be made available to the Illinois Institute of Inde-
10 pendent Colleges and Universities.

11 SEC. 523. For an additional amount under the head-
12 ing “Small Business Administration—Salaries and Ex-
13 penses”, \$59,000,000, to remain available until September
14 30, 2011, which shall be for initiatives related to small
15 business development and entrepreneurship, including pro-
16 grammatic and construction activities, in the amounts and
17 for the projects specified in the table that appears under
18 the heading “Administrative Provisions—Small Business
19 Administration” in the statement of managers to accom-
20 pany this Act.

1 UNITED STATES POSTAL SERVICE

2 PAYMENT TO THE POSTAL SERVICE FUND

3 For payment to the Postal Service Fund for revenue
4 forgone on free and reduced rate mail, pursuant to sub-
5 sections (c) and (d) of section 2401 of title 39, United
6 States Code, \$118,328,000, of which \$89,328,000 shall
7 not be available for obligation until October 1, 2010: *Pro-*
8 *vided*, That mail for overseas voting and mail for the blind
9 shall continue to be free: *Provided further*, That 6-day de-
10 livery and rural delivery of mail shall continue at not less
11 than the 1983 level: *Provided further*, That none of the
12 funds made available to the Postal Service by this Act
13 shall be used to implement any rule, regulation, or policy
14 of charging any officer or employee of any State or local
15 child support enforcement agency, or any individual par-
16 ticipating in a State or local program of child support en-
17 forcement, a fee for information requested or provided
18 concerning an address of a postal customer: *Provided fur-*
19 *ther*, That none of the funds provided in this Act shall
20 be used to consolidate or close small rural and other small
21 post offices in fiscal year 2010.

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, \$244,397,000, 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 \$49,241,000: *Provided*, That travel expenses of the judges
15 shall be paid upon the written certificate of the judge.

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TITLE VI

GENERAL PROVISIONS—THIS ACT

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

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

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

SEC. 604. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except

1 pursuant to a transfer made by, or transfer authority pro-
2 vided in, this Act or any other appropriations Act.

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

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

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

18 SEC. 608. Except as otherwise provided in this Act,
19 none of the funds provided in this Act, provided by pre-
20 vious appropriations Acts to the agencies or entities fund-
21 ed in this Act that remain available for obligation or ex-

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1 penditure in fiscal year 2010, or provided from any ac-
2 counts in the Treasury derived by the collection of fees
3 and available to the agencies funded by this Act, shall be
4 available for obligation or expenditure through a re-
5 programming of funds that: (1) creates a new program;
6 (2) eliminates a program, project, or activity; (3) increases
7 funds or personnel for any program, project, or activity
8 for which funds have been denied or restricted by the Con-
9 gress; (4) proposes to use funds directed for a specific ac-
10 tivity by ~~either the~~ House of Representatives or the Senate
11 ~~Committees on Appropriations~~ for a different purpose; (5)
12 augments existing programs, projects, or activities in ex-
13 cess of \$5,000,000 or 10 percent, whichever is less; (6)
14 reduces existing programs, projects, or activities by
15 \$5,000,000 or 10 percent, whichever is less; or (7) creates
16 or reorganizes offices, programs, or activities unless prior
17 approval is received from the Committees on Appropria-
18 tions of the House of Representatives and the Senate: *Pro-*
19 *vided*, That prior to any significant reorganization or re-
20 structuring of offices, programs, or activities, each agency
21 or entity funded in this Act shall consult with the Commit-

1 tees on Appropriations of the House of Representatives
2 and the Senate: *Provided further*, That not later than 60
3 days after the date of enactment of this Act, each agency
4 funded by this Act shall submit a report to the Commit-
5 tees on Appropriations of the House of Representatives
6 and the Senate to establish the baseline for application
7 of reprogramming and transfer authorities for the current
8 fiscal year: *Provided further*, That the report shall include:
9 (1) a table for each appropriation with a separate column
10 to display the President's budget request, adjustments
11 made by Congress, adjustments due to enacted rescissions,
12 if appropriate, and the fiscal year enacted level; (2) a de-
13 lineation in the table for each appropriation both by object
14 class and program, project, and activity as detailed in the
15 budget appendix for the respective appropriation; and (3)
16 an identification of items of special congressional interest:
17 *Provided further*, That the amount appropriated or limited
18 for salaries and expenses for an agency shall be reduced
19 by \$100,000 per day for each day after the required date
20 that the report has not 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 2010 from
4 appropriations made available for salaries and expenses
5 for fiscal year 2010 in this Act, shall remain available
6 through September 30, 2011, 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

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

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

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

17 SEC. 613. No funds appropriated by this Act shall
18 be available to pay for an abortion, or the administrative
19 expenses in connection with any health plan under the
20 Federal employees health benefits program which provides
21 any benefits or coverage for abortions.

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

5 SEC. 615. In order to promote Government access to
6 commercial information technology, the restriction on pur-
7 chasing nondomestic articles, materials, and supplies set
8 forth in the Buy American Act (41 U.S.C. 10a et seq.),
9 shall not apply to the acquisition by the Federal Govern-
10 ment of information technology (as defined in section
11 11101 of title 40, United States Code), that is a commer-
12 cial item (as defined in section 4(12) of the Office of Fed-
13 eral Procurement Policy Act (41 U.S.C. 403(12))).

14 SEC. 616. Notwithstanding section 1353 of title 31,
15 United States Code, no officer or employee of any regu-
16 latory agency or commission funded by this Act may ac-
17 cept on behalf of that agency, nor may such agency or
18 commission accept, payment or reimbursement from a
19 non-Federal entity for travel, subsistence, or related ex-
20 penses for the purpose of enabling an officer or employee
21 to attend and participate in any meeting or similar func-

1 tion relating to the official duties of the officer or em-
2 ployee when the entity offering payment or reimbursement
3 is a person or entity subject to regulation by such agency
4 or commission, or represents a person or entity subject
5 to regulation by such agency or commission, unless the
6 person or entity is an organization described in section
7 501(c)(3) of the Internal Revenue Code of 1986 and ex-
8 empt from tax under section 501(a) of such Code.

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

18 SEC. 618. From the unobligated balances of prior
19 year appropriations made available for the Privacy and
20 Civil Liberties Oversight Board, \$1,500,000 are rescinded.

1 SEC. 619. During fiscal year 2010, for purposes of
2 section 908(b)(1) of the Trade Sanctions Reform and Ex-
3 port Enhancement Act of 2000 (22 U.S.C. 7207(b)(1)),
4 the term “payment of cash in advance” shall be inter-
5 preted as payment before the transfer of title to, and con-
6 trol of, the exported items to the Cuban purchaser.

7 SEC. 620. (a) Section 101(a)(1) of the Federal and
8 District of Columbia Government Real Property Act of
9 2006 (Public Law 109–396; 120 Stat. 2711) is amended
10 to read as follows:

11 “(1) IN GENERAL.—

12 “(A) U.S. RESERVATION 13.—On the date
13 on which the District of Columbia conveys to
14 the Administrator of General Services all right,
15 title, and interest of the District of Columbia in
16 the property described in subsection (c), the
17 Administrator shall convey to the District of
18 Columbia all right, title, and interest of the
19 United States in U.S. Reservation 13, subject
20 to the conditions described in subsection (b).

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

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

12 SEC. 621. Notwithstanding section 708 of this Act,
13 funds made available to the Commodity Futures Trading
14 Commission and the Securities and Exchange Commission
15 by this or any other Act may be used for the interagency
16 funding and sponsorship of a joint advisory committee to
17 advise on emerging regulatory issues.

18 SEC. 622. Specific projects contained in the report
19 of the Committee on Appropriations of the House of Rep-
20 resentatives accompanying this Act (H. Rept. 111–202)
21 that are considered congressional earmarks for purposes

1 of clause 9 of rule XXI of the Rules of the House of Rep-
2 resentatives, when intended to be awarded to a for-profit
3 entity, shall be awarded under a full and open competition.

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TITLE VII

2

GENERAL PROVISIONS—GOVERNMENT-WIDE

3

DEPARTMENTS, AGENCIES, AND CORPORATIONS

4

SEC. 701. No department, agency, or instrumentality

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of the United States receiving appropriated funds under

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this or any other Act for fiscal year 2010 shall obligate

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or expend any such funds, unless such department, agen-

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cy, or instrumentality has in place, and will continue to

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administer in good faith, a written policy designed to en-

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sure that all of its workplaces are free from the illegal

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use, possession, or distribution of controlled substances

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(as defined in the Controlled Substances Act (21 U.S.C.

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802)) by the officers and employees of such department,

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agency, or instrumentality.

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SEC. 702. Unless otherwise specifically provided, the

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maximum amount allowable during the current fiscal year

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in accordance with section 16 of the Act of August 2, 1946

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(60 Stat. 810), for the purchase of any passenger motor

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vehicle (exclusive of buses, ambulances, law enforcement,

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and undercover surveillance vehicles), is hereby fixed at

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\$13,197 except station wagons for which the maximum

1 shall be \$13,631: *Provided*, That these limits may be ex-
2 ceeded by not to exceed \$3,700 for police-type vehicles,
3 and by not to exceed \$4,000 for special heavy-duty vehi-
4 cles: *Provided further*, That the limits set forth in this sec-
5 tion may not be exceeded by more than 5 percent for elec-
6 tric or hybrid vehicles purchased for demonstration under
7 the provisions of the Electric and Hybrid Vehicle Re-
8 search, Development, and Demonstration Act of 1976:
9 *Provided further*, That the limits set forth in this section
10 may be exceeded by the incremental cost of clean alter-
11 native fuels vehicles acquired pursuant to Public Law
12 101-549 over the cost of comparable conventionally fueled
13 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

1 in this or any other Act shall be used to pay the compensa-
2 tion of any officer or employee of the Government of the
3 United States (including any agency the majority of the
4 stock of which is owned by the Government of the United
5 States) whose post of duty is in the continental United
6 States unless such person: (1) is a citizen of the United
7 States; (2) is a person who is lawfully admitted for perma-
8 nent residence and is seeking citizenship as outlined in 8
9 U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted
10 as a refugee under 8 U.S.C. 1157 or is granted asylum
11 under 8 U.S.C. 1158 and has filed a declaration of inten-
12 tion to become a lawful permanent resident and then a
13 citizen when eligible; or (4) is a person who owes alle-
14 giance to the United States: *Provided*, That for purposes
15 of this section, affidavits signed by any such person shall
16 be considered prima facie evidence that the requirements
17 of this section with respect to his or her status are being
18 complied with: *Provided further*, That any person making
19 a false affidavit shall be guilty of a felony, and upon con-
20 viction, shall be fined no more than \$4,000 or imprisoned
21 for not more than 1 year, or both: *Provided further*, That

1 the above penal clause shall be in addition to, and not in
2 substitution for, any other provisions of existing law: *Pro-*
3 *vided further*, That any payment made to any officer or
4 employee contrary to the provisions of this section shall
5 be recoverable in action by the Federal Government: *Pro-*
6 *vided further*, That this section shall not apply to any per-
7 son who is an officer or employee of the Government of
8 the United States on the date of enactment of this Act,
9 or to international broadcasters employed by the Broad-
10 casting Board of Governors, or to temporary employment
11 of translators, or to temporary employment in the field
12 service (not to exceed 60 days) as a result of emergencies:
13 *Provided further*, That this section does not apply to the
14 employment as Wildland firefighters for not more than
15 120 days of nonresident aliens employed by the Depart-
16 ment of the Interior or the USDA Forest Service pursuant
17 to an agreement with another country.

18 SEC. 705. Appropriations available to any depart-
19 ment or agency during the current fiscal year for nec-
20 essary expenses, including maintenance or operating ex-
21 penses, shall also be available for payment to the General

1 Services Administration for charges for space and services
2 and those expenses of renovation and alteration of build-
3 ings and facilities which constitute public improvements
4 performed in accordance with the Public Buildings Act of
5 1959 (73 Stat. 479), the Public Buildings Amendments
6 of 1972 (86 Stat. 216), or other applicable law.

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

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

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

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

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

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

20 SEC. 708. No part of any appropriation contained in
21 this or any other Act shall be available for interagency

1 financing of boards (except Federal Executive Boards),
2 commissions, councils, committees, or similar groups
3 (whether or not they are interagency entities) which do
4 not have a prior and specific statutory approval to receive
5 financial support from more than one agency or instru-
6 mentality.

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

12 SEC. 710. (a) Notwithstanding any other provision
13 of law, and except as otherwise provided in this section,
14 no part of any of the funds appropriated for fiscal year
15 2010, by this or any other Act, may be used to pay any
16 prevailing rate employee described in section
17 5342(a)(2)(A) of title 5, United States Code—

18 (1) during the period from the date of expira-
19 tion of the limitation imposed by the comparable sec-
20 tion for previous fiscal years until the normal effec-
21 tive date of the applicable wage survey adjustment

1 that is to take effect in fiscal year 2010, in an
2 amount that exceeds the rate payable for the appli-
3 cable grade and step of the applicable wage schedule
4 in accordance with such section; and

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

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

14 (B) the difference between the overall aver-
15 age percentage of the locality-based com-
16 parability payments taking effect in fiscal year
17 2010 under section 5304 of such title (whether
18 by adjustment or otherwise), and the overall av-
19 erage percentage of such payments which was
20 effective in the previous fiscal year under such
21 section.

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

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

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

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

1 (f) For the purpose of administering any provision
2 of law (including any rule or regulation that provides pre-
3 mium pay, retirement, life insurance, or any other em-
4 ployee benefit) that requires any deduction or contribu-
5 tion, or that imposes any requirement or limitation on the
6 basis of a rate of salary or basic pay, the rate of salary
7 or basic pay payable after the application of this section
8 shall be treated as the rate of salary or basic pay.

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

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

18 SEC. 711. During the period in which the head of
19 any department or agency, or any other officer or civilian
20 employee of the Federal Government appointed by the
21 President of the United States, holds office, no funds may

1 be obligated or expended in excess of \$5,000 to furnish
2 or redecorate the office of such department head, agency
3 head, officer, or employee, or to purchase furniture or
4 make improvements for any such office, unless advance
5 notice of such furnishing or redecoration is transmitted
6 to the Committees on Appropriations of the House of Rep-
7 resentatives and the Senate. For the purposes of this sec-
8 tion, the term "office" shall include the entire suite of of-
9 fices assigned to the individual, as well as any other space
10 used primarily by the individual or the use of which is
11 directly controlled by the individual.

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

20 SEC. 713. (a) None of the funds appropriated by this
21 or any other Act may be obligated or expended by any

1 Federal department, agency, or other instrumentality for
2 the salaries or expenses of any employee appointed to a
3 position of a confidential or policy-determining character
4 excepted from the competitive service pursuant to 5
5 U.S.C. 3302, without a certification to the Office of Per-
6 sonnel Management from the head of the Federal depart-
7 ment, agency, or other instrumentality employing the
8 Schedule C appointee that the Schedule C position was
9 not created solely or primarily in order to detail the em-
10 ployee to the White House.

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

- 14 (1) the Central Intelligence Agency;
- 15 (2) the National Security Agency;
- 16 (3) the Defense Intelligence Agency;
- 17 (4) the National Geospatial-Intelligence Agency;
- 18 (5) the offices within the Department of De-
19 fense for the collection of specialized national foreign
20 intelligence through reconnaissance programs;

1 (6) the Bureau of Intelligence and Research of
2 the Department of State;

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

11 (8) the Director of National Intelligence or the
12 Office of the Director of National Intelligence.

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

17 (1) prohibits or prevents, or attempts or threat-
18 ens to prohibit or prevent, any other officer or em-
19 ployee of the Federal Government from having any
20 direct oral or written communication or contact with
21 any Member, committee, or subcommittee of the

1 Congress in connection with any matter pertaining
2 to the employment of such other officer or employee
3 or pertaining to the department or agency of such
4 other officer or employee in any way, irrespective of
5 whether such communication or contact is at the ini-
6 tiative of such other officer or employee or in re-
7 sponse to the request or inquiry of such Member,
8 committee, or subcommittee; or

9 (2) removes, suspends from duty without pay,
10 demotes, reduces in rank, seniority, status, pay, or
11 performance or efficiency rating, denies promotion
12 to, relocates, reassigns, transfers, disciplines, or dis-
13 criminates in regard to any employment right, enti-
14 tlement, or benefit, or any term or condition of em-
15 ployment of, any other officer or employee of the
16 Federal Government, or attempts or threatens to
17 commit any of the foregoing actions with respect to
18 such other officer or employee, by reason of any
19 communication or contact of such other officer or
20 employee with any Member, committee, or sub-

1 committee of the Congress as described in paragraph
2 (1).

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

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

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

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

15 (4) contains any methods or content associated
16 with religious or quasi-religious belief systems or
17 “new age” belief systems as defined in Equal Em-
18 ployment Opportunity Commission Notice N-
19 915.022, 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. 716. 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 disclo-
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-

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

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

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

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

1 SEC. 719. None of the funds made available in this
2 Act or any other Act may be used to provide any non-
3 public information such as mailing or telephone lists to
4 any person or any organization outside of the Federal
5 Government without the approval of the Committees on
6 Appropriations of the House of Representatives and the
7 Senate.

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

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

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

16 (2) includes a military department, as defined
17 under section 102 of such title, the Postal Service,
18 and the Postal Regulatory Commission; and

19 (3) shall not include the Government Account-
20 ability Office.

1 (b) Unless authorized in accordance with law or regu-
2 lations to use such time for other purposes, an employee
3 of an agency shall use official time in an honest effort
4 to perform official duties. An employee not under a leave
5 system, including a Presidential appointee exempted under
6 5 U.S.C. 6301(2), has an obligation to expend an honest
7 effort and a reasonable proportion of such employee's time
8 in the performance of official duties.

9 SEC. 722. Notwithstanding 31 U.S.C. 1346 and sec-
10 tion 708 of this Act, funds made available for the current
11 fiscal year by this or any other Act to any department
12 or agency, which is a member of the Federal Accounting
13 Standards Advisory Board (FASAB), shall be available to
14 finance an appropriate share of FASAB administrative
15 costs.

16 (TRANSFER OF FUNDS)

17 SEC. 723. Notwithstanding 31 U.S.C. 1346 and sec-
18 tion 708 of this Act, the head of each Executive depart-
19 ment and agency is hereby authorized to transfer to or
20 reimburse "General Services Administration, Government-
21 wide Policy" with the approval of the Director of the Of-

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

1 made after 15 days following notification of the Commit-
2 tees on Appropriations by the Director of the Office of
3 Management and Budget.

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

9 SEC. 725. Notwithstanding 31 U.S.C. 1346, or sec-
10 tion 708 of this Act, funds made available for the current
11 fiscal year by this or any other Act shall be available for
12 the interagency funding of specific projects, workshops,
13 studies, and similar efforts to carry out the purposes of
14 the National Science and Technology Council (authorized
15 by Executive Order No. 12881), which benefit multiple
16 Federal departments, agencies, or entities: *Provided*, That
17 the Office of Management and Budget shall provide a re-
18 port describing the budget of and resources connected with
19 the National Science and Technology Council to the Com-
20 mittees on Appropriations, the House Committee on
21 Science and Technology, and the Senate Committee on

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

3 SEC. 726. 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. 727. (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-

1 lect, review, or obtain any aggregation of data, de-
2 rived from any means, that includes any personally
3 identifiable information relating to an individual's
4 access to or use of any nongovernmental Internet
5 site.

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

8 (1) any record of aggregate data that does not
9 identify particular persons;

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

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

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

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

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

4 (2) The term “supervisory” means examina-
5 tions of the agency’s supervised institutions, includ-
6 ing assessing safety and soundness, overall financial
7 condition, management practices and policies and
8 compliance with applicable standards as provided in
9 law.

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

15 (b) Nothing in this section shall apply to a contract
16 with—

17 (1) any of the following religious plans:

18 (A) Personal Care’s HMO; and

19 (B) OSF HealthPlans, Inc.; and

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

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

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

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

16 SEC. 730. Notwithstanding any other provision of
17 law, funds appropriated for official travel by Federal de-
18 partments and agencies may be used by such departments
19 and agencies, if consistent with Office of Management and
20 Budget Circular A-126 regarding official travel for Gov-

1 ernment personnel, to participate in the fractional aircraft
2 ownership pilot program.

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

14 SEC. 732. Notwithstanding any other provision of
15 law, no executive branch agency shall purchase, construct,
16 and/or lease any additional facilities, except within or con-
17 tiguous to existing locations, to be used for the purpose
18 of conducting Federal law enforcement training without
19 the advance approval of the Committees on Appropriations
20 of the House of Representatives and the Senate, except
21 that the Federal Law Enforcement Training Center is au-

1 thORIZED to obtain the temporary use of additional facilities
2 by lease, contract, or other agreement for training which
3 cannot be accommodated in existing Center facilities.

4 SEC. 733. (a) For fiscal year 2010, no funds shall
5 be available for transfers or reimbursements to the E-Gov-
6 ernment initiatives sponsored by the Office of Manage-
7 ment and Budget prior to 15 days following submission
8 of a report to the Committees on Appropriations of the
9 House of Representatives and the Senate by the Director
10 of the Office of Management and Budget and receipt of
11 approval to transfer funds by the Committees on Appro-
12 priations of the House of Representatives and the Senate.

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

15 (1) a description of each initiative including but
16 not limited to its objectives, benefits, development
17 status, risks, cost effectiveness (including estimated
18 net costs or savings to the government), and the es-
19 timated date of full operational capability;

20 (2) the total development cost of each initiative
21 by fiscal year including costs to date, the estimated

1 costs to complete its development to full operational
2 capability, and estimated annual operations and
3 maintenance costs; and

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

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

12 SEC. 734. Notwithstanding section 1346 of title 31,
13 United States Code, and section 708 of this Act and any
14 other provision of law, the head of each appropriate execu-
15 tive department and agency shall transfer to or reimburse
16 the Federal Aviation Administration, upon the direction
17 of the Director of the Office of Management and Budget,
18 funds made available by this or any other Act for the pur-
19 poses described below, and shall submit budget requests
20 for such purposes. These funds shall be administered by
21 the Federal Aviation Administration, in consultation with

1 the appropriate interagency groups designated by the Di-
2 rector and shall be used to ensure the uninterrupted, con-
3 tinuous operation of the Midway Atoll Airfield by the Fed-
4 eral Aviation Administration pursuant to an operational
5 agreement with the Department of the Interior for the en-
6 tirety of fiscal year 2010 and any period thereafter that
7 precedes the enactment of the Financial Services and Gen-
8 eral Government Appropriations Act, 2011. The Director
9 of the Office of Management and Budget shall mandate
10 the necessary transfers after determining an equitable al-
11 location between the appropriate executive departments
12 and agencies of the responsibility for funding the contin-
13 uous operation of the Midway Atoll Airfield based on, but
14 not limited to, potential use, interest in maintaining avia-
15 tion safety, and applicability to governmental operations
16 and agency mission. The total funds transferred or reim-
17 bursed shall not exceed \$6,000,000 for any 12-month pe-
18 riod. Such sums shall be sufficient to ensure continued
19 operation of the airfield throughout the period cited above.
20 Funds shall be available for operation of the airfield or
21 airfield-related capital upgrades. The Director of the Of-

1 fice of Management and Budget shall notify the Commit-
2 tees on Appropriations of the House of Representatives
3 and the Senate of such transfers or reimbursements within
4 15 days of this Act. Such transfers or reimbursements
5 shall begin within 30 days of enactment of this Act.

6 SEC. 735. None of the funds appropriated or other-
7 wise made available by this or any other Act may be used
8 to begin or announce a study or public-private competition
9 regarding the conversion to contractor performance of any
10 function performed by Federal employees pursuant to Of-
11 fice of Management and Budget Circular A-76 or any
12 other administrative regulation, directive, or policy.

13 SEC. 736. Unless otherwise authorized by existing
14 law, none of the funds provided in this Act or any other
15 Act may be used by an executive branch agency to produce
16 any prepackaged news story intended for broadcast or dis-
17 tribution in the United States, unless the story includes
18 a clear notification within the text or audio of the pre-
19 packaged news story that the prepackaged news story was
20 prepared or funded by that executive branch agency.

1 SEC. 737. None of the funds made available in this
2 Act may be used in contravention of section 552a of title
3 5, United States Code (popularly known as the Privacy
4 Act) and regulations implementing that section.

5 SEC. 738. Each executive department and agency
6 shall evaluate the creditworthiness of an individual before
7 issuing the individual a government travel charge card.
8 Such evaluations for individually billed travel charge cards
9 shall include an assessment of the individual's consumer
10 report from a consumer reporting agency as those terms
11 are defined in section 603 of the Fair Credit Reporting
12 Act (Public Law 91-508): *Provided*, That the department
13 or agency may not issue a government travel charge card
14 to an individual that either lacks a credit history or is
15 found to have an unsatisfactory credit history as a result
16 of this evaluation: *Provided further*, That this restriction
17 shall not preclude issuance of a restricted-use charge,
18 debit, or stored value card made in accordance with agency
19 procedures to: (1) an individual with an unsatisfactory
20 credit history where such card is used to pay travel ex-
21 penses and the agency determines there is no suitable al-

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

11 SEC. 739. (a) DEFINITIONS.—For purposes of this
12 section the following definitions apply:

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

18 (2) GREAT LAKES RESTORATION ACTIVITIES.—
19 The term “Great Lakes restoration activities”
20 means any Federal or State activity primarily or en-
21 tirely within the Great Lakes watershed that seeks

1 to improve the overall health of the Great Lakes eco-
2 system.

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

13 (1) an interagency budget crosscut report
14 that—

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

1 isting laws pertaining to the Great Lakes eco-
2 system; and

3 (B) identifies all expenditures since fiscal
4 year 2004 by the Federal Government and
5 State governments for Great Lakes restoration
6 activities;

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

12 (3) a budget for the proposed projects (includ-
13 ing a description of the project, authorization level,
14 and project status) to be carried out in the upcom-
15 ing fiscal year with the Federal portion of funds for
16 activities; and

17 (4) a listing of all projects to be undertaken in
18 the upcoming fiscal year with the Federal portion of
19 funds for activities.

20 SEC. 740. (a) IN GENERAL.—None of the funds ap-
21 propriated or otherwise made available by this or any

1 other Act may be used for any Federal Government con-
2 tract with any foreign incorporated entity which is treated
3 as an inverted domestic corporation under section 835(b)
4 of the Homeland Security Act of 2002 (6 U.S.C. 395(b))
5 or any subsidiary of such an entity.

6 (b) WAIVERS.—

7 (1) IN GENERAL.—Any Secretary shall waive
8 subsection (a) with respect to any Federal Govern-
9 ment contract under the authority of such Secretary
10 if the Secretary determines that the waiver is re-
11 quired in the interest of national security.

12 (2) REPORT TO CONGRESS.—Any Secretary
13 issuing a waiver under paragraph (1) shall report
14 such issuance to Congress.

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

19 SEC. 741. None of the funds made available by this
20 or any other Act may be used to implement, administer,
21 enforce, or apply the rule entitled “Competitive Area”

1 published by the Office of Personnel Management in the
2 Federal Register on April 15, 2008 (73 Fed. Reg. 20180
3 et seq.).

4 SEC. 742. (a) Section 748 of the Financial Services
5 and General Government Appropriations Act, 2009 (Pub-
6 lic Law 111–8, division D) is repealed.

7 (b) Hereafter, the President may modify or replace
8 Executive Order No. 13423 if the President determines
9 that a revised or new executive order will achieve equal
10 or better environmental or energy efficiency results.

11 SEC. 743. (a) SERVICE CONTRACT INVENTORY RE-
12 QUIREMENT.—

13 (1) GUIDANCE.—Not later than March 1, 2010,
14 the Director of the Office of Management and Budg-
15 et shall develop and disseminate guidance to aid ex-
16 ecutive agencies in establishing systems for the col-
17 lection of information required to meet the require-
18 ments of this section and to ensure consistency of
19 inventories across agencies.

20 (2) REPORT.—Not later than July 31, 2010,
21 the Director of the Office of Management and Budg-

1 et shall submit a report to Congress on the status
2 of efforts to enable executive agencies to prepare the
3 inventories required under paragraph (3), including
4 the development, as appropriate, of guidance, meth-
5 odologies, and technical tools.

6 (3) INVENTORY CONTENTS.—Not later than
7 December 31, 2010, and annually thereafter, the
8 head of each executive agency required to submit an
9 inventory in accordance with the Federal Activities
10 Inventory Reform Act of 1998 (Public Law 105–
11 270; 31 U.S.C. 501 note), other than the Depart-
12 ment of Defense, shall submit to the Office of Man-
13 agement and Budget an annual inventory of service
14 contracts awarded or extended through the exercise
15 of an option on or after April 1, 2010, for or on be-
16 half of such agency. For each service contract, the
17 entry for an inventory under this section shall in-
18 clude, for the preceding fiscal year, the following:

19 (A) A description of the services purchased
20 by the executive agency and the role the serv-
21 ices played in achieving agency objectives, re-

1 regardless of whether such a purchase was made
2 through a contract or task order.

3 (B) The organizational component of the
4 executive agency administering the contract,
5 and the organizational component of the agency
6 whose requirements are being met through con-
7 tractor performance of the service.

8 (C) The total dollar amount obligated for
9 services under the contract and the funding
10 source for the contract.

11 (D) The total dollar amount invoiced for
12 services under the contract.

13 (E) The contract type and date of award.

14 (F) The name of the contractor and place
15 of performance.

16 (G) The number and work location of con-
17 tractor and subcontractor employees, expressed
18 as full-time equivalents for direct labor, com-
19 pensated under the contract.

20 (H) Whether the contract is a personal
21 services contract.

1 (I) Whether the contract was awarded on
2 a noncompetitive basis, regardless of date of
3 award.

4 (b) FORM.—Reports required under this section shall
5 be submitted in unclassified form, but may include a clas-
6 sified annex.

7 (c) PUBLICATION.—Not later than 30 days after the
8 date on which the inventory under subsection (a)(3) is re-
9 quired to be submitted to the Office of Management and
10 Budget, the head of each executive agency shall—

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

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

15 (d) GOVERNMENT-WIDE INVENTORY REPORT.—Not
16 later than 90 days after the deadline for submitting inven-
17 tories under subsection (a)(3), and annually thereafter,
18 the Director of the Office of Management and Budget
19 shall submit to Congress and make publicly available on
20 the Office of Management and Budget website a report
21 on the inventories submitted. The report shall identify

1 whether each agency required to submit an inventory
2 under subsection (a)(3) has met such requirement and
3 summarize the information submitted by each executive
4 agency required to have a Chief Financial Officer pursu-
5 ant to section 901 of title 31, United States Code.

6 (e) REVIEW AND PLANNING REQUIREMENTS.—Not
7 later than 180 days after the deadline for submitting in-
8 ventories under subsection (a)(3) for an executive agency,
9 the head of the executive agency, or an official designated
10 by the agency head shall—

11 (1) review the contracts and information in the
12 inventory;

13 (2) ensure that—

14 (A) each contract in the inventory that is
15 a personal services contract has been entered
16 into, and is being performed, in accordance with
17 applicable laws and regulations;

18 (B) the agency is giving special manage-
19 ment attention to functions that are closely as-
20 sociated with inherently governmental func-
21 tions;

1 (C) the agency is not using contractor em-
2 ployees to perform inherently governmental
3 functions;

4 (D) the agency has specific safeguards and
5 monitoring systems in place to ensure that work
6 being performed by contractors has not changed
7 or expanded during performance to become an
8 inherently governmental function;

9 (E) the agency is not using contractor em-
10 ployees to perform critical functions in such a
11 way that could affect the ability of the agency
12 to maintain control of its mission and oper-
13 ations; and

14 (F) there are sufficient internal agency re-
15 sources to manage and oversee contracts effec-
16 tively;

17 (3) identify contracts that have been poorly per-
18 formed, as determined by a contracting officer, be-
19 cause of excessive costs or inferior quality; and

20 (4) identify contracts that should be considered
21 for conversion to—

1 (A) performance by Federal employees of
2 the executive agency in accordance with agency
3 insourcing guidelines required under section
4 736 of the Financial Services and General Gov-
5 ernment Appropriations Act, 2009 (Public Law
6 111–8, division D); or

7 (B) an alternative acquisition approach
8 that would better enable the agency to effi-
9 ciently utilize its assets and achieve its public
10 mission.

11 (f) REPORT ON ACTIONS TAKEN IN RESPONSE TO
12 ANNUAL INVENTORY.—Not later than one year after sub-
13 mitting an annual inventory under subsection (a)(3), the
14 head of each executive agency submitting such an inven-
15 tory shall submit to the Office of Management and Budget
16 a report summarizing the actions taken pursuant to sub-
17 section (e), including any actions taken to consider and
18 convert functions from contractor to Federal employee
19 performance. The report shall be included as an attach-
20 ment to the next annual inventory and made publicly
21 available in accordance with subsection (c).

1 (g) SUBMISSION OF SERVICE CONTRACT INVENTORY
2 BEFORE PUBLIC-PRIVATE COMPETITION.—Notwith-
3 standing any other provision of law, beginning in fiscal
4 year 2011, if an executive agency has not submitted to
5 the Office of Management and Budget the inventory re-
6 quired under subsection (a)(3) for the prior fiscal year,
7 the agency may not begin, plan for, or announce a study
8 or public-private competition regarding the conversion to
9 contractor performance of any function performed by Fed-
10 eral employees pursuant to Office of Management and
11 Budget Circular A-76 or any other administrative regula-
12 tion or directive until such time as the inventory is sub-
13 mitted for the prior fiscal year.

14 (h) GAO REPORTS ON IMPLEMENTATION.—

15 (1) REPORT ON GUIDANCE.—Not later than
16 120 days after submission of the report by the Di-
17 rector of the Office of Management and Budget re-
18 quired under subsection (a)(2), the Comptroller Gen-
19 eral of the United States shall report on the guid-
20 ance issued and actions taken by the Director. The
21 report shall be submitted to the Committee on

1 Homeland Security and Governmental Affairs and
2 the Committee on Appropriations of the Senate and
3 the Committee on Oversight and Government Re-
4 form and the Committee on Appropriations of the
5 House of Representatives.

6 (2) REPORTS ON INVENTORIES.—

7 (A) INITIAL INVENTORY.—Not later than
8 September 30, 2011, the Comptroller General
9 of the United States shall submit a report to
10 the Committees named in the preceding para-
11 graph on the initial implementation by executive
12 agencies of the inventory requirement in sub-
13 section (a)(3) with respect to inventories re-
14 quired to be submitted by December 31, 2010.

15 (B) SECOND INVENTORY.—Not later than
16 September 30, 2012, the Comptroller General
17 shall submit a report to the same Committees
18 on annual inventories required to be submitted
19 by December 31, 2011.

20 (3) PERIODIC BRIEFINGS.—The Comptroller
21 General shall provide periodic briefings, as may be

1 requested by the Committees, on matters related to
2 implementation of this section.

3 (i) EXECUTIVE AGENCY DEFINED.—In this section,
4 the term “executive agency” has the meaning given the
5 term in section 4 of the Office of Federal Procurement
6 Policy Act (41 U.S.C. 403).

7 SEC. 744. (a) The adjustment in rates of basic pay
8 for employees under the statutory pay systems that takes
9 effect in fiscal year 2010 under section 5303 of title 5,
10 United States Code, shall be an increase of 1.5 percent,
11 and the overall average percentage of the adjustments tak-
12 ing effect in such fiscal year under sections 5304–5304a
13 of such title 5 shall be an increase of 0.5 percent (with
14 comparability payments to be determined and allocated
15 among pay localities by the President). Adjustments under
16 the preceding sentence shall also apply to civilian employ-
17 ees in the Department of Homeland Security and in the
18 Department of Defense. All adjustments under this sub-
19 section shall be effective as of the first day of the first
20 applicable pay period beginning on or after January 1,
21 2010.

1 (b) Notwithstanding section 710, the adjustment in
2 rates of basic pay for the statutory pay systems that take
3 place in fiscal year 2010 under sections 5344 and 5348
4 of title 5, United States Code, shall be no less than the
5 percentages in subsection (a) as employees in the same
6 location whose rates of basic pay are adjusted pursuant
7 to the statutory pay systems under section 5303 and
8 5304–5304a of title 5, United States Code. Prevailing rate
9 employees at locations where there are no employees whose
10 pay is increased pursuant to sections 5303 and 5304–
11 5304a of such title 5 and prevailing rate employees de-
12 scribed in section 5343(a)(5) of such title 5 shall be con-
13 sidered to be located in the pay locality designated as
14 “Rest of U.S.” pursuant to section 5304 of such title 5
15 for purposes of this subsection.

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

1 SEC. 745. (a) Section 5538 of title 5, United States
2 Code, is amended by striking subsection (b) and inserting
3 the following:

4 “(b) Amounts under this section shall be payable with
5 respect to each pay period (which would otherwise apply
6 if the employee’s civilian employment had not been inter-
7 rupted)—

8 “(1) during which such employee is entitled to
9 re-employment rights under chapter 43 of title 38
10 with respect to the position from which such em-
11 ployee is absent (as referred to in subsection (a));
12 and

13 “(2) for which such employee does not other-
14 wise receive basic pay (including by taking any an-
15 nual, military, or other paid leave) to which such
16 employee is entitled by virtue of such employee’s ci-
17 vilian employment with the Government.”.

18 (b) The amendments made by this section shall take
19 effect on the first day of the first applicable pay period
20 beginning on or after the date of the enactment of this
21 Act.

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

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1 SEC. 747. (a) DEFINITIONS.—For purposes of this
2 section the following definitions apply:

3 (1) The term “covered manufacturer” means—

4 (A) an automobile manufacturer in which
5 the United States Government has an owner-
6 ship interest, or to which the Government has
7 provided financial assistance under title I of the
8 Emergency Economic Stabilization Act of 2008;
9 or

10 (B) an automobile manufacturer which ac-
11 quired more than half of the assets of an auto-
12 mobile manufacturer in which the United States
13 Government has an ownership interest, or to
14 which the Government has provided financial
15 assistance under title I of the Emergency Eco-
16 nomic Stabilization Act of 2008.

17 (2) The term “covered dealership” means an
18 automobile dealership that had a franchise agree-
19 ment for the sale and service of vehicles of a brand
20 or brands with a covered manufacturer in effect as
21 of October 3, 2008, and such agreement was termi-
22 nated, not assigned in the form existing on October
23 3, 2008 to another covered manufacturer in connec-
24 tion with an acquisition of assets related to the man-

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1 ufacture of that vehicle brand or brands, not re-
2 newed, or not continued during the period beginning
3 on October 3, 2008, and ending on December 31,
4 2010.

5 (b) A covered dealership that was not lawfully termi-
6 nated under applicable State law on or before April 29,
7 2009, shall have the right to seek, through binding arbi-
8 tration, continuation, or reinstatement of a franchise
9 agreement, or to be added as a franchisee to the dealer
10 network of the covered manufacturer in the geographical
11 area where the covered dealership was located when its
12 franchise agreement was terminated, not assigned, not re-
13 newed, or not continued. Such continuation, reinstatement,
14 or addition shall be limited to each brand owned
15 and manufactured by the covered manufacturer at the
16 time the arbitration commences, to the extent that the cov-
17 ered dealership had been a dealer for such brand at the
18 time such dealer's franchise agreement was terminated,
19 not assigned, not renewed, or not continued.

20 (c) Before the end of the 30-day period beginning on
21 the date of the enactment of this Act, a covered manufac-
22 turer shall provide to each covered dealership related to
23 such covered manufacturer a summary of the terms and
24 the rights accorded under this section to a covered dealer-
25 ship and the specific criteria pursuant to which such deal-

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1 er was terminated, was not renewed, or was not assumed
2 and assigned to a covered manufacturer.

3 (d) A covered dealership may elect to pursue the right
4 to binding arbitration with the appropriate covered manu-
5 facturer. Such election must occur within 40 days of the
6 date of enactment. The arbitration process must com-
7 mence as soon as practicable thereafter with the selection
8 of the arbitrator and conclude with the case being sub-
9 mitted to the arbitrator for deliberation within 180 days
10 of the date of enactment of this Act. The arbitrator may
11 extend the time periods in this subsection for up to 30
12 days for good cause. The covered manufacturer and the
13 covered dealership may present any relevant information
14 during the arbitration. The arbitrator shall balance the
15 economic interest of the covered dealership, the economic
16 interest of the covered manufacturer, and the economic
17 interest of the public at large and shall decide, based on
18 that balancing, whether or not the covered dealership
19 should be added to the dealer network of the covered man-
20 ufacturer. The factors considered by the arbitrator shall
21 include (1) the covered dealership's profitability in 2006,
22 2007, 2008, and 2009, (2) the covered manufacturer's
23 overall business plan, (3) the covered dealership's current
24 economic viability, (4) the covered dealership's satisfaction
25 of the performance objectives established pursuant to the

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1 applicable franchise agreement, (5) the demographic and
2 geographic characteristics of the covered dealership's mar-
3 ket territory, (6) the covered dealership's performance in
4 relation to the criteria used by the covered manufacturer
5 to terminate, not renew, not assume or not assign the cov-
6 ered dealership's franchise agreement, and (7) the length
7 of experience of the covered dealership. The arbitrator
8 shall issue a written determination no later than 7 busi-
9 ness days after the arbitrator determines that case has
10 been fully submitted. At a minimum, the written deter-
11 mination shall include (1) a description of the covered
12 dealership, (2) a clear statement indicating whether the
13 franchise agreement at issue is to be renewed, continued,
14 assigned or assumed by the covered manufacturer, (3) the
15 key facts relied upon by the arbitrator in making the de-
16 termination, and (4) an explanation of how the balance
17 of economic interests supports the arbitrator's determina-
18 tion.

19 (e) The arbitrator shall be selected from the list of
20 qualified arbitrators maintained by the Regional Office of
21 the American Arbitration Association (AAA), in the Re-
22 gion where the dealership is located, by mutual agreement
23 of the covered dealership and covered manufacturer. If
24 agreement cannot be reached on a suitable arbitrator, the
25 parties shall request AAA to select the arbitrator. There

1 will be no depositions in the proceedings, and discovery
2 shall be limited to requests for documents specific to the
3 covered dealership. The parties shall be responsible for
4 their own expenses, fees, and costs, and shall share equally
5 all other costs associated with the arbitration, such as ar-
6 bitrator fees, meeting room charges, and administrative
7 costs. The arbitration shall be conducted in the State
8 where the covered dealership is located. Parties will have
9 the option of conducting arbitration electronically and tele-
10 phonically, by mutual agreement of both parties. The arbi-
11 trator shall not award compensatory, punitive, or exem-
12 plary damages to any party. If the arbitrator finds in favor
13 of a covered dealership, the covered manufacturer shall as
14 soon as practicable, but not later than 7 business days
15 after receipt of the arbitrator's determination, provide the
16 dealer a customary and usual letter of intent to enter into
17 a sales and service agreement. After executing the sales
18 and service agreement and successfully completing the
19 operational prerequisites set forth therein, a covered deal-
20 ership shall return to the covered manufacturer any finan-
21 cial compensation provided by the covered manufacturer
22 in consideration of the covered manufacturer's initial de-
23 termination to terminate, not renew, not assign or not as-
24 sume the covered dealership's applicable franchise agree-
25 ment.

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1 (f) Any legally binding agreement resulting from a
2 voluntary negotiation between a covered manufacturer and
3 covered dealership(s) shall not be considered inconsistent
4 with this provision and any covered dealership that is a
5 party to such agreement shall forfeit the right to arbitra-
6 tion established by this provision.

7 (g) Notwithstanding the requirements of this provi-
8 sion, nothing herein shall prevent a covered manufacturer
9 from lawfully terminating a covered dealership in accord-
10 ance with applicable State law.

1 TITLE VIII
2 GENERAL PROVISIONS—DISTRICT OF
3 COLUMBIA
4 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

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

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

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

20 (1) creates new programs;

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

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

5 (4) increases funds or personnel by any means
6 for any program, project, or responsibility center for
7 which funds have been denied or restricted;

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

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

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

17 unless the Committees on Appropriations of the House of
18 Representatives and the Senate are notified in writing 15
19 days in advance of the reprogramming.

20 (b) The District of Columbia government is author-
21 ized to approve and execute reprogramming and transfer

1 requests of local funds under this title through November
2 1, 2010.

3 SEC. 806. Consistent with the provisions of section
4 1301(a) of title 31, United States Code, appropriations
5 under this Act shall be applied only to the objects for
6 which the appropriations were made except as otherwise
7 provided by law.

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

15 SEC. 808. Except as otherwise provided in this sec-
16 tion, none of the funds made available by this Act or by
17 any other Act may be used to provide any officer or em-
18 ployee of the District of Columbia with an official vehicle
19 unless the officer or employee uses the vehicle only in the
20 performance of the officer’s or employee’s official duties.
21 For purposes of this section, the term “official duties”

1 does not include travel between the officer's or employee's
2 residence and workplace, except in the case of—

3 (1) an officer or employee of the Metropolitan
4 Police Department who resides in the District of Co-
5 lumbia or a District of Columbia government em-
6 ployee as may otherwise be designated by the Chief
7 of the Department;

8 (2) at the discretion of the Fire Chief, an offi-
9 cer or employee of the District of Columbia Fire and
10 Emergency Medical Services Department who re-
11 sides in the District of Columbia and is on call 24
12 hours a day or is otherwise designated by the Fire
13 Chief;

14 (3) at the discretion of the Director of the De-
15 partment of Corrections, an officer or employee of
16 the District of Columbia Department of Corrections
17 who resides in the District of Columbia and is on
18 call 24 hours a day or is otherwise designated by the
19 Director;

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

1 (5) the Chairman of the Council of the District
2 of Columbia.

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

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

14 SEC. 810. None of the Federal funds contained in
15 this Act may be used to distribute any needle or syringe
16 for the purpose of preventing the spread of blood borne
17 pathogens in any location that has been determined by the
18 local public health or local law enforcement authorities to
19 be inappropriate for such distribution.

20 SEC. 811. Nothing in this Act may be construed to
21 prevent the Council or Mayor of the District of Columbia

1 from addressing the issue of the provision of contraceptive
2 coverage by health insurance plans, but it is the intent
3 of Congress that any legislation enacted on such issue
4 should include a “conscience clause” which provides excep-
5 tions for religious beliefs and moral convictions.

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

13 (1) crime, including the homicide rate, imple-
14 mentation of community policing, the number of po-
15 lice officers on local beats, and the closing down of
16 open-air drug markets;

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

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

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

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

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

19 (6) application for and management of Federal
20 grants, including the number and type of grants for
21 which the District was eligible but failed to apply

1 and the number and type of grants awarded to the
2 District but for which the District failed to spend
3 the amounts received;

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

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

13 SEC. 813. None of the Federal funds contained in
14 this Act may be used to enact or carry out any law, rule,
15 or regulation to legalize or otherwise reduce penalties asso-
16 ciated with the possession, use, or distribution of any
17 schedule I substance under the Controlled Substances Act
18 (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols de-
19 rivative.

20 SEC. 814. None of the Federal funds appropriated
21 under this Act shall be expended for any abortion except

1 where the life of the mother would be endangered if the
2 fetus were carried to term or where the pregnancy is the
3 result of an act of rape or incest.

4 SEC. 815. (a) No later than 30 calendar days after
5 the date of the enactment of this Act, the Chief Financial
6 Officer for the District of Columbia shall submit to the
7 appropriate committees of Congress, the Mayor, and the
8 Council of the District of Columbia, a revised appropriated
9 funds operating budget in the format of the budget that
10 the District of Columbia government submitted pursuant
11 to section 442 of the District of Columbia Home Rule Act
12 (D.C. Official Code, sec. 1-204.42), for all agencies of the
13 District of Columbia government for fiscal year 2010 that
14 is in the total amount of the approved appropriation and
15 that realigns all budgeted data for personal services and
16 other-than-personal services, respectively, with anticipated
17 actual expenditures.

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

1 SEC. 816. No later than 30 calendar days after the
2 date of the enactment of this Act, the Chief Financial Offi-
3 cer for the District of Columbia shall submit to the appro-
4 priate committees of Congress, the Mayor, and the Council
5 for the District of Columbia, a revised appropriated funds
6 operating budget for the District of Columbia Public
7 Schools that aligns schools budgets to actual enrollment.
8 The revised appropriated funds budget shall be in the for-
9 mat of the budget that the District of Columbia govern-
10 ment submitted pursuant to section 442 of the District
11 of Columbia Home Rule Act (D.C. Official Code, Sec. 1-
12 204.42).

13 SEC. 817. Amounts appropriated in this Act as oper-
14 ating funds may be transferred to the District of Colum-
15 bia's enterprise and capital funds and such amounts, once
16 transferred, shall retain appropriation authority consistent
17 with the provisions of this Act.

18 SEC. 818. Except as expressly provided otherwise,
19 any reference to "this Act" contained in this title or in
20 title IV shall be treated as referring only to the provisions
21 of this title or of title IV.

1 This division may be cited as the “Financial Services
2 and General Government Appropriations Act, 2010”.