

Calendar No. 171112TH CONGRESS
1ST SESSION**S. 1573****[Report No. 112-79]**

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

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 2011

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

A BILL

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

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

1 TITLE I
2 DEPARTMENT OF THE TREASURY
3 DEPARTMENTAL OFFICES
4 SALARIES AND EXPENSES
5 (INCLUDING TRANSFERS OF FUNDS)
6 For necessary expenses of the Departmental Offices
7 including operation and maintenance of the Treasury
8 Building and Annex; hire of passenger motor vehicles;
9 maintenance, repairs, and improvements of, and purchase
10 of commercial insurance policies for, real properties leased
11 or owned overseas, when necessary for the performance
12 of official business, \$306,388,000, including for terrorism
13 and financial intelligence activities; executive direction
14 program activities; international affairs and economic pol-
15 icy activities; domestic finance and tax policy activities;
16 and Treasury-wide management policies and programs ac-
17 tivities: *Provided*, That of the amount appropriated under
18 this heading, not to exceed \$3,000,000, to remain avail-
19 able until September 30, 2013, is for information tech-
20 nology modernization requirements; not to exceed
21 \$200,000 is for official reception and representation ex-
22 penses; \$200,000 is to support international representa-
23 tion commitments of the Secretary; and not to exceed
24 \$258,000 is for unforeseen emergencies of a confidential
25 nature, to be allocated and expended under the direction

1 of the Secretary of the Treasury and to be accounted for
2 solely on his certificate: *Provided further*, That of the
3 amount appropriated under this heading, \$6,787,000, to
4 remain available until September 30, 2013, is for the
5 Treasury-wide Financial Statement Audit and Internal
6 Control Program, of which such amounts as may be nec-
7 essary may be transferred to accounts of the Department's
8 offices and bureaus to conduct audits: *Provided further*,
9 That this transfer authority shall be in addition to any
10 other provided in this Act: *Provided further*, That of the
11 amount appropriated under this heading, \$500,000, to re-
12 main available until September 30, 2013, is for secure
13 space requirements: *Provided further*, That of the amount
14 appropriated under this heading, up to \$3,400,000, to re-
15 main available until September 30, 2014, is to develop and
16 implement programs within the Office of Critical Infra-
17 structure Protection and Compliance Policy, including en-
18 tering into cooperative agreements: *Provided further*, That
19 notwithstanding any other provision of law, up to
20 \$1,000,000, may be contributed to the Global Forum on
21 Transparency and Exchange of Information for Tax Pur-
22 poses, a Part II Program of the Organization for Eco-
23 nomic Cooperation and Development, to cover the cost as-
24 sessed by that organization for Treasury's participation
25 therein: *Provided further*, That of the amount appro-

1 priated under this heading, up to \$2,500,000 may be used
 2 for training, recruitment, retention, and hiring additional
 3 members of the acquisition workforce as defined by the
 4 Office of Federal Procurement Policy Act, as amended (41
 5 U.S.C. 401 et seq.) and for information technology in sup-
 6 port of acquisition workforce effectiveness and manage-
 7 ment.

8 OFFICE OF INSPECTOR GENERAL

9 SALARIES AND EXPENSES

10 For necessary expenses of the Office of Inspector
 11 General in carrying out the provisions of the Inspector
 12 General Act of 1978, \$29,641,000, of which not to exceed
 13 \$2,000,000 shall be available for official travel expenses,
 14 including hire of passenger motor vehicles; of which not
 15 to exceed \$100,000 shall be available for unforeseen emer-
 16 gencies of a confidential nature, to be allocated and ex-
 17 pended under the direction of the Inspector General of the
 18 Treasury; and of which not to exceed \$2,500 shall be avail-
 19 able for official reception and representation expenses.

20 TREASURY INSPECTOR GENERAL FOR TAX

21 ADMINISTRATION

22 SALARIES AND EXPENSES

23 For necessary expenses of the Treasury Inspector
 24 General for Tax Administration in carrying out the In-
 25 spector General Act of 1978, including purchase (not to

1 exceed 150 for replacement only for police-type use) and
2 hire of passenger motor vehicles (31 U.S.C. 1343(b));
3 services authorized by 5 U.S.C. 3109, at such rates as
4 may be determined by the Inspector General for Tax Ad-
5 ministration; \$151,696,000, of which not to exceed
6 \$6,000,000 shall be available for official travel expenses;
7 of which not to exceed \$500,000 shall be available for un-
8 foreseen emergencies of a confidential nature, to be allo-
9 cated and expended under the direction of the Inspector
10 General for Tax Administration; and of which not to ex-
11 ceed \$1,500 shall be available for official reception and
12 representation expenses.

13 SPECIAL INSPECTOR GENERAL FOR THE TROUBLED
14 ASSET RELIEF PROGRAM
15 SALARIES AND EXPENSES

16 For necessary expenses of the Office of the Special
17 Inspector General in carrying out the provisions of the
18 Emergency Economic Stabilization Act of 2008 (Public
19 Law 110–343), \$41,800,000.

20 FINANCIAL CRIMES ENFORCEMENT NETWORK
21 SALARIES AND EXPENSES

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

1 sonnel to attend meetings and training concerned with do-
 2 mestic and foreign financial intelligence activities, law en-
 3 forcement, and financial regulation; not to exceed \$14,000
 4 for official reception and representation expenses; and for
 5 assistance to Federal law enforcement agencies, with or
 6 without reimbursement, \$110,788,000, of which not to ex-
 7 ceed \$34,335,000 shall remain available until September
 8 30, 2014: *Provided*, That funds appropriated in this ac-
 9 count may be used to procure personal services contracts.

10 TREASURY FORFEITURE FUND

11 (RESCISSION)

12 Of the unobligated balances available under this
 13 heading, \$750,000,000 are rescinded.

14 FINANCIAL MANAGEMENT SERVICE

15 SALARIES AND EXPENSES

16 For necessary expenses of the Financial Management
 17 Service, \$217,805,000, of which not to exceed \$4,210,000
 18 shall remain available until September 30, 2013, for infor-
 19 mation systems modernization initiatives; and of which not
 20 to exceed \$2,500 shall be available for official reception
 21 and representation expenses.

22 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

23 SALARIES AND EXPENSES

24 For necessary expenses of carrying out section 1111
 25 of the Homeland Security Act of 2002, including hire of

1 passenger motor vehicles, \$99,878,000; of which not to ex-
2 ceed \$6,000 for official reception and representation ex-
3 penses; not to exceed \$50,000 for cooperative research and
4 development programs for laboratory services; and provi-
5 sion of laboratory assistance to State and local agencies
6 with or without reimbursement: *Provided*, That of the
7 amount appropriated under this heading, \$2,000,000 shall
8 be for the costs of special law enforcement agents to target
9 tobacco smuggling and other criminal diversion activities.

10 UNITED STATES MINT

11 UNITED STATES MINT PUBLIC ENTERPRISE FUND

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

22 BUREAU OF THE PUBLIC DEBT

23 ADMINISTERING THE PUBLIC DEBT

24 For necessary expenses connected with any public-
25 debt issues of the United States, \$173,635,000, of which

1 not to exceed \$2,500 shall be available for official recep-
2 tion and representation expenses, and of which not to ex-
3 ceed \$10,000,000 shall remain available until September
4 30, 2014, for the Do Not Pay portal initiative: *Provided*,
5 That the sum appropriated herein from the general fund
6 for fiscal year 2012 shall be reduced by not more than
7 \$8,000,000 as definitive security issue fees and Legacy
8 Treasury Direct Investor Account Maintenance fees are
9 collected, so as to result in a final fiscal year 2012 appro-
10 priation from the general fund estimated at \$165,635,000.
11 In addition, \$165,000 to be derived from the Oil Spill Li-
12 ability Trust Fund to reimburse the Bureau for adminis-
13 trative and personnel expenses for financial management
14 of the Fund, as authorized by section 1012 of Public Law
15 101–380.

16 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
17 FUND PROGRAM ACCOUNT

18 To carry out the Community Development Banking
19 and Financial Institutions Act of 1994 (Public Law 103–
20 325), including services authorized by 5 U.S.C. 3109, but
21 at rates for individuals not to exceed the per diem rate
22 equivalent to the rate for ES–3, notwithstanding section
23 4707(e) of title 12, United States Code, \$200,000,000, to
24 remain available until September 30, 2013; of which
25 \$12,000,000 shall be for financial assistance, technical as-

1 sistance, training and outreach programs, designed to ben-
2 efit Native American, Native Hawaiian, and Alaskan Na-
3 tive communities and provided primarily through qualified
4 community development lender organizations with experi-
5 ence and expertise in community development banking and
6 lending in Indian country, Native American organizations,
7 tribes and tribal organizations and other suitable pro-
8 viders; of which, notwithstanding sections 4707(d) and
9 4707(e) of title 12, United States Code, up to
10 \$22,000,000 shall be for a Healthy Food Financing Initia-
11 tive to provide grants and loans to community develop-
12 ment financial institutions for the purpose of offering af-
13 fordable financing and technical assistance to expand the
14 availability of healthy food options in distressed commu-
15 nities; of which up to \$36,000,000 shall be for initiatives
16 designed to enable individuals with low or moderate in-
17 come levels to establish bank accounts and to improve ac-
18 cess to the provision of bank accounts as authorized by
19 sections 1204 and 1205 of Public Law 111–203; of which
20 \$19,000,000 shall be for the Bank Enterprise Award pro-
21 gram; and of which up to \$22,965,000 may be used for
22 administrative expenses, including administration of the
23 New Markets Tax Credit.

1 INTERNAL REVENUE SERVICE

2 TAXPAYER SERVICES

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the Internal Revenue Serv-
5 ices to provide taxpayer services, including pre-filing assist-
6 ance and education, filing and account services, taxpayer
7 advocacy services, and other services as authorized by 5
8 U.S.C. 3109, at such rates as may be determined by the
9 Commissioner, \$2,195,522,000, of which not less than
10 \$6,100,000 shall be for the Tax Counseling for the Elderly
11 Program, of which not less than \$10,000,000 shall be
12 available for low-income taxpayer clinic grants, of which
13 not less than \$12,000,000, to remain available until Sep-
14 tember 30, 2013, shall be available for a Community Vol-
15 unteer Income Tax Assistance matching grants dem-
16 onstration program for tax return preparation assistance,
17 of which not less than \$207,738,000 shall be available for
18 operating expenses of the Taxpayer Advocate Service, and
19 of which up to \$6,000,000 may be transferred as nec-
20 essary from this account to “Health Insurance Tax Credit
21 Administration” upon advance notification of the Commit-
22 tees on Appropriations: *Provided*, That this transfer au-
23 thority shall be in addition to any transfer authority pro-
24 vided in the Act: *Provided further*, That notwithstanding
25 any other provision of law, the Secretary may publicize

1 the low-income taxpayer clinic program and refer tax-
2 payers to specific qualified low-income taxpayer clinics re-
3 ceiving funding under this heading.

4 ENFORCEMENT

5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses for tax enforcement activities
7 of the Internal Revenue Service to determine and collect
8 owed taxes, to provide legal and litigation support, to con-
9 duct criminal investigations, to enforce criminal statutes
10 related to violations of internal revenue laws and other fi-
11 nancial crimes, to purchase (for police-type use, not to ex-
12 ceed 850) and hire passenger motor vehicles (31 U.S.C.
13 1343(b)), and to provide other services as authorized by
14 5 U.S.C. 3109, at such rates as may be determined by
15 the Commissioner, \$5,228,613,000, of which not less than
16 \$60,257,000 shall be for the Interagency Crime and Drug
17 Enforcement program.

18 OPERATIONS SUPPORT

19 For necessary expenses of the Internal Revenue Serv-
20 ice to support taxpayer services and enforcement pro-
21 grams, including rent payments; facilities services; print-
22 ing; postage; physical security; headquarters and other
23 IRS-wide administration activities; research and statistics
24 of income; telecommunications; information technology de-
25 velopment, enhancement, operations, maintenance, and se-

1 curity; the hire of passenger motor vehicles (31 U.S.C.
2 1343(b)); and other services as authorized by 5 U.S.C.
3 3109, at such rates as may be determined by the Commis-
4 sioner; \$3,893,216,000, of which up to \$250,000,000 shall
5 remain available until September 30, 2013, for informa-
6 tion technology support; of which up to \$65,000,000 shall
7 remain available until expended for acquisition of real
8 property, equipment, construction and renovation of facili-
9 ties; of which not to exceed \$1,000,000 shall remain avail-
10 able until September 30, 2014, for research; of which not
11 less than \$2,000,000 shall be for the Internal Revenue
12 Service Oversight Board; of which not to exceed \$25,000
13 shall be for official reception and representation expenses.

14 BUSINESS SYSTEMS MODERNIZATION

15 For necessary expenses of the Internal Revenue Serv-
16 ice's business systems modernization program,
17 \$330,210,000, to remain available until September 30,
18 2014, for the capital asset acquisition of information tech-
19 nology systems, including management and related con-
20 tractual costs of said acquisitions, including related Inter-
21 nal Revenue Service labor costs, and contractual costs as-
22 sociated with operations authorized by 5 U.S.C. 3109:
23 *Provided*, That, with the exception of labor costs, none of
24 these funds may be obligated until the Internal Revenue

1 Service submits to the Committees on Appropriations, and
2 such Committees approve, a plan for expenditure that:

3 (1) meets the capital planning and investment
4 control review requirements established by the Office
5 of Management and Budget, including Circular A-
6 11;

7 (2) complies with the Internal Revenue Serv-
8 ice's enterprise architecture, including the mod-
9 ernization blueprint;

10 (3) conforms with the Internal Revenue Serv-
11 ice's enterprise life cycle methodology;

12 (4) is approved by the Internal Revenue Serv-
13 ice, the Department of the Treasury, and the Office
14 of Management and Budget;

15 (5) has been reviewed by the Government Ac-
16 countability Office; and

17 (6) complies with the acquisition rules, require-
18 ments, guidelines, and systems acquisition manage-
19 ment practices of the Federal Government.

20 HEALTH INSURANCE TAX CREDIT ADMINISTRATION

21 For expenses necessary to implement the health in-
22 surance tax credit included in the Trade Act of 2002
23 (Public Law 107-210), \$15,481,000.

1 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

2 SERVICE

3 (INCLUDING TRANSFER OF FUNDS)

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

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

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

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

1 phone lines and staff to improve the Internal Revenue
2 Service 1–800 help line service.

3 SEC. 105. None of the funds made available in this
4 Act may be used to enter into, renew, extend, administer,
5 implement, enforce, or provide oversight of any qualified
6 tax collection contract (as defined in section 6306 of the
7 Internal Revenue Code of 1986).

8 ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE
9 TREASURY

10 (INCLUDING TRANSFERS OF FUNDS)

11 SEC. 106. Appropriations to the Department of the
12 Treasury in this Act shall be available for uniforms or al-
13 lowances therefor, as authorized by law (5 U.S.C. 5901),
14 including maintenance, repairs, and cleaning; purchase of
15 insurance for official motor vehicles operated in foreign
16 countries; purchase of motor vehicles without regard to the
17 general purchase price limitations for vehicles purchased
18 and used overseas for the current fiscal year; entering into
19 contracts with the Department of State for the furnishing
20 of health and medical services to employees and their de-
21 pendants serving in foreign countries; and services author-
22 ized by 5 U.S.C. 3109.

23 SEC. 107. Not to exceed 2 percent of any appropria-
24 tions in this Act made available to the Departmental Of-
25 fices—Salaries and Expenses, Office of Inspector General,

1 Special Inspector General for the Troubled Asset Relief
2 Program, Financial Management Service, Alcohol and To-
3 bacco Tax and Trade Bureau, Financial Crimes Enforce-
4 ment Network, and Bureau of the Public Debt, may be
5 transferred between such appropriations upon the advance
6 approval of the Committees on Appropriations: *Provided*,
7 That no transfer may increase or decrease any such appro-
8 priation by more than 2 percent.

9 SEC. 108. Not to exceed 2 percent of any appropria-
10 tion made available in this Act to the Internal Revenue
11 Service may be transferred to the Treasury Inspector Gen-
12 eral for Tax Administration's appropriation upon the ad-
13 vance approval of the Committees on Appropriations: *Pro-*
14 *vided*, That no transfer may increase or decrease any such
15 appropriation by more than 2 percent.

16 SEC. 109. Of the funds available for the purchase of
17 law enforcement vehicles, no funds may be obligated until
18 the Secretary of the Treasury certifies that the purchase
19 by the respective Treasury bureau is consistent with de-
20 partmental vehicle management principles: *Provided*, That
21 the Secretary may delegate this authority to the Assistant
22 Secretary for Management.

23 SEC. 110. None of the funds appropriated in this Act
24 or otherwise available to the Department of the Treasury

1 or the Bureau of Engraving and Printing may be used
2 to redesign the \$1 Federal Reserve note.

3 SEC. 111. The Secretary of the Treasury may trans-
4 fer funds from Financial Management Service, Salaries
5 and Expenses to the Debt Collection Fund as necessary
6 to cover the costs of debt collection: *Provided*, That such
7 amounts shall be reimbursed to such salaries and expenses
8 account from debt collections received in the Debt Collec-
9 tion Fund.

10 SEC. 112. Section 122(g)(1) of Public Law 105–119
11 (5 U.S.C. 3104 note), is further amended by striking “12
12 years” and inserting “14 years”.

13 SEC. 113. None of the funds appropriated or other-
14 wise made available by this or any other Act may be used
15 by the United States Mint to construct or operate any mu-
16 seum without the explicit approval of the Committees on
17 Appropriations of the House of Representatives and the
18 Senate, the House Committee on Financial Services, and
19 the Senate Committee on Banking, Housing and Urban
20 Affairs.

21 SEC. 114. None of the funds appropriated or other-
22 wise made available by this or any other Act or source
23 to the Department of the Treasury, the Bureau of Engrav-
24 ing and Printing, and the United States Mint, individually
25 or collectively, may be used to consolidate any or all func-

1 tions of the Bureau of Engraving and Printing and the
2 United States Mint without the explicit approval of the
3 House Committee on Financial Services; the Senate Com-
4 mittee on Banking, Housing, and Urban Affairs; the
5 House Committee on Appropriations; and the Senate
6 Committee on Appropriations.

7 SEC. 115. Funds appropriated by this Act, or made
8 available by the transfer of funds in this Act, for the De-
9 partment of the Treasury's intelligence or intelligence re-
10 lated activities are deemed to be specifically authorized by
11 the Congress for purposes of section 504 of the National
12 Security Act of 1947 (50 U.S.C. 414) during fiscal year
13 2011 until the enactment of the Intelligence Authorization
14 Act for Fiscal Year 2012.

15 SEC. 116. Not to exceed \$5,000 shall be made avail-
16 able from the Bureau of Engraving and Printing's Indus-
17 trial Revolving Fund for necessary official reception and
18 representation expenses.

19 SEC. 117. The Secretary of the Treasury shall submit
20 a Capital Investment Plan to the Committees on Appro-
21 priations of the Senate and the House of Representatives
22 not later than 30 days following the submission of the an-
23 nual budget for the Administration submitted by the
24 President: *Provided*, That such Capital Investment Plan
25 shall include capital investment spending from all accounts

1 within the Department of the Treasury, including but not
2 limited to the Department-wide Systems and Capital In-
3 vestment Programs account, the Working Capital Fund
4 account, and the Treasury Forfeiture Fund account: *Pro-*
5 *vided further*, That such Capital Investment Plan shall in-
6 clude expenditures occurring in previous fiscal years for
7 each capital investment project that has not been fully
8 completed.

9 This title may be cited as the “Department of the
10 Treasury Appropriations Act, 2012”.

11 TITLE II

12 EXECUTIVE OFFICE OF THE PRESIDENT AND

13 FUNDS APPROPRIATED TO THE PRESIDENT

14 COMPENSATION OF THE PRESIDENT

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

21 THE WHITE HOUSE

22 SALARIES AND EXPENSES

23 For necessary expenses for the White House as au-
24 thorized by law, including not to exceed \$3,850,000 for
25 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;

1 subsistence expenses as authorized by 3 U.S.C. 105, which
2 shall be expended and accounted for as provided in that
3 section; hire of passenger motor vehicles, newspapers,
4 periodicals, teletype news service, and travel (not to exceed
5 \$100,000 to be expended and accounted for as provided
6 by 3 U.S.C. 103); and not to exceed \$19,000 for official
7 entertainment expenses, to be available for allocation with-
8 in the Executive Office of the President; and for necessary
9 expenses of the Office of Policy Development, including
10 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107,
11 \$57,851,000.

12 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

13 OPERATING EXPENSES

14 For the care, maintenance, repair and alteration, re-
15 furnishing, improvement, heating, and lighting, including
16 electric power and fixtures, of the Executive Residence at
17 the White House and official entertainment expenses of
18 the President, \$13,536,000, to be expended and accounted
19 for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

20 REIMBURSABLE EXPENSES

21 For the reimbursable expenses of the Executive Resi-
22 dence at the White House, such sums as may be nec-
23 essary: *Provided*, That all reimbursable operating expenses
24 of the Executive Residence shall be made in accordance
25 with the provisions of this paragraph: *Provided further*,

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

1 standing debt on a United States Government claim under
2 31 U.S.C. 3717: *Provided further*, That each such amount
3 that is reimbursed, and any accompanying interest and
4 charges, shall be deposited in the Treasury as miscella-
5 neous receipts: *Provided further*, That the Executive Resi-
6 dence shall prepare and submit to the Committees on Ap-
7 propriations, by not later than 90 days after the end of
8 the fiscal year covered by this Act, a report setting forth
9 the reimbursable operating expenses of the Executive Res-
10 idence during the preceding fiscal year, including the total
11 amount of such expenses, the amount of such total that
12 consists of reimbursable official and ceremonial events, the
13 amount of such total that consists of reimbursable political
14 events, and the portion of each such amount that has been
15 reimbursed as of the date of the report: *Provided further*,
16 That the Executive Residence shall maintain a system for
17 the tracking of expenses related to reimbursable events
18 within the Executive Residence that includes a standard
19 for the classification of any such expense as political or
20 nonpolitical: *Provided further*, That no provision of this
21 paragraph may be construed to exempt the Executive Res-
22 idence from any other applicable requirement of sub-
23 chapter I or II of chapter 37 of title 31, United States
24 Code.

1 WHITE HOUSE REPAIR AND RESTORATION

2 For the repair, alteration, and improvement of the
3 Executive Residence at the White House, \$990,000, to re-
4 main available until expended, for required maintenance,
5 resolution of safety and health issues, and continued pre-
6 ventative maintenance.

7 COUNCIL OF ECONOMIC ADVISERS

8 SALARIES AND EXPENSES

9 For necessary expenses of the Council of Economic
10 Advisers in carrying out its functions under the Employ-
11 ment Act of 1946 (15 U.S.C. 1021 et seq.), \$4,192,000.

12 NATIONAL SECURITY COUNCIL AND HOMELAND

13 SECURITY COUNCIL

14 SALARIES AND EXPENSES

15 For necessary expenses of the National Security
16 Council and the Homeland Security Council, including
17 services as authorized by 5 U.S.C. 3109, \$13,048,000.

18 OFFICE OF ADMINISTRATION

19 SALARIES AND EXPENSES

20 For necessary expenses of the Office of Administra-
21 tion, including services as authorized by 5 U.S.C. 3109
22 and 3 U.S.C. 107, and hire of passenger motor vehicles,
23 \$114,908,000, of which \$10,670,000 shall remain avail-
24 able until expended for continued modernization of the in-

1 formation technology infrastructure within the Executive
2 Office of the President.

3 OFFICE OF MANAGEMENT AND BUDGET

4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of Management
6 and Budget, including hire of passenger motor vehicles
7 and services as authorized by 5 U.S.C. 3109 and to carry
8 out the provisions of chapter 35 of title 44, United States
9 Code, \$90,833,000, of which not to exceed \$3,000 shall
10 be available for official representation expenses: *Provided*,
11 That none of the funds appropriated in this Act for the
12 Office of Management and Budget may be used for the
13 purpose of reviewing any agricultural marketing orders or
14 any activities or regulations under the provisions of the
15 Agricultural Marketing Agreement Act of 1937 (7 U.S.C.
16 601 et seq.): *Provided further*, That none of the funds
17 made available for the Office of Management and Budget
18 by this Act may be expended for the altering of the tran-
19 script of actual testimony of witnesses, except for testi-
20 mony of officials of the Office of Management and Budget,
21 before the Committees on Appropriations or their sub-
22 committees: *Provided further*, That none of the funds pro-
23 vided in this or prior Acts shall be used, directly or indi-
24 rectly, by the Office of Management and Budget, for eval-
25 uating or determining if water resource project or study

1 reports submitted by the Chief of Engineers acting
2 through the Secretary of the Army are in compliance with
3 all applicable laws, regulations, and requirements relevant
4 to the Civil Works water resource planning process: *Pro-*
5 *vided further*, That the Office of Management and Budget
6 shall have not more than 60 days in which to perform
7 budgetary policy reviews of water resource matters on
8 which the Chief of Engineers has reported: *Provided fur-*
9 *ther*, That the Director of the Office of Management and
10 Budget shall notify the appropriate authorizing and ap-
11 propriating committees when the 60-day review is initi-
12 ated: *Provided further*, That if water resource reports have
13 not been transmitted to the appropriate authorizing and
14 appropriating committees within 15 days after the end of
15 the Office of Management and Budget review period based
16 on the notification from the Director, Congress shall as-
17 sume Office of Management and Budget concurrence with
18 the report and act accordingly.

19 GOVERNMENT-WIDE MANAGEMENT COUNCILS

20 (INCLUDING TRANSFER OF FUNDS)

21 Notwithstanding 31 U.S.C. 1346 and section 708 of
22 this Act, the head of each Executive department and agen-
23 cy is hereby authorized to transfer to or reimburse “Gen-
24 eral Services Administration, Government-wide Policy”
25 with the approval of the Director of the Office of Manage-

1 ment and Budget, funds made available for fiscal year
2 2012 by this or any other Act, including rebates from
3 charge card and other contracts: *Provided*, That these
4 funds shall be administered by the Administrator of Gen-
5 eral Services to support Government-wide and other multi-
6 agency financial, information technology, procurement,
7 and other management innovations, initiatives, and activi-
8 ties, as approved by the Director of the Office of Manage-
9 ment and Budget, in consultation with the appropriate
10 interagency and multi-agency groups designated by the
11 Director, including the President's Management Council
12 for overall management improvement initiatives, the Chief
13 Financial Officers Council for financial management ini-
14 tiatives, the Chief Information Officers Council for infor-
15 mation technology initiatives, the Chief Human Capital
16 Officers Council for human capital initiatives, the Chief
17 Acquisition Officers Council for procurement initiatives,
18 and the Performance Improvement Council for perform-
19 ance improvement initiatives: *Provided further*, That the
20 total funds transferred or reimbursed shall not exceed
21 \$17,000,000: *Provided further*, That the funds transferred
22 to or for reimbursement of "General Services Administra-
23 tion, Government-wide Policy" during fiscal year 2012
24 shall remain available for obligation through September
25 30, 2013: *Provided further*, That such transfers or reim-

1 bursements may only be made following written approval
2 of the Committees on Appropriations of the House of Rep-
3 resentatives and the Senate.

4 OFFICE OF NATIONAL DRUG CONTROL POLICY
5 SALARIES AND EXPENSES

6 For necessary expenses of the Office of National
7 Drug Control Policy; for research activities pursuant to
8 the Office of National Drug Control Policy Reauthoriza-
9 tion Act of 2006 (Public Law 109–469); not to exceed
10 \$10,000 for official reception and representation expenses;
11 and for participation in joint projects or in the provision
12 of services on matters of mutual interest with nonprofit,
13 research, or public organizations or agencies, with or with-
14 out reimbursement, \$26,125,000: *Provided*, That the Of-
15 fice is authorized to accept, hold, administer, and utilize
16 gifts, both real and personal, public and private, without
17 fiscal year limitation, for the purpose of aiding or facili-
18 tating the work of the Office.

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

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

1 with the approved strategy for each of the designated
2 High Intensity Drug Trafficking Areas (“HIDTAs”), of
3 which not less than 51 percent shall be transferred to
4 State and local entities for drug control activities and shall
5 be obligated not later than 120 days after enactment of
6 this Act: *Provided*, That up to 49 percent may be trans-
7 ferred to Federal agencies and departments in amounts
8 determined by the Director of the Office of National Drug
9 Control Policy (“the Director”), of which up to
10 \$2,700,000 may be used for auditing services and associ-
11 ated activities (including up to \$500,000 to ensure the
12 continued operation and maintenance of the Performance
13 Management System): *Provided further*, That, notwith-
14 standing the requirements of Public Law 106–58, any un-
15 expended funds obligated prior to fiscal year 2010 may
16 be used for any other approved activities of that High In-
17 tensity Drug Trafficking Area, subject to reprogramming
18 requirements: *Provided further*, That each High Intensity
19 Drug Trafficking Area designated as of September 30,
20 2011, shall be funded at not less than the fiscal year 2011
21 base level, unless the Director submits to the Committees
22 on Appropriations of the House of Representatives and the
23 Senate justification for changes to those levels based on
24 clearly articulated priorities and published Office of Na-
25 tional Drug Control Policy performance measures of effec-

1 tiveness: *Provided further*, That the Director shall notify
2 the Committees on Appropriations of the initial allocation
3 of fiscal year 2012 funding among HIDTAs not later than
4 45 days after enactment of this Act, and shall notify the
5 Committees of planned uses of discretionary HIDTA
6 funding, as determined in consultation with the HIDTA
7 Directors, not later than 90 days after enactment of this
8 Act.

9 OTHER FEDERAL DRUG CONTROL PROGRAMS

10 (INCLUDING TRANSFERS OF FUNDS)

11 For other drug control activities authorized by the
12 Office of National Drug Control Policy Reauthorization
13 Act of 2006 (Public Law 109–469), \$105,950,000, to re-
14 main available until expended, which shall be available as
15 follows: \$92,600,000 for the Drug-Free Communities Pro-
16 gram, of which \$2,000,000 shall be made available as di-
17 rected by section 4 of Public Law 107–82, as amended
18 by Public Law 109–469 (21 U.S.C. 1521 note);
19 \$1,400,000 for drug court training and technical assist-
20 ance; \$8,900,000 for anti-doping activities; \$1,900,000 for
21 the United States membership dues to the World Anti-
22 Doping Agency; and \$1,150,000 shall be made available
23 as directed by section 1105 of Public Law 109–469.

1 UNANTICIPATED NEEDS

2 For expenses necessary to enable the President to
3 meet unanticipated needs, in furtherance of the national
4 interest, security, or defense which may arise at home or
5 abroad during the current fiscal year, as authorized by
6 3 U.S.C. 108, \$988,000, to remain available until Sep-
7 tember 30, 2013.

8 SPECIAL ASSISTANCE TO THE PRESIDENT

9 SALARIES AND EXPENSES

10 For necessary expenses to enable the Vice President
11 to provide assistance to the President in connection with
12 specially assigned functions; services as authorized by 5
13 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
14 penses as authorized by 3 U.S.C. 106, which shall be ex-
15 pended and accounted for as provided in that section; and
16 hire of passenger motor vehicles, \$4,328,000.

17 OFFICIAL RESIDENCE OF THE VICE PRESIDENT

18 OPERATING EXPENSES

19 (INCLUDING TRANSFER OF FUNDS)

20 For the care, operation, refurnishing, improvement,
21 and to the extent not otherwise provided for, heating and
22 lighting, including electric power and fixtures, of the offi-
23 cial residence of the Vice President; the hire of passenger
24 motor vehicles; and not to exceed \$90,000 for official en-
25 tertainment expenses of the Vice President, to be ac-

1 counted for solely on his certificate, \$307,000: *Provided*,
2 That advances or repayments or transfers from this ap-
3 propriation may be made to any department or agency for
4 expenses of carrying out such activities.

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

8 (INCLUDING TRANSFERS OF FUNDS)

9 SEC. 201. From funds made available in this Act
10 under the headings “The White House”, “Executive Resi-
11 dence at the White House”, “White House Repair and
12 Restoration”, “Council of Economic Advisers”, “National
13 Security Council and Homeland Security Council”, “Of-
14 fice of Administration”, “Special Assistance to the Presi-
15 dent”, and “Official Residence of the Vice President”, the
16 Director of the Office of Management and Budget (or
17 such other officer as the President may designate in writ-
18 ing), may, 15 days after giving notice to the Committees
19 on Appropriations of the House of Representatives and the
20 Senate, transfer not to exceed 10 percent of any such ap-
21 propriation to any other such appropriation, to be merged
22 with and available for the same time and for the same
23 purposes as the appropriation to which transferred: *Pro-*
24 *vided*, That the amount of an appropriation shall not be
25 increased by more than 50 percent by such transfers: *Pro-*

1 *vided further*, That no amount shall be transferred from
2 “Special Assistance to the President” or “Official Resi-
3 dence of the Vice President” without the approval of the
4 Vice President.

5 SEC. 202. The Director of the Office of National
6 Drug Control Policy shall submit to the Committees on
7 Appropriations of the House of Representatives and the
8 Senate not later than 60 days after the date of enactment
9 of this Act, and prior to the initial obligation of more than
10 20 percent of the funds appropriated in any account under
11 the heading “Office of National Drug Control Policy”, a
12 detailed narrative and financial plan on the proposed uses
13 of all funds under the account by program, project, and
14 activity: *Provided*, That the reports required by this sec-
15 tion shall be updated and submitted to the Committees
16 on Appropriations every 6 months and shall include infor-
17 mation detailing how the estimates and assumptions con-
18 tained in previous reports have changed: *Provided further*,
19 That any new projects and changes in funding of ongoing
20 projects shall be subject to the prior approval of the Com-
21 mittees on Appropriations.

22 SEC. 203. Not to exceed 2 percent of any appropria-
23 tions in this Act made available to the Office of National
24 Drug Control Policy may be transferred between appro-
25 priated programs upon the advance approval of the Com-

1 mittees on Appropriations: *Provided*, That no transfer
2 may increase or decrease any such appropriation by more
3 than 3 percent.

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

9 SEC. 205. From the unobligated balances of prior
10 year appropriations made available for the Counterdrug
11 Technology Assessment Center, \$11,328,000 are re-
12 scinded.

13 This title may be cited as the “Executive Office of
14 the President Appropriations Act, 2012”.

15 TITLE III

16 THE JUDICIARY

17 SUPREME COURT OF THE UNITED STATES

18 SALARIES AND EXPENSES

19 For expenses necessary for the operation of the Su-
20 preme Court, as required by law, excluding care of the
21 building and grounds, including purchase or hire, driving,
22 maintenance, and operation of an automobile for the Chief
23 Justice, not to exceed \$10,000 for the purpose of trans-
24 porting Associate Justices, and hire of passenger motor
25 vehicles as authorized by 31 U.S.C. 1343 and 1344; not

1 to exceed \$10,000 for official reception and representation
2 expenses; and for miscellaneous expenses, to be expended
3 as the Chief Justice may approve, \$74,819,000, of which
4 \$2,000,000 shall remain available until expended.

5 CARE OF THE BUILDING AND GROUNDS

6 For such expenditures as may be necessary to enable
7 the Architect of the Capitol to carry out the duties im-
8 posed upon the Architect by 40 U.S.C. 6111 and 6112,
9 \$8,159,000, to remain available until expended.

10 UNITED STATES COURT OF APPEALS FOR THE FEDERAL

11 CIRCUIT

12 SALARIES AND EXPENSES

13 For salaries of the chief judge, judges, and other offi-
14 cers and employees, and for necessary expenses of the
15 court, as authorized by law, \$31,913,000.

16 UNITED STATES COURT OF INTERNATIONAL TRADE

17 SALARIES AND EXPENSES

18 For salaries of the chief judge and eight judges, sala-
19 ries of the officers and employees of the court, services,
20 and necessary expenses of the court, as authorized by law,
21 \$20,968,000.

1 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER
2 JUDICIAL SERVICES
3 SALARIES AND EXPENSES
4 (INCLUDING TRANSFER OF FUNDS)

5 For the salaries of circuit and district judges (includ-
6 ing judges of the territorial courts of the United States),
7 justices and judges retired from office or from regular ac-
8 tive service, judges of the United States Court of Federal
9 Claims, bankruptcy judges, magistrate judges, and all
10 other officers and employees of the Federal Judiciary not
11 otherwise specifically provided for, and necessary expenses
12 of the courts, and the purchase of uniforms for Probation
13 and Pretrial Services office staff, as authorized by law,
14 \$4,970,646,000 (including the purchase of firearms and
15 ammunition); of which not to exceed \$27,817,000 shall re-
16 main available until expended for space alteration projects
17 and for furniture and furnishings related to new space al-
18 teration and construction projects.

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

DEFENDER SERVICES

1
2 For the operation of Federal Defender organizations;
3 the compensation and reimbursement of expenses of attor-
4 neys appointed to represent persons under 18 U.S.C.
5 3006A, and also under 18 U.S.C. 3599, in cases in which
6 a defendant is charged with a crime that may be punish-
7 able by death; the compensation and reimbursement of ex-
8 penses of persons furnishing investigative, expert, and
9 other services under 18 U.S.C. 3006A(e), and also under
10 18 U.S.C. 3599(f) and (g)(2), in cases in which a defend-
11 ant is charged with a crime that may be punishable by
12 death; the compensation (in accordance with the maxi-
13 mums under 18 U.S.C. 3006A) and reimbursement of ex-
14 penses of attorneys appointed to assist the court in crimi-
15 nal cases where the defendant has waived representation
16 by counsel; the compensation and reimbursement of travel
17 expenses of guardians ad litem appointed under 18 U.S.C.
18 4100(b), acting on behalf of financially eligible minor or
19 incompetent offenders in connection with transfers from
20 the United States to foreign countries with which the
21 United States has a treaty for the execution of penal sen-
22 tences (18 U.S.C. 4100(b)); the compensation and reim-
23 bursement of expenses of attorneys appointed to represent
24 jurors in civil actions for the protection of their employ-
25 ment, as authorized by 28 U.S.C. 1875(d)(1); the com-

1 pension and reimbursement of expenses of attorneys ap-
2 pointed under 18 U.S.C. 983(b)(1) in connection with cer-
3 tain judicial civil forfeiture proceedings; and for necessary
4 training and general administrative expenses,
5 \$1,034,182,000, to remain available until expended.

6 FEES OF JURORS AND COMMISSIONERS

7 For fees and expenses of jurors as authorized by 28
8 U.S.C. 1871 and 1876; compensation of jury commis-
9 sioners as authorized by 28 U.S.C. 1863; and compensa-
10 tion of commissioners appointed in condemnation cases
11 pursuant to rule 71.1(h) of the Federal Rules of Civil Pro-
12 cedure (28 U.S.C. Appendix Rule 71.1(h)), \$59,000,000,
13 to remain available until expended: *Provided*, That the
14 compensation of land commissioners shall not exceed the
15 daily equivalent of the highest rate payable under 5 U.S.C.
16 5332.

17 COURT SECURITY

18 (INCLUDING TRANSFERS OF FUNDS)

19 For necessary expenses, not otherwise provided for,
20 incident to the provision of protective guard services for
21 United States courthouses and other facilities housing
22 Federal court operations, and the procurement, installa-
23 tion, and maintenance of security systems and equipment
24 for United States courthouses and other facilities housing
25 Federal court operations, including building ingress-egress

1 control, inspection of mail and packages, directed security
2 patrols, perimeter security, basic security services provided
3 by the Federal Protective Service, and other similar activi-
4 ties as authorized by section 1010 of the Judicial Improve-
5 ment and Access to Justice Act (Public Law 100-702),
6 \$500,000,000, of which not to exceed \$15,000,000 shall
7 remain available until expended, to be expended directly
8 or transferred to the United States Marshals Service,
9 which shall be responsible for administering the Judicial
10 Facility Security Program consistent with standards or
11 guidelines agreed to by the Director of the Administrative
12 Office of the United States Courts and the Attorney Gen-
13 eral.

14 ADMINISTRATIVE OFFICE OF THE UNITED STATES

15 COURTS

16 SALARIES AND EXPENSES

17 For necessary expenses of the Administrative Office
18 of the United States Courts as authorized by law, includ-
19 ing travel as authorized by 31 U.S.C. 1345, hire of a pas-
20 senger motor vehicle as authorized by 31 U.S.C. 1343(b),
21 advertising and rent in the District of Columbia and else-
22 where, \$82,000,000, of which not to exceed \$8,500 is au-
23 thorized for official reception and representation expenses.

1 FEDERAL JUDICIAL CENTER

2 SALARIES AND EXPENSES

3 For necessary expenses of the Federal Judicial Cen-
4 ter, as authorized by Public Law 90–219, \$27,000,000;
5 of which \$1,800,000 shall remain available through Sep-
6 tember 30, 2013, to provide education and training to
7 Federal court personnel; and of which not to exceed
8 \$1,500 is authorized for official reception and representa-
9 tion expenses.

10 JUDICIAL RETIREMENT FUNDS

11 PAYMENT TO JUDICIARY TRUST FUNDS

12 For payment to the Judicial Officers' Retirement
13 Fund, as authorized by 28 U.S.C. 377(o), \$86,968,000;
14 to the Judicial Survivors' Annuities Fund, as authorized
15 by 28 U.S.C. 376(e), \$12,600,000; and to the United
16 States Court of Federal Claims Judges' Retirement Fund,
17 as authorized by 28 U.S.C. 178(l), \$4,200,000.

18 UNITED STATES SENTENCING COMMISSION

19 SALARIES AND EXPENSES

20 For the salaries and expenses necessary to carry out
21 the provisions of chapter 58 of title 28, United States
22 Code, \$16,500,000, of which not to exceed \$1,000 is au-
23 thorized for official reception and representation expenses.

1 ADMINISTRATIVE PROVISIONS—THE JUDICIARY
2 (INCLUDING TRANSFER OF FUNDS)

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

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

19 SEC. 303. Notwithstanding any other provision of
20 law, the salaries and expenses appropriation for “Courts
21 of Appeals, District Courts, and Other Judicial Services”
22 shall be available for official reception and representation
23 expenses of the Judicial Conference of the United States:
24 *Provided*, That such available funds shall not exceed
25 \$11,000 and shall be administered by the Director of the

1 Administrative Office of the United States Courts in the
2 capacity as Secretary of the Judicial Conference.

3 SEC. 304. Within 90 days after the date of the enact-
4 ment of this Act, the Administrative Office of the U.S.
5 Courts shall submit to the Committees on Appropriations
6 a comprehensive financial plan for the Judiciary allocating
7 all sources of available funds including appropriations, fee
8 collections, and carryover balances, to include a separate
9 and detailed plan for the Judiciary Information Tech-
10 nology Fund, which will establish the baseline for applica-
11 tion of reprogramming and transfer authorities for the
12 current fiscal year.

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

16 SEC. 306. In accordance with 28 U.S.C. 561–569,
17 and notwithstanding any other provision of law, the
18 United States Marshals Service shall provide, for such
19 courthouses as its Director may designate in consultation
20 with the Director of the Administrative Office of the
21 United States Courts, for purposes of a pilot program, the
22 security services that 40 U.S.C. 1315 authorizes the De-
23 partment of Homeland Security to provide, except for the
24 services specified in 40 U.S.C. 1315(b)(2)(E). For build-
25 ing-specific security services at these courthouses, the Di-

1 rector of the Administrative Office of the United States
 2 Courts shall reimburse the United States Marshals Service
 3 rather than the Department of Homeland Security.

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

7 (1) in the third sentence (relating to the Dis-
 8 trict of Kansas), by striking “20 years” and insert-
 9 ing “21 years”; and

10 (2) in the seventh sentence (related to the Dis-
 11 trict of Hawaii), by striking “17 years” and insert-
 12 ing “18 years”.

13 This title may be cited as the “Judiciary Appropria-
 14 tions Act, 2012”.

15 TITLE IV

16 DISTRICT OF COLUMBIA

17 FEDERAL FUNDS

18 FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

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

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

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

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

19 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
20 COURTS

21 For salaries and expenses for the District of Colum-
22 bia Courts, \$230,319,000 to be allocated as follows: for
23 the District of Columbia Court of Appeals, \$12,830,000,
24 of which not to exceed \$2,500 is for official reception and
25 representation expenses; for the District of Columbia Su-

1 perior Court, \$111,687,000, of which not to exceed \$2,500
2 is for official reception and representation expenses; for
3 the District of Columbia Court System, \$66,712,000, of
4 which not to exceed \$2,500 is for official reception and
5 representation expenses; and \$39,090,000, to remain
6 available until September 30, 2013, for capital improve-
7 ments for District of Columbia courthouse facilities: *Pro-*
8 *vided*, That funds made available for capital improvements
9 shall be expended consistent with the District of Columbia
10 Courts master plan study and building evaluation report:
11 *Provided further*, That notwithstanding any other provi-
12 sion of law, all amounts under this heading shall be appor-
13 tioned quarterly by the Office of Management and Budget
14 and obligated and expended in the same manner as funds
15 appropriated for salaries and expenses of other Federal
16 agencies, with payroll and financial services to be provided
17 on a contractual basis with the General Services Adminis-
18 tration (GSA), and such services shall include the prepara-
19 tion of monthly financial reports, copies of which shall be
20 submitted directly by GSA to the President and to the
21 Committees on Appropriations of the House of Represent-
22 atives and the Senate, the Committee on Oversight and
23 Government Reform of the House of Representatives, and
24 the Committee on Homeland Security and Governmental
25 Affairs of the Senate: *Provided further*, That 30 days after

1 providing written notice to the Committees on Appropria-
2 tions of the House of Representatives and the Senate, the
3 District of Columbia Courts may reallocate not more than
4 \$3,000,000 of the funds provided under this heading
5 among the items and entities funded under this heading,
6 but no such allocation shall be increased by more than
7 10 percent.

8 FEDERAL PAYMENT FOR DEFENDER SERVICES IN
9 DISTRICT OF COLUMBIA COURTS
10 (INCLUDING TRANSFER OF FUNDS)

11 For payments authorized under section 11–2604 and
12 section 11–2605, D.C. Official Code (relating to represen-
13 tation provided under the District of Columbia Criminal
14 Justice Act), payments for counsel appointed in pro-
15 ceedings in the Family Court of the Superior Court of the
16 District of Columbia under chapter 23 of title 16, D.C.
17 Official Code, or pursuant to contractual agreements to
18 provide guardian ad litem representation, training, tech-
19 nical assistance, and such other services as are necessary
20 to improve the quality of guardian ad litem representation,
21 payments for counsel appointed in adoption proceedings
22 under chapter 3 of title 16, D.C. Official Code, and pay-
23 ments authorized under section 21–2060, D.C. Official
24 Code (relating to services provided under the District of
25 Columbia Guardianship, Protective Proceedings, and Du-

1 rable Power of Attorney Act of 1986), \$55,000,000, to
2 remain available until expended: *Provided*, That funds pro-
3 vided under this heading shall be administered by the
4 Joint Committee on Judicial Administration in the Dis-
5 trict of Columbia: *Provided further*, That notwithstanding
6 any other provision of law, this appropriation shall be ap-
7 portioned quarterly by the Office of Management and
8 Budget and obligated and expended in the same manner
9 as funds appropriated for expenses of other Federal agen-
10 cies, with payroll and financial services to be provided on
11 a contractual basis with the General Services Administra-
12 tion (GSA), and such services shall include the prepara-
13 tion of monthly financial reports, copies of which shall be
14 submitted directly by GSA to the President and to the
15 Committees on Appropriations of the House of Represent-
16 atives and the Senate, the Committee on Oversight and
17 Government Reform of the House of Representatives, and
18 the Committee on Homeland Security and Governmental
19 Affairs of the Senate: *Provided further*, That not more
20 than \$10,000,000 of the funds provided in this account
21 may be transferred to, and merged with, funds made avail-
22 able under the heading “Federal Payment to the District
23 of Columbia Courts” for District of Columbia courthouse
24 facilities.

1 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
2 FENDER SUPERVISION AGENCY FOR THE DISTRICT
3 OF COLUMBIA

4 For salaries and expenses, including the transfer and
5 hire of motor vehicles, of the Court Services and Offender
6 Supervision Agency for the District of Columbia, as au-
7 thorized by the National Capital Revitalization and Self-
8 Government Improvement Act of 1997, \$212,983,000, of
9 which not to exceed \$2,000 is for official reception and
10 representation expenses related to Community Supervision
11 and Pretrial Services Agency programs; of which not to
12 exceed \$25,000 is for dues and assessments relating to
13 the implementation of the Court Services and Offender
14 Supervision Agency Interstate Supervision Act of 2002;
15 of which \$1,000,000 shall remain available until Sep-
16 tember 30, 2014 for relocation of the Pretrial Services
17 Agency drug testing laboratory; of which \$153,548,000
18 shall be for necessary expenses of Community Supervision
19 and Sex Offender Registration, to include expenses relat-
20 ing to the supervision of adults subject to protection or-
21 ders or the provision of services for or related to such per-
22 sons; of which \$59,435,000 shall be available to the Pre-
23 trial Services Agency: *Provided*, That notwithstanding any
24 other provision of law, all amounts under this heading
25 shall be apportioned quarterly by the Office of Manage-

1 ment and Budget and obligated and expended in the same
2 manner as funds appropriated for salaries and expenses
3 of other Federal agencies: *Provided further*, That not less
4 than \$1,500,000 shall be available for re-entrant housing
5 in the District of Columbia: *Provided further*, That the Di-
6 rector is authorized to accept and use gifts in the form
7 of in-kind contributions of space and hospitality to support
8 offender and defendant programs, and equipment and vo-
9 cational training services to educate and train offenders
10 and defendants: *Provided further*, That the Director shall
11 keep accurate and detailed records of the acceptance and
12 use of any gift or donation under the previous proviso,
13 and shall make such records available for audit and public
14 inspection: *Provided further*, That the Court Services and
15 Offender Supervision Agency Director is authorized to ac-
16 cept and use reimbursement from the District of Columbia
17 Government for space and services provided on a cost re-
18 imburseable basis.

19 FEDERAL PAYMENT TO THE PUBLIC DEFENDER SERVICE
20 FOR THE DISTRICT OF COLUMBIA

21 For salaries and expenses, including the transfer and
22 hire of motor vehicles, of the District of Columbia Public
23 Defender Service, as authorized by the National Capital
24 Revitalization and Self-Government Improvement Act of
25 1997, \$37,241,000: *Provided*, That notwithstanding any

1 other provision of law, all amounts under this heading
2 shall be apportioned quarterly by the Office of Manage-
3 ment and Budget and obligated and expended in the same
4 manner as funds appropriated for salaries and expenses
5 of Federal agencies.

6 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

7 WATER AND SEWER AUTHORITY

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

14 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE

15 COORDINATING COUNCIL

16 For a Federal payment to the Criminal Justice Co-
17 ordinating Council, \$1,800,000, to remain available until
18 expended, to support initiatives related to the coordination
19 of Federal and local criminal justice resources in the Dis-
20 trict of Columbia.

21 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

22 For a Federal payment, to remain available until
23 September 30, 2013, to the Commission on Judicial Dis-
24 abilities and Tenure, \$295,000, and for the Judicial Nomi-
25 nation Commission, \$205,000.

1 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

2 For a Federal payment for a school improvement pro-
3 gram in the District of Columbia, \$60,000,000, to be allo-
4 cated as follows: for the District of Columbia Public
5 Schools, \$20,000,000 to improve public school education
6 in the District of Columbia, to remain available until ex-
7 pended; for the State Education Office, \$20,000,000 to
8 expand quality public charter schools in the District of Co-
9 lumbia, to remain available until expended; and for the
10 Secretary of the Department of Education, \$20,000,000
11 to provide opportunity scholarships for students in the
12 District of Columbia in accordance with the Scholarships
13 for Opportunity and Results Act (Public Law 112–10, di-
14 vision C, 125 Stat. 199), to remain available until ex-
15 pended.

16 FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA

17 NATIONAL GUARD

18 For a Federal payment to the District of Columbia
19 National Guard, \$375,000, to remain available until ex-
20 pended for the Major General David F. Wherley, Jr. Dis-
21 trict of Columbia National Guard Retention and College
22 Access Program.

23 DISTRICT OF COLUMBIA FUNDS

24 The following amounts are appropriated for the Dis-
25 trict of Columbia for the current fiscal year out of the

1 General Fund of the District of Columbia (“General
2 Fund”), except as otherwise specifically provided: *Pro-*
3 *vided*, That notwithstanding any other provision of law,
4 except as provided in section 450A of the District of Co-
5 lumbia Home Rule Act, (114 Stat. 2440; D.C. Official
6 Code, section 1–204.50a) and provisions of this Act, the
7 total amount appropriated in this Act for operating ex-
8 penses for the District of Columbia for fiscal year 2012
9 under this heading shall not exceed the lesser of the sum
10 of the total revenues of the District of Columbia for such
11 fiscal year or \$10,911,966,000 (of which \$6,208,646,000
12 shall be from local funds, (including \$526,594,000 from
13 dedicated taxes), \$1,015,449,000 shall be from Federal
14 grant funds, \$1,499,115,000 from Medicaid payments,
15 \$2,040,504,000 shall be from other funds, and
16 \$25,677,000 shall be from private funds, and
17 \$122,575,000 shall be from funds previously appropriated
18 in this Act as Federal payments: *Provided further*, That
19 of the local funds, such amounts as may be necessary may
20 be derived from the District’s General Fund balance: *Pro-*
21 *vided further*, That of these funds the District’s intra-District
22 authority shall be \$619,632,000: in addition, for cap-
23 ital construction projects, an increase of \$4,024,828,000,
24 of which \$2,934,012,000 shall be from local funds,
25 \$223,858,000 from the District of Columbia Highway

1 Trust Fund, \$50,466,000 from the Local Transportation
2 Fund, \$816,492,000 from Federal grant funds, and a re-
3 scission of \$2,835,689,000 of which \$1,796,345,000 shall
4 be from local funds, \$749,426,000 from Federal grant
5 funds, \$252,694,000 from the District of Columbia High-
6 way Trust Fund, and \$37,224,000 from the Local Trans-
7 portation Fund appropriated under this heading in prior
8 fiscal years, for a net amount of \$1,189,139,000, to re-
9 main available until expended: *Provided further*, That the
10 amounts provided under this heading are to be available,
11 allocated, and expended as proposed under title III of the
12 Fiscal Year 2012 Budget Request Act of 2011, at the rate
13 set forth under “District of Columbia Funds Division of
14 Expenses” as included in the of the Fiscal Year 2012 Pro-
15 posed Budget and Financial Plan submitted to the Con-
16 gress by the District of Columbia: *Provided further*, That
17 this amount may be increased by proceeds of one-time
18 transactions, which are expended for emergency or unan-
19 ticipated operating or capital needs: *Provided further*,
20 That such increases shall be approved by enactment of
21 local District law and shall comply with all reserve require-
22 ments contained in the District of Columbia Home Rule
23 Act: *Provided further*, That the Chief Financial Officer of
24 the District of Columbia shall take such steps as are nec-
25 essary to assure that the District of Columbia meets these

1 requirements, including the apportioning by the Chief Fi-
 2 nancial Officer of the appropriations and funds made
 3 available to the District during fiscal year 2012, except
 4 that the Chief Financial Officer may not reprogram for
 5 operating expenses any funds derived from bonds, notes,
 6 or other obligations issued for capital projects.

7 This title may be cited as the “District of Columbia
 8 Appropriations Act, 2012”.

9 TITLE V

10 INDEPENDENT AGENCIES

11 ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

12 SALARIES AND EXPENSES

13 For necessary expenses of the Administrative Con-
 14 ference of the United States, authorized by 5 U.S.C. 591
 15 et seq., \$2,900,000, to remain available until September
 16 30, 2013, of which not to exceed \$1,000,000 is for official
 17 reception and representation expenses.

18 CHRISTOPHER COLUMBUS FELLOWSHIP FOUNDATION

19 SALARIES AND EXPENSES

20 For payment to the Christopher Columbus Fellow-
 21 ship Foundation, established by section 423 of Public Law
 22 102–281, \$450,000, to remain available until expended.

23 COMMODITY FUTURES TRADING COMMISSION

24 For necessary expenses to carry out the provisions
 25 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-

1 cluding the purchase and hire of passenger motor vehicles,
2 and the rental of space (to include multiple year leases)
3 in the District of Columbia and elsewhere, \$240,000,000,
4 to remain available until September 30, 2013, including
5 not to exceed \$3,000 for official reception and representa-
6 tion expenses, and not to exceed \$25,000 for the expenses
7 for consultations and meetings hosted by the Commission
8 with foreign governmental and other regulatory officials,
9 and of which \$66,000,000 shall remain available for infor-
10 mation technology investments until September 30, 2014.

11 CONSUMER PRODUCT SAFETY COMMISSION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Consumer Product
14 Safety Commission, including hire of passenger motor ve-
15 hicles, services as authorized by 5 U.S.C. 3109, but at
16 rates for individuals not to exceed the per diem rate equiv-
17 alent to the maximum rate payable under 5 U.S.C. 5376,
18 purchase of nominal awards to recognize non-Federal offi-
19 cials' contributions to Commission activities, and not to
20 exceed \$4,000 for official reception and representation ex-
21 penses, \$114,500,000.

1 ADMINISTRATIVE PROVISIONS—CONSUMER PRODUCT
2 SAFETY COMMISSION

3 SEC. 501. Section 4(g) of the Consumer Product
4 Safety Act (15 U.S.C. 2053(g)) is amended by adding at
5 the end the following:

6 “(5) The Chairman may provide to officers and
7 employees of the Commission who are appointed or
8 assigned by the Commission to serve abroad (as de-
9 fined in section 102 of the Foreign Service Act of
10 1980 (22 U.S.C. 3902)) travel benefits similar to
11 those authorized for members of the Foreign Service
12 of the United Service under chapter 9 of such Act
13 (22 U.S.C. 4081 et seq.).”.

14 SEC. 502. (a) The Consumer Product Safety Act (15
15 U.S.C. 2051 et seq.) is amended by inserting after section
16 17 the following:

17 **“SEC. 17A. SERVICE OF PROCESS.**

18 “(a) DESIGNATING AGENTS.—

19 “(1) IN GENERAL.—The Commission may re-
20 quire a manufacturer, or class of manufacturers, of-
21 fering a consumer product for import to designate
22 an agent in the United States on whom service of
23 notices and process in administrative and judicial
24 proceedings may be made.

1 “(2) FILING.—The designation shall be in writ-
2 ing and filed with the Commission.

3 “(3) MODIFICATION.—The designation may be
4 changed in the same way originally made.

5 “(b) SERVICE.—

6 “(1) PLACE OF SERVICE.—An agent may be
7 served at the agent’s office or usual place of resi-
8 dence.

9 “(2) SERVICE ON AGENT IS SERVICE ON MANU-
10 FACTURER.—Service on the agent is deemed to be
11 service on the manufacturer.

12 “(3) NO DESIGNATED AGENT.—If a manufac-
13 turer does not designate an agent, service may be
14 made by posting the notice or process in the office
15 of the Commission.”.

16 (b) The table of contents in section 1 of such Act
17 is amended by inserting after the item relating to section
18 17 the following:

“17A. Service of process.”.

19 SEC. 503. (a) Not later than 1 year after the date
20 of the enactment of this Act, the Consumer Product Safe-
21 ty Commission shall promulgate, as a final consumer prod-
22 uct safety standard under section 7(a) of the Consumer
23 Product Safety Act (15 U.S.C. 2056(a))—

24 (1) a standard requiring button cell battery
25 compartments of battery-operated or assisted con-

1 sumer products to be secured, to the greatest extent
2 practicable, in a manner that reduces access to but-
3 ton cell batteries by children that are 3 years of age
4 or younger; and

5 (2) standards requiring warning labels—

6 (A) to be included in any literature that
7 accompanies a battery-operated or assisted con-
8 sumer product, such as a user manual;

9 (B) to be included on packaging for button
10 cell batteries sold to consumers; and

11 (C) to be included, as practicable, directly
12 on a battery-operated or assisted consumer
13 product in a manner that is visible to the con-
14 sumer upon installation or replacement of the
15 button cell battery.

16 (b) Warning labels required under subsection (a)
17 shall—

18 (1) clearly identify the hazard of ingestion; and

19 (2) instruct consumers, as practicable, to keep
20 new and used batteries out of the reach of children
21 and to seek immediate medical attention if a battery
22 is ingested.

23 (c)(1) The standards required by subsection (a) shall
24 be promulgated in accordance with section 553 of title 5,
25 United States Code.

1 (2) The requirements of subsections (a) through (f)
2 and (g)(1) of section 9 of the Consumer Product Safety
3 Act (15 U.S.C. 2058) shall not apply to the promulgation
4 of the standards required by subsection (a) of this section.

5 (d) Each final consumer product safety standard re-
6 quired by subsection (a) shall apply to battery-operated
7 or assisted consumer products manufactured on or after
8 the date that is 1 year after the date on which the Com-
9 mission promulgates the standard.

10 SEC. 504. Not later than 1 year after the date of
11 the enactment of this Act, the Comptroller General of the
12 United States shall conduct an analysis of the potential
13 safety risks associated with new and emerging consumer
14 products, including chemicals and other materials used in
15 their manufacture, taking into account the ability and au-
16 thority of the Consumer Product Safety Commission—

17 (1) to identify, assess, and address such risks
18 in a timely manner; and

19 (2) to keep abreast of the effects of new and
20 emerging consumer products on public health and
21 safety.

22 SEC. 505. Not later than 150 days after the date of
23 the enactment of this Act, the Comptroller General of the
24 United States shall conduct an analysis of—

1 (1) the extent to which manufacturers comply
2 with voluntary industry standards for consumer
3 products, particularly with respect to inexpensive,
4 imported products;

5 (2) whether there are consequences for such
6 manufacturers for failing to comply with such stand-
7 ards;

8 (3) whether the Consumer Product Safety Com-
9 mission has the authority and the ability to require
10 compliance with such standards; and

11 (4) whether there are patterns of non-compli-
12 ance with such standards among certain types of
13 products or certain types of manufacturers.

14 SEC. 505. Not later than 540 days after the date of
15 the enactment of this Act, the Consumer Product Safety
16 Commission shall—

17 (1) in consultation with representatives of con-
18 sumer groups, window blind manufacturers, and
19 independent engineers and experts, examine and as-
20 sess the effectiveness of the ANSI/WCMA A100.1–
21 2010 safety standard, as in effect on the day before
22 the date of the enactment of this Act; and

23 (2) if the Commission determines that a more
24 stringent standard for window coverings, or revised
25 version of the standard described in paragraph (1),

1 would eliminate the strangulation risk posed by
 2 corded window coverings, promulgate, in accordance
 3 with section 553 of title 5, United States Code, a
 4 window covering safety standard that is more strin-
 5 gent than the standard described in paragraph (1).

6 ELECTION ASSISTANCE COMMISSION

7 SALARIES AND EXPENSES

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses to carry out the Help Amer-
 10 ica Vote Act of 2002 (Public Law 107–252), \$14,750,000,
 11 of which \$3,250,000 shall be transferred to the National
 12 Institute of Standards and Technology for election reform
 13 activities authorized under the Help America Vote Act of
 14 2002.

15 FEDERAL COMMUNICATIONS COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses of the Federal Communica-
 18 tions Commission, as authorized by law, including uni-
 19 forms and allowances therefor, as authorized by 5 U.S.C.
 20 5901–5902; not to exceed \$4,000 for official reception and
 21 representation expenses; purchase and hire of motor vehi-
 22 cles; special counsel fees; and services as authorized by
 23 5 U.S.C. 3109, \$354,181,000: *Provided*, That
 24 \$354,181,000 of offsetting collections shall be assessed
 25 and collected pursuant to section 9 of title I of the Com-

1 munications Act of 1934, shall be retained and used for
2 necessary expenses in this appropriation, and shall remain
3 available until expended: *Provided further*, That the sum
4 herein appropriated shall be reduced as such offsetting
5 collections are received during fiscal year 2012 so as to
6 result in a final fiscal year 2012 appropriation estimated
7 at \$0: *Provided further*, That any offsetting collections re-
8 ceived in excess of \$354,181,000 in fiscal year 2012 shall
9 not be available for obligation: *Provided further*, That re-
10 maining offsetting collections from prior years collected in
11 excess of the amount specified for collection in each such
12 year and otherwise becoming available on October 1, 2011,
13 shall not be available for obligation: *Provided further*, That
14 notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from
15 the use of a competitive bidding system that may be re-
16 tained and made available for obligation shall not exceed
17 \$85,000,000 for fiscal year 2012: *Provided further*, That
18 of the amount appropriated under this heading, not less
19 than \$11,721,000 shall be for the salaries and expenses
20 of the Office of Inspector General.

21 ADMINISTRATIVE PROVISIONS—FEDERAL

22 COMMUNICATIONS COMMISSION

23 SEC. 510. Section 302 of the Universal Service
24 Antideficiency Temporary Suspension Act is amended by

1 striking “December 31, 2011”, each place it appears and
2 inserting “December 31, 2013”.

3 SEC. 511. None of the funds appropriated by this Act
4 may be used by the Federal Communications Commission
5 to modify, amend, or change its rules or regulations for
6 universal service support payments to implement the Feb-
7 ruary 27, 2004 recommendations of the Federal-State
8 Joint Board on Universal Service regarding single connec-
9 tion or primary line restrictions on universal service sup-
10 port payments.

11 FEDERAL DEPOSIT INSURANCE CORPORATION

12 OFFICE OF THE INSPECTOR GENERAL

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

18 FEDERAL ELECTION COMMISSION

19 SALARIES AND EXPENSES

20 For necessary expenses to carry out the provisions
21 of the Federal Election Campaign Act of 1971,
22 \$66,367,000, of which not to exceed \$5,000 shall be avail-
23 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 \$24,723,000: *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.

21 FEDERAL TRADE COMMISSION
22 SALARIES AND EXPENSES

23 For necessary expenses of the Federal Trade Com-
24 mission, including uniforms or allowances therefor, as au-
25 thorized by 5 U.S.C. 5901–5902; services as authorized

1 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
2 not to exceed \$2,000 for official reception and representa-
3 tion expenses, \$311,563,000, to remain available until ex-
4 pended: *Provided*, That not to exceed \$300,000 shall be
5 available for use to contract with a person or persons for
6 collection services in accordance with the terms of 31
7 U.S.C. 3718: *Provided further*, That, notwithstanding any
8 other provision of law, not to exceed \$149,000,000 of off-
9 setting collections derived from fees collected for
10 premerger notification filings under the Hart-Scott-Ro-
11 dino Antitrust Improvements Act of 1976 (15 U.S.C.
12 18a), regardless of the year of collection, shall be retained
13 and used for necessary expenses in this appropriation:
14 *Provided further*, That, notwithstanding any other provi-
15 sion of law, not to exceed \$21,000,000 in offsetting collec-
16 tions derived from fees sufficient to implement and enforce
17 the Telemarketing Sales Rule, promulgated under the
18 Telemarketing and Consumer Fraud and Abuse Preven-
19 tion Act (15 U.S.C. 6101 et seq.), shall be credited to this
20 account, and be retained and used for necessary expenses
21 in this appropriation: *Provided further*, That the sum here-
22 in appropriated from the general fund shall be reduced
23 as such offsetting collections are received during fiscal
24 year 2012, so as to result in a final fiscal year 2012 appro-
25 priation from the general fund estimated at not more than

1 \$141,563,000: *Provided further*, That none of the funds
2 made available to the Federal Trade Commission may be
3 used to implement subsection (e)(2)(B) of section 43 of
4 the Federal Deposit Insurance Act (12 U.S.C. 1831t).

5 GENERAL SERVICES ADMINISTRATION

6 REAL PROPERTY ACTIVITIES

7 FEDERAL BUILDINGS FUND

8 LIMITATIONS ON AVAILABILITY OF REVENUE

9 Amounts in the Fund, including revenues and collec-
10 tions deposited into the Fund shall be available for nec-
11 essary expenses of real property management and related
12 activities not otherwise provided for, including operation,
13 maintenance, and protection of federally owned and leased
14 buildings; rental of buildings in the District of Columbia;
15 restoration of leased premises; moving governmental agen-
16 cies (including space adjustments and telecommunications
17 relocation expenses) in connection with the assignment, al-
18 location and transfer of space; contractual services inci-
19 dent to cleaning or servicing buildings, and moving; repair
20 and alteration of federally owned buildings including
21 grounds, approaches and appurtenances; care and safe-
22 guarding of sites; maintenance, preservation, demolition,
23 and equipment; acquisition of buildings and sites by pur-
24 chase, condemnation, or as otherwise authorized by law;
25 acquisition of options to purchase buildings and sites; con-

1 version and extension of federally owned buildings; pre-
2 liminary planning and design of projects by contract or
3 otherwise; construction of new buildings (including equip-
4 ment for such buildings); and payment of principal, inter-
5 est, and any other obligations for public buildings acquired
6 by installment purchase and purchase contract; in the ag-
7 gregate amount of \$8,144,967,000, of which: (1)
8 \$65,000,000 shall remain available until expended for con-
9 struction and acquisition (including funds for sites and ex-
10 penses, and associated design and construction services):
11 *Provided*, That the General Services Administration shall
12 submit a detailed plan, by project, regarding the use of
13 funds to the Committees on Appropriations of the House
14 of Representatives and the Senate within 30 days of enact-
15 ment of this section and will provide notification to the
16 Committees within 15 days prior to any changes regarding
17 the use of these funds; (2) \$280,000,000, including
18 \$20,000,000 for a Judicial Capital Security program, to
19 remain available until expended for repairs and alter-
20 ations, which includes associated design and construction
21 services: *Provided further*, That funds made available in
22 this or any previous Act in the Federal Buildings Fund
23 for Repairs and Alterations shall, for prospectus projects,
24 be limited to the amount identified for each project, except
25 each project in this or any previous Act may be increased

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

1 to pay claims against the Government arising from any
2 projects under the heading “Repairs and Alterations” or
3 used to fund authorized increases in prospectus projects;
4 (3) \$126,801,000 for installment acquisition payments in-
5 cluding payments on purchase contracts which shall re-
6 main available until expended; (4) \$5,285,198,000 for
7 rental of space which shall remain available until ex-
8 pended; and (5) \$2,387,968,000 for building operations
9 which shall remain available until expended: *Provided fur-*
10 *ther*, That funds available to the General Services Admin-
11 istration shall not be available for expenses of any con-
12 struction, repair, alteration and acquisition project for
13 which a prospectus, if required by 40 U.S.C. 3307(a), has
14 not been approved, except that necessary funds may be
15 expended for each project for required expenses for the
16 development of a proposed prospectus: *Provided further*,
17 That funds available in the Federal Buildings Fund may
18 be expended for emergency repairs when advance approval
19 is obtained from the Committees on Appropriations: *Pro-*
20 *vided further*, That amounts necessary to provide reim-
21 bursable special services to other agencies under 40 U.S.C.
22 592(b)(2) and amounts to provide such reimbursable fenc-
23 ing, lighting, guard booths, and other facilities on private
24 or other property not in Government ownership or control
25 as may be appropriate to enable the United States Secret

1 Service to perform its protective functions pursuant to 18
2 U.S.C. 3056, shall be available from such revenues and
3 collections: *Provided further*, That revenues and collections
4 and any other sums accruing to this Fund during fiscal
5 year 2012, excluding reimbursements under 40 U.S.C.
6 592(b)(2) in excess of the aggregate new obligational au-
7 thority authorized for Real Property Activities of the Fed-
8 eral Buildings Fund in this Act shall remain in the Fund
9 and shall not be available for expenditure except as au-
10 thorized in appropriations Acts.

11 GENERAL ACTIVITIES

12 GOVERNMENT-WIDE POLICY

13 For expenses authorized by law, not otherwise pro-
14 vided for, for Government-wide policy and evaluation ac-
15 tivities associated with the management of real and per-
16 sonal property assets and certain administrative services;
17 Government-wide policy support responsibilities relating to
18 acquisition, telecommunications, information technology
19 management, and related technology activities; services as
20 authorized by 5 U.S.C. 3109; and the Office of High Per-
21 formance Green Buildings; \$61,750,000.

22 OPERATING EXPENSES

23 For expenses authorized by law, not otherwise pro-
24 vided for, for Government-wide activities associated with
25 utilization and donation of surplus personal property; dis-

1 posal of real property; agency-wide policy direction, man-
2 agement, and communications; the Civilian Board of Con-
3 tract Appeals; services as authorized by 5 U.S.C. 3109;
4 and not to exceed \$7,500 for official reception and rep-
5 resentation expenses; \$70,000,000.

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 \$58,000,000: *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 INFORMATION AND ENGAGEMENT FOR CITIZENS

18 (INCLUDING TRANSFER OF FUNDS)

19 For necessary expenses of the Office of Citizen Serv-
20 ices and Innovative Technologies, including services au-
21 thorized by 5 U.S.C. 3109, and for the necessary expenses
22 in support of interagency projects that enable the Federal
23 Government to conduct activities electronically, through
24 the development and implementation of innovative uses of
25 information technology, \$39,084,000 to be deposited to

1 the Federal Citizen Services Fund and that these funds
2 may be transferred to Federal agencies to carry out the
3 purpose of the fund and this transfer authority shall be
4 in addition to any other transfer authority provided in the
5 Act: *Provided*, That the appropriations, revenues,
6 reimburseables, and collections deposited into the Federal
7 Citizen Services Fund shall only be available for necessary
8 expenses of Federal Citizen Services and other informa-
9 tion activities in the aggregate amount not to exceed
10 \$90,000,000: *Provided further*, That revenues and collec-
11 tions accruing to the Fund during fiscal year 2012 in ex-
12 cess of such amount shall remain available in the Fund
13 without regard to fiscal year and shall not be available
14 for expenditure except as authorized in appropriations
15 acts.

16 ALLOWANCES AND OFFICE STAFF FOR FORMER
17 PRESIDENTS

18 For carrying out the provisions of the Act of August
19 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138,
20 \$3,671,000.

1 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

2 ADMINISTRATION

3 (INCLUDING TRANSFERS OF FUNDS AND RESCISSION)

4 SEC. 520. Funds available to the General Services
5 Administration shall be available for the hire of passenger
6 motor vehicles.

7 SEC. 521. Funds in the Federal Buildings Fund
8 made available for fiscal year 2012 for Federal Buildings
9 Fund activities may be transferred between such activities
10 only to the extent necessary to meet program require-
11 ments: *Provided*, That any proposed transfers shall be ap-
12 proved in advance by the Committees on Appropriations
13 of the House of Representatives and the Senate.

14 SEC. 522. Except as otherwise provided in this title,
15 funds made available by this Act shall be used to transmit
16 a fiscal year 2013 request for United States Courthouse
17 construction only if the request: (1) meets the design guide
18 standards for construction as established and approved by
19 the General Services Administration, the Judicial Con-
20 ference of the United States, and the Office of Manage-
21 ment and Budget; (2) reflects the priorities of the Judicial
22 Conference of the United States as set out in its approved
23 5-year construction plan; and (3) includes a standardized
24 courtroom utilization study of each facility to be con-
25 structed, replaced, or expanded.

1 SEC. 523. None of the funds provided in this Act may
2 be used to increase the amount of occupiable square feet,
3 provide cleaning services, security enhancements, or any
4 other service usually provided through the Federal Build-
5 ings Fund, to any agency that does not pay the rate per
6 square foot assessment for space and services as deter-
7 mined by the General Services Administration in compli-
8 ance with the Public Buildings Amendments Act of 1972
9 (Public Law 92–313).

10 SEC. 524. From funds made available under the
11 heading “Federal Buildings Fund, Limitations on Avail-
12 ability of Revenue”, claims against the Government of less
13 than \$250,000 arising from direct construction projects
14 and acquisition of buildings may be liquidated from sav-
15 ings effected in other construction projects with prior noti-
16 fication to the Committees on Appropriations of the House
17 of Representatives and the Senate.

18 SEC. 525. In any case in which the Committee on
19 Transportation and Infrastructure of the House of Rep-
20 resentatives and the Committee on Environment and Pub-
21 lic Works of the Senate adopt a resolution granting lease
22 authority pursuant to a prospectus transmitted to Con-
23 gress by the Administrator of the General Services Admin-
24 istration under 40 U.S.C. 3307, the Administrator shall
25 ensure that the delineated area of procurement is identical

1 to the delineated area included in the prospectus for all
2 lease agreements, except that, if the Administrator deter-
3 mines that the delineated area of the procurement should
4 not be identical to the delineated area included in the pro-
5 spectus, the Administrator shall provide an explanatory
6 statement to each of such committees and the Committees
7 on Appropriations of the House of Representatives and the
8 Senate prior to exercising any lease authority provided in
9 the resolution.

10 SEC. 526. Section 1703 of title 41 U.S.C. is amended
11 in paragraph (i)(6) by:

12 (1) deleting “for training”; and

13 (2) deleting “paragraph (2)” and inserting in
14 lieu thereof “subparagraphs (A) and (C) to (J) of
15 section 1122(a)(5) of this title”.

16 SEC. 527. (a) The Administrator of General Services
17 (Administrator), through a deed of release or other appro-
18 priate instrument, may release to the city of Tracy, Cali-
19 fornia (the City) the reversionary interests retained by the
20 United States, and all other terms, conditions, reserva-
21 tions, and restrictions imposed, in connection with the con-
22 veyance of the 200 acres conveyed pursuant to Public Law
23 105–277 section 140, as amended by Public Law 106–
24 31 section 3034 and Public Law 108–199 section 411.
25 The exact acreage and legal description of the parcel to

1 be released under subsection (a) shall be determined by
2 a survey that is satisfactory to the Administrator.

3 (b) As consideration for such release authorized
4 under subsection (a), the City shall pay to the Adminis-
5 trator an amount not less than the property's appraised
6 Fair Market Value as determined by the Administrator.
7 The determination of the Administrator is final. The Ad-
8 ministrator shall determine the property's Fair Market
9 Value through an appraisal conducted by a licensed, inde-
10 pendent appraiser. The appraisal shall be based on the
11 property's highest and best use.

12 (c) As soon as practicable, but not more than 180
13 days after enactment of this Act, the City shall enter into
14 a binding agreement with the Administrator for the con-
15 veyance described in subsection (a) of this section. The
16 net proceeds from sale shall be deposited into the Federal
17 Buildings Fund established under section 592 of title 40
18 of the United States Code.

19 (d) The City shall be responsible for reimbursing the
20 Administrator for the costs associated with implementing
21 this section, including the costs of appraisal and survey.
22 The Administrator may require such additional terms and
23 conditions in connection with the release under subsection
24 (a) as the Administrator considers appropriate to protect
25 the interests of the United States.

1 SEC. 528. Of the amounts made available under the
2 heading “Policy and Operations” for the maintenance,
3 protection, and disposal of the U.S. Coast Guard Service
4 Center at Governor’s Island, New York and the Lorton
5 Correctional Facility in Lorton, Virginia in prior years
6 whether appropriated directly to the General Services Ad-
7 ministration (GSA) or to any other agency of the Govern-
8 ment and received by GSA for such purpose, \$4,600,000
9 are rescinded.

10 SEC. 529. Within 120 days of enactment, the General
11 Services Administration shall submit a detailed report to
12 the Committees on Appropriations of the House of Rep-
13 resentatives and the Senate that describes each program,
14 project, or activity that is funded by appropriations to
15 General Services Administration but is not under the con-
16 trol or direction, in statute or in practice, of the Adminis-
17 trator of General Services.

18 HARRY S TRUMAN SCHOLARSHIP FOUNDATION

19 SALARIES AND EXPENSES

20 For payment to the Harry S Truman Scholarship
21 Foundation Trust Fund, established by section 10 of Pub-
22 lic Law 93–642, \$700,000, to remain available until ex-
23 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, \$40,258,000 together with not to exceed
14 \$2,345,000 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.

18 MORRIS K. UDALL AND STEWART L. UDALL

19 FOUNDATION

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

21 (INCLUDING TRANSFER OF FUNDS)

22 For payment to the Morris K. Udall and Stewart L.
23 Udall Trust Fund, pursuant to the Morris K. Udall and
24 Stewart L. Udall Foundation Act (20 U.S.C. 5601 et
25 seq.), \$2,200,000, to remain available until expended, of

1 which up to \$50,000 shall be used to conduct financial
2 audits pursuant to the Accountability of Tax Dollars Act
3 of 2002 (Public Law 107–289) notwithstanding sections
4 8 and 9 of Public Law 102–259: *Provided*, That up to
5 60 percent of such funds may be transferred by the Morris
6 K. Udall and Stewart L. Udall Foundation for the nec-
7 essary expenses of the Native Nations Institute.

8 ENVIRONMENTAL DISPUTE RESOLUTION FUND

9 For payment to the Environmental Dispute Resolu-
10 tion Fund to carry out activities authorized in the Envi-
11 ronmental Policy and Conflict Resolution Act of 1998,
12 \$3,792,000, to remain available until expended.

13 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

14 OPERATING EXPENSES

15 For necessary expenses in connection with the admin-
16 istration of the National Archives and Records Adminis-
17 tration (including the Information Security Oversight Of-
18 fice) and archived Federal records and related activities,
19 as provided by law, and for expenses necessary for the re-
20 view and declassification of documents and the activities
21 of the Public Interest Declassification Board, and for nec-
22 essary expenses in connection with the operations and
23 maintenance of the electronic records archives to include
24 all direct project costs associated with research, program
25 management, and corrective and adaptive software main-

1 tenance, and for the hire of passenger motor vehicles, and
2 for uniforms or allowances therefor, as authorized by law
3 (5 U.S.C. 5901 et seq.), including maintenance, repairs,
4 and cleaning, \$378,845,000: *Provided*, That all remaining
5 balances appropriated in prior fiscal years under the head-
6 ing “Electronic Records Archives” shall be transferred to
7 this account.

8 OFFICE OF INSPECTOR GENERAL

9 For necessary expenses of the Office of Inspector
10 General in carrying out the provisions of the Inspector
11 General Reform Act of 2008, Public Law 110–409, 122
12 Stat. 4302–16 (2008), and the Inspector General Act of
13 1978 (5 U.S.C. App.), and for the hire of passenger motor
14 vehicles, \$4,100,000.

15 REPAIRS AND RESTORATION

16 For the repair, alteration, and improvement of ar-
17 chives facilities, and to provide adequate storage for hold-
18 ings, \$9,659,000, to remain available until expended: *Pro-*
19 *vided*, That from amounts made available for the Military
20 Personnel Records Center requirement study under this
21 heading in Public Law 108–199, the remaining unobli-
22 gated balances shall be available to implement the Na-
23 tional Archives and Records Administration Capital Im-
24 provement Plan: *Provided further*, That from amounts
25 made available under this heading in Public Law 111–8

1 for construction costs and related services for building the
2 addition to the John F. Kennedy Presidential Library and
3 Museum and other necessary expenses, including ren-
4 ovating the Library as needed in constructing the addi-
5 tion, the remaining unobligated balances shall be available
6 to implement the National Archives and Records Adminis-
7 tration Capital Improvement Plan.

8 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

9 COMMISSION

10 GRANTS PROGRAM

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

15 NATIONAL CREDIT UNION ADMINISTRATION

16 CENTRAL LIQUIDITY FACILITY

17 During fiscal year 2012, gross obligations of the Cen-
18 tral Liquidity Facility for the principal amount of new di-
19 rect loans to member credit unions, as authorized by 12
20 U.S.C. 1795 et seq., shall be the amount authorized by
21 section 307(a)(4)(A) of the Federal Credit Union Act (12
22 U.S.C. 1795f(a)(4)(A)): *Provided*, That administrative ex-
23 penses of the Central Liquidity Facility in fiscal year 2012
24 shall not exceed \$1,250,000.

1 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

2 For the Community Development Revolving Loan
3 Fund program as authorized by 42 U.S.C. 9812, 9822
4 and 9910, \$1,247,000 shall be available until September
5 30, 2013 for technical assistance to low-income designated
6 credit unions.

7 OFFICE OF GOVERNMENT ETHICS

8 SALARIES AND EXPENSES

9 For necessary expenses to carry out functions of the
10 Office of Government Ethics pursuant to the Ethics in
11 Government Act of 1978, and the Ethics Reform Act of
12 1989, including services as authorized by 5 U.S.C. 3109,
13 rental of conference rooms in the District of Columbia and
14 elsewhere, hire of passenger motor vehicles, and not to ex-
15 ceed \$1,500 for official reception and representation ex-
16 penses, \$13,664,000.

17 OFFICE OF PERSONNEL MANAGEMENT

18 SALARIES AND EXPENSES

19 (INCLUDING TRANSFER OF TRUST FUNDS)

20 For necessary expenses to carry out functions of the
21 Office of Personnel Management [OPM] pursuant to Re-
22 organization Plan Numbered 2 of 1978 and the Civil Serv-
23 ice Reform Act of 1978, including services as authorized
24 by 5 U.S.C. 3109; medical examinations performed for
25 veterans by private physicians on a fee basis; rental of con-

1 ference rooms in the District of Columbia and elsewhere;
2 hire of passenger motor vehicles; not to exceed \$2,500 for
3 official reception and representation expenses; advances
4 for reimbursements to applicable funds of OPM and the
5 Federal Bureau of Investigation for expenses incurred
6 under Executive Order No. 10422 of January 9, 1953,
7 as amended; and payment of per diem and/or subsistence
8 allowances to employees where Voting Rights Act activities
9 require an employee to remain overnight at his or her post
10 of duty, \$97,774,000, of which \$6,004,000 shall remain
11 available until expended for the Enterprise Human Re-
12 sources Integration project, of which \$642,000 may be for
13 strengthening the capacity and capabilities of the acquisi-
14 tion workforce (as defined by the Office of Federal Pro-
15 curement Policy Act, as amended (41 U.S.C. 4001 et
16 seq.)), including the recruitment, hiring, training, and re-
17 tention of such workforce and information technology in
18 support of acquisition workforce effectiveness or for man-
19 agement solutions to improve acquisition management,
20 \$1,416,000 shall remain available until expended for the
21 Human Resources Line of Business project; and in addi-
22 tion \$112,516,000 for administrative expenses, to be
23 transferred from the appropriate trust funds of OPM
24 without regard to other statutes, including direct procure-
25 ment of printed materials, for the retirement and insur-

1 ance programs: *Provided*, That the provisions of this ap-
2 propriation shall not affect the authority to use applicable
3 trust funds as provided by sections 8348(a)(1)(B), and
4 9004(f)(2)(A) of title 5, United States Code: *Provided fur-*
5 *ther*, That no part of this appropriation shall be available
6 for salaries and expenses of the Legal Examining Unit of
7 OPM established pursuant to Executive Order No. 9358
8 of July 1, 1943, or any successor unit of like purpose:
9 *Provided further*, That the President's Commission on
10 White House Fellows, established by Executive Order No.
11 11183 of October 3, 1964, may, during fiscal year 2012,
12 accept donations of money, property, and personal serv-
13 ices: *Provided further*, That such donations, including
14 those from prior years, may be used for the development
15 of publicity materials to provide information about the
16 White House Fellows, except that no such donations shall
17 be accepted for travel or reimbursement of travel expenses,
18 or for the salaries of employees of such Commission.

19 OFFICE OF INSPECTOR GENERAL

20 SALARIES AND EXPENSES

21 (INCLUDING TRANSFER OF TRUST FUNDS)

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

1 \$3,142,000, and in addition, not to exceed \$21,174,000
2 for administrative expenses to audit, investigate, and pro-
3 vide other oversight of the Office of Personnel Manage-
4 ment's retirement and insurance programs, to be trans-
5 ferred from the appropriate trust funds of the Office of
6 Personnel Management, as determined by the Inspector
7 General: *Provided*, That the Inspector General is author-
8 ized to rent conference rooms in the District of Columbia
9 and elsewhere.

10 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES

11 HEALTH BENEFITS

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

17 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE

18 LIFE INSURANCE

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

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

4 For necessary expenses of the Postal Regulatory
5 Commission in carrying out the provisions of the Postal
6 Accountability and Enhancement Act (Public Law 109–
7 435), \$14,304,000, to be derived by transfer from the
8 Postal Service Fund and expended as authorized by sec-
9 tion 603(a) of such Act.

10 PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD
11 SALARIES AND EXPENSES

12 For necessary expenses of the Privacy and Civil Lib-
13 erties Oversight Board, as authorized by section 1061 of
14 the Intelligence Reform and Terrorism Prevention Act of
15 2004 (5 U.S.C. 601 note), \$1,000,000, to remain available
16 until September 30, 2013.

17 RECOVERY ACCOUNTABILITY AND TRANSPARENCY
18 BOARD

19 SALARIES AND EXPENSES

20 For necessary expenses of the Recovery Account-
21 ability and Transparency Board to carry out the provi-
22 sions of title XV of the American Recovery and Reinvest-
23 ment Act of 2009 (Public Law 111–5), \$28,400,000, to
24 remain available until September 30, 2012.

1 SECURITIES AND EXCHANGE COMMISSION
2 SALARIES AND EXPENSES

3 For necessary expenses for the Securities and Ex-
4 change Commission, including services as authorized by
5 5 U.S.C. 3109, the rental of space (to include multiple
6 year leases) in the District of Columbia and elsewhere, and
7 not to exceed \$3,500 for official reception and representa-
8 tion expenses, \$1,407,483,130, to remain available until
9 expended; of which not less than \$6,795,000 shall be for
10 the Office of Inspector General; of which not to exceed
11 \$45,000 may be used toward funding a permanent secre-
12 tariat for the International Organization of Securities
13 Commissions; of which, \$483,130 shall be for strength-
14 ening the capacity and capabilities of the acquisition work-
15 force as defined by the Office of Federal Procurement Pol-
16 icy Act, as amended (41 U.S.C. 401 et seq.), including
17 the recruitment, hiring, training, and retention of such
18 workforce and information technology in support of acqui-
19 sition workforce effectiveness or for management solutions
20 to improve acquisition management; and of which not to
21 exceed \$100,000 shall be available for expenses for con-
22 sultations and meetings hosted by the Commission with
23 foreign governmental and other regulatory officials, mem-
24 bers of their delegations, appropriate representatives and
25 staff to exchange views concerning developments relating

1 to securities matters, development and implementation of
2 cooperation agreements concerning securities matters and
3 provision of technical assistance for the development of
4 foreign securities markets, such expenses to include nec-
5 essary logistic and administrative expenses and the ex-
6 penses of Commission staff and foreign invitees in attend-
7 ance at such consultations and meetings including: (1)
8 such incidental expenses as meals taken in the course of
9 such attendance; (2) any travel and transportation to or
10 from such meetings; and (3) any other related lodging or
11 subsistence; *Provided*, That fees and charges authorized
12 by section 31 of the Securities Exchange Act of 1934 (15
13 U.S.C. 78ee) shall be credited to this account as offsetting
14 collections: *Provided further*, That not to exceed
15 \$1,407,483,000 of such offsetting collections shall be
16 available until expended for necessary expenses of this ac-
17 count: *Provided further*, That the total amount appro-
18 priated under this heading from the general fund for fiscal
19 year 2012 shall be reduced as such offsetting fees are re-
20 ceived so as to result in a final total fiscal year 2012 ap-
21 propriation from the general fund estimated at not more
22 than \$0.

1 SELECTIVE SERVICE SYSTEM

2 SALARIES AND EXPENSES

3 For necessary expenses of the Selective Service Sys-
4 tem, including expenses of attendance at meetings and of
5 training for uniformed personnel assigned to the Selective
6 Service System, as authorized by 5 U.S.C. 4101–4118 for
7 civilian employees; purchase of uniforms, or allowances
8 therefor, as authorized by 5 U.S.C. 5901–5902; hire of
9 passenger motor vehicles; services as authorized by 5
10 U.S.C. 3109; and not to exceed \$750 for official reception
11 and representation expenses; \$23,984,000: *Provided*, That
12 during the current fiscal year, the President may exempt
13 this appropriation from the provisions of 31 U.S.C. 1341,
14 whenever the President deems such action to be necessary
15 in the interest of national defense: *Provided further*, That
16 none of the funds appropriated by this Act may be ex-
17 pended for or in connection with the induction of any per-
18 son into the Armed Forces of the United States.

19 SMALL BUSINESS ADMINISTRATION

20 SALARIES AND EXPENSES

21 For necessary expenses, not otherwise provided for,
22 of the Small Business Administration as authorized by
23 Public Law 108–447, including hire of passenger motor
24 vehicles as authorized by 31 U.S.C. 1343 and 1344, and
25 not to exceed \$3,500 for official reception and representa-

1 tion expenses, \$404,202,000: *Provided*, That the Adminis-
2 trator is authorized to charge fees to cover the cost of pub-
3 lications developed by the Small Business Administration,
4 and certain loan program activities, including fees author-
5 ized by section 5(b) of the Small Business Act: *Provided*
6 *further*, That, notwithstanding 31 U.S.C. 3302, revenues
7 received from all such activities shall be credited to this
8 account, to remain available until expended, for carrying
9 out these purposes without further appropriations: *Pro-*
10 *vided further*, That the Small Business Administration
11 may accept gifts in an amount not to exceed \$4,000,000
12 and may co-sponsor activities, each in accordance with sec-
13 tion 132(a) of division K of Public Law 108-447, during
14 fiscal year 2012: *Provided further*, That \$112,774,000
15 shall be available to fund grants for performance in fiscal
16 year 2012 or fiscal year 2013 as authorized by section
17 21 of the Small Business Act, of which \$1,000,000 shall
18 be for the Veterans Assistance and Services Program au-
19 thorized by section 21(n) of the Small Business Act, as
20 added by section 107 of Public Law 110-186, and of
21 which \$1,000,000 shall be for the Small Business Energy
22 Efficiency Program authorized by section 1203(e) of Pub-
23 lic Law 110-140: *Provided further*, That \$21,956,000
24 shall remain available until September 30, 2013 for mar-
25 keting, management, and technical assistance under sec-

1 tion 7(m) of the Small Business Act (15 U.S.C.
2 636(m)(4)) by intermediaries that make microloans under
3 the microloan program: *Provided further*, That during fis-
4 cal year 2012, the applicable percentage under section
5 7(m)(4)(A) of the Small Business Act shall be 50 percent:
6 *Provided further*, That \$7,100,000 shall be available for
7 the Loan Modernization and Accounting System, to be
8 available until September 30, 2013: *Provided further*, That
9 \$2,000,000 shall be for the Federal and State Technology
10 Partnership Program under section 34 of the Small Busi-
11 ness Act (15 U.S.C. 657d).

12 OFFICE OF INSPECTOR GENERAL

13 For necessary expenses of the Office of Inspector
14 General in carrying out the provisions of the Inspector
15 General Act of 1978, \$16,267,400.

16 OFFICE OF ADVOCACY

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses of the Office of Advocacy in
19 carrying out the provisions of title II of Public Law 94-
20 305 (15 U.S.C. 634a et seq.) and the Regulatory Flexi-
21 bility Act of 1980 (5 U.S.C. 601 et seq.), \$9,120,000, to
22 remain available until expended.

1 BUSINESS LOANS PROGRAM ACCOUNT
2 (INCLUDING TRANSFER OF FUNDS)

3 For the cost of direct loans, \$3,678,000, to remain
4 available until expended, and for the cost of guaranteed
5 loans as authorized by section 7(a) of the Small Business
6 Act and section 503 of the Small Business Investment Act
7 of 1958, \$206,862,000, to remain available until ex-
8 pended: *Provided*, That such costs, including the cost of
9 modifying such loans, shall be as defined in section 502
10 of the Congressional Budget Act of 1974: *Provided fur-*
11 *ther*, That subject to section 502 of the Congressional
12 Budget Act of 1974, during fiscal year 2012 commitments
13 to guarantee loans under section 503 of the Small Busi-
14 ness Investment Act of 1958 shall not exceed
15 \$7,500,000,000: *Provided further*, That during fiscal year
16 2012 commitments for general business loans authorized
17 under section 7(a) of the Small Business Act shall not
18 exceed \$17,500,000,000 for a combination of amortizing
19 term loans and the aggregated maximum line of credit
20 provided by revolving loans: *Provided further*, That during
21 fiscal year 2012 commitments to guarantee loans for de-
22 ventures under section 303(b) of the Small Business In-
23 vestment Act of 1958, shall not exceed \$3,000,000,000:
24 *Provided further*, That during fiscal year 2012, guarantees
25 of trust certificates authorized by section 5(g) of the Small

1 Business Act shall not exceed a principal amount of
2 \$12,000,000,000. In addition, for administrative expenses
3 to carry out the direct and guaranteed loan programs,
4 \$147,958,000, which may be transferred to and merged
5 with the appropriations for Salaries and Expenses.

6 DISASTER LOAN PROGRAM ACCOUNT

7 For an additional amount for the “Disaster Loans
8 Program Account” for the administrative costs of direct
9 loans authorized by section 7(b) of the Small Business Act
10 and resulting from a major disaster designation pursuant
11 to the Robert T. Stafford Disaster Relief and Emergency
12 Assistance Act (42 U.S.C. 5122(2)), \$167,300,000, to re-
13 main available until expended, of which \$1,000,000 is for
14 the Office of Inspector General of the Small Business Ad-
15 ministration for audits and reviews of disaster loans and
16 the disaster loan programs and shall be transferred to and
17 merged with the appropriations for the Office of Inspector
18 General; of which \$157,300,000 is for direct administra-
19 tive expense of loan making and servicing to carry out the
20 direct loan program, which may be transferred to and
21 merged with the appropriations for Salaries and Expenses;
22 of which \$9,000,000 is for indirect administrative ex-
23 penses for the direct loan program, which may be trans-
24 ferred to and merged with the appropriations for Salaries
25 and Expenses: *Provided*, That such amount is designated

1 by Congress as being for disaster relief pursuant to section
2 251(b)(2)(D) of the Balanced Budget and Emergency
3 Deficit Control Act of 1985 (Public Law 99–177), as
4 amended.

5 ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

6 ADMINISTRATION

7 (INCLUDING TRANSFER OF FUNDS)

8 SEC. 530. Not to exceed 5 percent of any appropria-
9 tion made available for the current fiscal year for the
10 Small Business Administration in this Act may be trans-
11 ferred between such appropriations, but no such appro-
12 priation shall be increased by more than 10 percent by
13 any such transfers: *Provided*, That any transfer pursuant
14 to this paragraph shall be treated as a reprogramming of
15 funds under section 608 of this Act and shall not be avail-
16 able for obligation or expenditure except in compliance
17 with the procedures set forth in that section.

18 UNITED STATES POSTAL SERVICE

19 PAYMENT TO THE POSTAL SERVICE FUND

20 For payment to the Postal Service Fund for revenue
21 forgone on free and reduced rate mail, pursuant to sub-
22 sections (c) and (d) of section 2401 of title 39, United
23 States Code, \$78,153,000, which shall not be available for
24 obligation until October 1, 2012: *Provided*, That mail for
25 overseas voting and mail for the blind shall continue to

1 be free: *Provided further*, That 6-day delivery and rural
2 delivery of mail shall continue at not less than the 1983
3 level: *Provided further*, That none of the funds made avail-
4 able to the Postal Service by this Act shall be used to im-
5 plement any rule, regulation, or policy of charging any of-
6 ficer or employee of any State or local child support en-
7 forcement agency, or any individual participating in a
8 State or local program of child support enforcement, a fee
9 for information requested or provided concerning an ad-
10 dress of a postal customer: *Provided further*, That none
11 of the funds provided in this Act shall be used to consoli-
12 date or close small rural and other small post offices in
13 fiscal year 2012.

14 OFFICE OF INSPECTOR GENERAL

15 SALARIES AND EXPENSES

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses of the Office of Inspector
18 General in carrying out the provisions of the Inspector
19 General Act of 1978, \$241,468,000, to be derived by
20 transfer from the Postal Service Fund and expended as
21 authorized by section 603(b)(3) of the Postal Account-
22 ability and Enhancement Act (Public Law 109-435).

1 UNITED STATES TAX COURT
2 SALARIES AND EXPENSES

3 For necessary expenses, including contract reporting
4 and other services as authorized by 5 U.S.C. 3109,
5 \$51,469,000: *Provided*, That travel expenses of the judges
6 shall be paid upon the written certificate of the judge.

7 TITLE VI
8 GENERAL PROVISIONS—THIS ACT

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

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

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

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

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

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

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

21 SEC. 608. Except as otherwise provided in this Act,
22 none of the funds provided in this Act, provided by pre-
23 vious appropriations Acts to the agencies or entities fund-
24 ed in this Act that remain available for obligation or ex-
25 penditure in fiscal year 2012, or provided from any ac-

1 counts in the Treasury derived by the collection of fees
2 and available to the agencies funded by this Act, shall be
3 available for obligation or expenditure through a re-
4 programming of funds that:

5 (1) creates a new program;

6 (2) eliminates a program, project, or activity;

7 (3) increases funds or personnel for any pro-
8 gram, project, or activity for which funds have been
9 denied or restricted by the Congress;

10 (4) proposes to use funds directed for a specific
11 activity by the Committee on Appropriations of ei-
12 ther the House of Representatives or the Senate for
13 a different purpose;

14 (5) augments existing programs, projects, or ac-
15 tivities in excess of \$5,000,000 or 10 percent, which-
16 ever is less;

17 (6) reduces existing programs, projects, or ac-
18 tivities by \$5,000,000 or 10 percent, whichever is
19 less; or

20 (7) creates or reorganizes offices, programs, or
21 activities unless prior approval is received from the
22 Committees on Appropriations of the House of Rep-
23 resentatives and the Senate: *Provided*, That prior to
24 any significant reorganization or restructuring of of-
25 fices, programs, or activities, each agency or entity

1 funded in this Act shall consult with the Committees
2 on Appropriations of the House of Representatives
3 and the Senate: *Provided further*, That not later
4 than 60 days after the date of enactment of this
5 Act, each agency funded by this Act shall submit a
6 report to the Committees on Appropriations of the
7 House of Representatives and the Senate to estab-
8 lish the baseline for application of reprogramming
9 and transfer authorities for the current fiscal year:
10 *Provided further*, That at a minimum, the report
11 shall include:

12 (A) a table for each appropriation with a
13 separate column to display the President's
14 budget request, adjustments made by Congress,
15 adjustments due to enacted rescissions, if ap-
16 propriate, and the fiscal year enacted level;

17 (B) a delineation in the table for each ap-
18 propriation both by object class and program,
19 project, and activity as detailed in the budget
20 appendix for the respective appropriation; and

21 (C) an identification of items of special
22 congressional interest: *Provided further*, That
23 the amount appropriated or limited for salaries
24 and expenses for an agency shall be reduced by
25 \$100,000 per day for each day after the re-

1 required date that the report has not been sub-
2 mitted to the Congress.

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

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

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

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

1 SEC. 611. The cost accounting standards promul-
2 gated under chapter 15 of title 41, United States Code
3 shall not apply with respect to a contract under the Fed-
4 eral Employees Health Benefits Program established
5 under chapter 89 of title 5, United States Code.

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

14 SEC. 613. In order to promote Government access to
15 commercial information technology, the restriction on pur-
16 chasing nondomestic articles, materials, and supplies set
17 forth in chapter 83 of title 41, United States Code (popu-
18 larly known as the Buy American Act), shall not apply
19 to the acquisition by the Federal Government of informa-
20 tion technology (as defined in section 11101 of title 40,
21 United States Code), that is a commercial item (as defined
22 in section 103 of title 41, United States Code).

23 SEC. 614. Notwithstanding section 1353 of title 31,
24 United States Code, no officer or employee of any regu-
25 latory agency or commission funded by this Act may ac-

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

14 SEC. 615. The Public Company Accounting Oversight
15 Board shall have authority to obligate funds for the schol-
16 arship program established by section 109(c)(2) of the
17 Sarbanes-Oxley Act of 2002 (Public Law 107–204) in an
18 aggregate amount not exceeding the amount of funds col-
19 lected by the Board as of December 31, 2011, including
20 accrued interest, as a result of the assessment of monetary
21 penalties. Funds available for obligation in fiscal year
22 2012 shall remain available until expended.

23 SEC. 616. From the unobligated balances of prior
24 year appropriations made available for the Privacy and
25 Civil Liberties Oversight Board, \$998,000 are rescinded.

1 SEC. 617. Notwithstanding section 708 of this Act,
2 funds made available to the Commodity Futures Trading
3 Commission and the Securities and Exchange Commission
4 by this or any other Act may be used for the interagency
5 funding and sponsorship of a joint advisory committee to
6 advise on emerging regulatory issues.

7 SEC. 618. Section 1107 of title 31, United States
8 Code, is amended by adding to the end thereof the fol-
9 lowing: “The President shall transmit promptly to Con-
10 gress without change, proposed deficiency and supple-
11 mental appropriations submitted to the President by the
12 legislative branch and the judicial branch.”.

13 SEC. 619. Section 7 of the Abraham Lincoln Com-
14 memorative Coin Act (31 U.S.C. § 5112 note) is amended
15 in subsection (b) by striking “Abraham Lincoln Bicenten-
16 nial Commission to further the work of the Commission”
17 and inserting “Abraham Lincoln Bicentennial Foundation
18 for the purposes of commemorating the bicentennial of the
19 birth of Abraham Lincoln, and fostering and promoting
20 the awareness and study of the life of Abraham Lincoln”
21 and in subsection (c) by striking “Abraham Lincoln Bicen-
22 tennial Commission” and inserting “Abraham Lincoln Bi-
23 centennial Foundation”.

24 SEC. 620. During fiscal year 2012, for purposes of
25 section 908(b)(1) of the Trade Sanctions Reform and Ex-

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

5 SEC. 621. The Help America Vote Act of 2002 (Pub-
6 lic Law 107–252) is amended by:

7 (1) inserting in section 255(b)(42 U.S.C.
8 15405) “posted on the Commission’s website with a
9 notice” after “cause to have the plan”;

10 (2) inserting in section 253(d)(42 U.S.C.
11 15403) “notice of” prior to “the State plan”;

12 (3) inserting in section 254(a)(11)(42 U.S.C.
13 15404) “notice of” prior to “the change”; and

14 (4) inserting in section 254(a)(11)(C)(42
15 U.S.C. 15404) “notice of” prior to “the change”.

16 SEC. 622. Section 605 of the Departments of Com-
17 merce, Justice, and State, the Judiciary, and Related
18 Agencies Appropriations Act, 1990 (15 U.S.C. 18a note)
19 is amended—

20 (1) in subsection (b)—

21 (A) in the matter preceding paragraph (1),
22 by striking “The filing fees” and inserting
23 “Subject to subsection (c), the filing fees”;

24 (B) in paragraph (1), by striking
25 “\$45,000” and inserting “\$60,000”;

1 (C) in paragraph (2)—

2 (i) by striking “\$125,000” and insert-
3 ing “\$160,000”; and

4 (ii) by striking “and” at the end;

5 (D) in paragraph (3)—

6 (i) by striking “\$280,000” and insert-
7 ing “\$360,000”; and

8 (ii) by striking the period at the end
9 and inserting “but less than
10 \$1,000,000,000 (as so adjusted and pub-
11 lished); and”;

12 (E) by adding at the end the following:

13 “(4) \$500,000 if the aggregate total amount
14 determined under section 7A(a)(2) of the Clayton
15 Act (15 U.S.C. 18a(a)(2)) is not less than
16 \$1,000,000,000 (as so adjusted and published).”;
17 and

18 (2) by adding at the end the following:

19 “(c) For fiscal year 2013, and each fiscal year there-
20 after, the Federal Trade Commission shall publish in the
21 Federal Register and increase the amount of each filing
22 fee under subsection (b) in the same manner and on the
23 same dates as provided under section 8(a)(5) of the Clay-
24 ton Act (15 U.S.C. 19(a)(5)) to reflect the percentage
25 change in the gross national product for the fiscal year

1 as compared to the gross national product for fiscal year
2 2011, except that the Federal Trade Commission—

3 “(1) shall round any increase in a filing fee
4 under this subsection to the nearest \$5,000;

5 “(2) shall not increase filing fees under this
6 subsection if the increase in the gross national prod-
7 uct is less than 1 percent; and

8 “(3) shall not decrease filing fees under this
9 subsection.”.

10 SEC. 623. None of the funds appropriated by this or
11 any other Act shall be available for the purpose of con-
12 veying the headquarters building of the Federal Trade
13 Commission (located at 600 Pennsylvania Avenue, North-
14 west, in the District of Columbia) to any entity unless the
15 Administrator of the General Services Administration de-
16 termines that such transaction is made in the best interest
17 of the taxpayer. In making a final determination, the Ad-
18 ministrator shall consider if the Federal Government
19 would be compensated at least the Fair Market Value of
20 such building as determined by the Administrator of the
21 General Services. The Administrator shall determine the
22 property’s Fair Market Value through an appraisal con-
23 ducted by a licensed, independent appraiser. The appraisal
24 shall be based on the property’s highest and best use. The
25 Administrator shall also consider cost to the taxpayer for

1 SEC. 702. Unless otherwise specifically provided, the
2 maximum amount allowable during the current fiscal year
3 in accordance with subsection 1343(c) of title 31, United
4 States Code, for the purchase of any passenger motor ve-
5 hicle (exclusive of buses, ambulances, law enforcement,
6 and undercover surveillance vehicles), is hereby fixed at
7 \$13,179 except station wagons for which the maximum
8 shall be \$13,631: *Provided*, That these limits may be ex-
9 ceeded by not to exceed \$3,700 for police-type vehicles,
10 and by not to exceed \$4,000 for special heavy-duty vehi-
11 cles: *Provided further*, That the limits set forth in this sec-
12 tion may not be exceeded by more than 5 percent for elec-
13 tric or hybrid vehicles purchased for demonstration under
14 the provisions of the Electric and Hybrid Vehicle Re-
15 search, Development, and Demonstration Act of 1976:
16 *Provided further*, That the limits set forth in this section
17 may be exceeded by the incremental cost of clean alter-
18 native fuels vehicles acquired pursuant to Public Law
19 101–549 over the cost of comparable conventionally fueled
20 vehicles: *Provided further*, That the limits set forth in this
21 section shall not apply to any vehicle that is a commercial
22 item and which operates on emerging motor vehicle tech-
23 nology, including but not limited to electric, plug-in hybrid
24 electric, and hydrogen fuel cell vehicles.

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

7 SEC. 704. Unless otherwise specified during the cur-
8 rent fiscal year, no part of any appropriation contained
9 in this or any other Act shall be used to pay the compensa-
10 tion of any officer or employee of the Government of the
11 United States (including any agency the majority of the
12 stock of which is owned by the Government of the United
13 States) whose post of duty is in the continental United
14 States unless such person: (1) is a citizen of the United
15 States; (2) is a person who is lawfully admitted for perma-
16 nent residence and is seeking citizenship as outlined in 8
17 U.S.C. 1324b(a)(3)(B); (3) is a person who is admitted
18 as a refugee under 8 U.S.C. 1157 or is granted asylum
19 under 8 U.S.C. 1158 and has filed a declaration of inten-
20 tion to become a lawful permanent resident and then a
21 citizen when eligible; or (4) is a person who owes alle-
22 giance to the United States: *Provided*, That for purposes
23 of this section, affidavits signed by any such person shall
24 be considered prima facie evidence that the requirements
25 of this section with respect to his or her status are being

1 complied with: *Provided further*, That for purposes of sub-
2 sections (2) and (3) such affidavits shall be submitted
3 prior to employment and updated thereafter as necessary:
4 *Provided further*, That any person making a false affidavit
5 shall be guilty of a felony, and upon conviction, shall be
6 fined no more than \$4,000 or imprisoned for not more
7 than 1 year, or both: *Provided further*, That the above
8 penal clause shall be in addition to, and not in substitution
9 for, any other provisions of existing law: *Provided further*,
10 That any payment made to any officer or employee con-
11 trary to the provisions of this section shall be recoverable
12 in action by the Federal Government: *Provided further*,
13 That this section shall not apply to any person who is an
14 officer or employee of the Government of the United
15 States on the date of enactment of this Act, or to inter-
16 national broadcasters employed by the Broadcasting
17 Board of Governors, or to temporary employment of trans-
18 lators, or to temporary employment in the field service
19 (not to exceed 60 days) as a result of emergencies: *Pro-*
20 *vided further*, That this section does not apply to the em-
21 ployment as Wildland firefighters for not more than 120
22 days of nonresident aliens employed by the Department
23 of the Interior or the USDA Forest Service pursuant to
24 an agreement with another country.

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

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

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

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

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

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

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

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

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

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

8 SEC. 710. (a) Notwithstanding any other provision
9 of law, and except as otherwise provided in this section,
10 no part of any of the funds appropriated for fiscal year
11 2012, by this or any other Act, may be used to pay any
12 prevailing rate employee described in section
13 5342(a)(2)(A) of title 5, United States Code—

14 (1) during the period from the date of expira-
15 tion of the limitation imposed by the comparable sec-
16 tion for previous fiscal years until the normal effec-
17 tive date of the applicable wage survey adjustment
18 that is to take effect in fiscal year 2012, in an
19 amount that exceeds the rate payable for the appli-
20 cable grade and step of the applicable wage schedule
21 in accordance with such section; and

22 (2) during the period consisting of the remain-
23 der of fiscal year 2012, in an amount that exceeds,
24 as a result of a wage survey adjustment, the rate

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

3 (A) the percentage adjustment taking ef-
4 fect in fiscal year 2012 under section 5303 of
5 title 5, United States Code, in the rates of pay
6 under the General Schedule; and

7 (B) the difference between the overall aver-
8 age percentage of the locality-based com-
9 parability payments taking effect in fiscal year
10 2012 under section 5304 of such title (whether
11 by adjustment or otherwise), and the overall av-
12 erage percentage of such payments which was
13 effective in the previous fiscal year under such
14 section.

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

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

1 2011, shall be determined under regulations prescribed by
2 the Office of Personnel Management.

3 (d) Notwithstanding any other provision of law, rates
4 of premium pay for employees subject to this section may
5 not be changed from the rates in effect on September 30,
6 2011, except to the extent determined by the Office of
7 Personnel Management to be consistent with the purpose
8 of this section.

9 (e) This section shall apply with respect to pay for
10 service performed after September 30, 2011.

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

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

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

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

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

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

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

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

16 (1) the Central Intelligence Agency;

17 (2) the National Security Agency;

18 (3) the Defense Intelligence Agency;

19 (4) the National Geospatial-Intelligence Agency;

20 (5) the offices within the Department of De-
21 fense for the collection of specialized national foreign
22 intelligence through reconnaissance programs;

23 (6) the Bureau of Intelligence and Research of
24 the Department of State;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 by the Military Whistleblower Protection Act (governing
2 disclosure to Congress by members of the military); sec-
3 tion 2302(b)(8) of title 5, United States Code, as amended
4 by the Whistleblower Protection Act of 1989 (governing
5 disclosures of illegality, waste, fraud, abuse or public
6 health or safety threats); the Intelligence Identities Pro-
7 tection Act of 1982 (50 U.S.C. 421 et seq.) (governing
8 disclosures that could expose confidential Government
9 agents); and the statutes which protect against disclosure
10 that may compromise the national security, including sec-
11 tions 641, 793, 794, 798, and 952 of title 18, United
12 States Code, and section 4(b) of the Subversive Activities
13 Control Act of 1950 (50 U.S.C. 783(b)). The definitions,
14 requirements, obligations, rights, sanctions, and liabilities
15 created by said Executive order and listed statutes are in-
16 corporated into this agreement and are controlling.”: *Pro-*
17 *vided*, That notwithstanding the preceding provision of
18 this section, a nondisclosure policy form or agreement that
19 is to be executed by a person connected with the conduct
20 of an intelligence or intelligence-related activity, other
21 than an employee or officer of the United States Govern-
22 ment, may contain provisions appropriate to the particular
23 activity for which such document is to be used. Such form
24 or agreement shall, at a minimum, require that the person
25 will not disclose any classified information received in the

1 course of such activity unless specifically authorized to do
2 so by the United States Government. Such nondisclosure
3 forms shall also make it clear that they do not bar disclo-
4 sures to Congress, or to an authorized official of an execu-
5 tive agency or the Department of Justice, that are essen-
6 tial to reporting a substantial violation of law.

7 (b) Effective 180 days after enactment of this Act,
8 subsection (a) is amended by—

9 (1) striking “Executive Order No. 12958” and
10 inserting “Executive Order No. 13526 (75 Fed. Reg.
11 707), or any successor thereto”; and

12 (2) after “the Intelligence Identities Protection
13 Act of 1982 (50 U.S.C. 421 et seq.) (governing dis-
14 closures that could expose confidential Government
15 agents);” inserting “sections 7(c) and 8H of the In-
16 spector General Act of 1978 (5 U.S.C. App.) (relat-
17 ing to disclosures to an inspector general, the inspec-
18 tors general of the Intelligence Community, and
19 Congress); section 103H(g)(3) of the National Secu-
20 rity Act of 1947 (50 U.S.C. 403–3h(g)(3) (relating
21 to disclosures to the inspector general of the Intel-
22 ligence Community); sections 17(d)(5) and 17(e)(3)
23 of the Central Intelligence Agency Act of 1949 (50
24 U.S.C. 403q(d)(5) and 403q(e)(3)) (relating to dis-

1 closures to the Inspector General of the Central In-
2 telligence Agency and Congress);”.

3 (c) A nondisclosure agreement entered into before the
4 effective date of the amendment in subsection (b) may
5 continue to be implemented and enforced after that effec-
6 tive date if it complies with the requirements of subsection
7 (a) that were in effect prior to the effective date of the
8 amendment in subsection (b).

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

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

24 SEC. 719. None of the funds made available in this
25 Act or any other Act may be used to provide any non-

1 public information such as mailing or telephone lists to
2 any person or any organization outside of the Federal
3 Government without the approval of the Committees on
4 Appropriations of the House of Representatives and the
5 Senate.

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

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

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

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

17 (3) shall not include the Government Account-
18 ability Office.

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

1 effort and a reasonable proportion of such employee's time
2 in the performance of official duties.

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

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

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

1 mittees on Appropriations, the House Committee on
2 Science and Technology, and the Senate Committee on
3 Commerce, Science, and Transportation 90 days after en-
4 actment of this Act.

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

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

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

22 (2) to enter into any agreement with a third
23 party (including another government agency) to col-
24 lect, review, or obtain any aggregation of data, de-
25 rived from any means, that includes any personally

1 identifiable information relating to an individual's
2 access to or use of any nongovernmental Internet
3 site.

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

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

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

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

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

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

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

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

1 condition, management practices and policies and
2 compliance with applicable standards as provided in
3 law.

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

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

11 (1) any of the following religious plans:

12 (A) Personal Care's HMO; and

13 (B) OSF HealthPlans, Inc.; and

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

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

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

1 SEC. 728. The Congress of the United States recog-
2 nizes the United States Anti-Doping Agency (USADA) as
3 the official anti-doping agency for Olympic, Pan Amer-
4 ican, and Paralympic sport in the United States.

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

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

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

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

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

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

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

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

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

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

14 SEC. 733. Notwithstanding section 1346 of title 31,
15 United States Code, and section 708 of this Act and any
16 other provision of law, the head of each appropriate execu-
17 tive department and agency shall transfer to or reimburse
18 the United States Fish and Wildlife Service, upon the di-
19 rection of the Director of the Office of Management and
20 Budget, funds made available by this or any other Act
21 for the purposes described below, and shall submit budget
22 requests for such purposes. These funds shall be adminis-
23 tered by the United States Fish and Wildlife Service, in
24 consultation with the appropriate interagency groups des-
25 ignated by the Director and shall be used to ensure the

1 uninterrupted, continuous operation of the Midway Atoll
2 Airfield by the United States Fish and Wildlife Service
3 pursuant to an operational agreement with the Federal
4 Aviation Administration for the entirety of fiscal year
5 2012 and any period thereafter that precedes the enact-
6 ment of the Financial Services and General Government
7 Appropriations Act, 2013. The Director of the Office of
8 Management and Budget shall mandate the necessary
9 transfers after determining an equitable allocation be-
10 tween the appropriate executive departments and agencies
11 of the responsibility for funding the continuous operation
12 of the Midway Atoll Airfield based on, but not limited to,
13 potential use, interest in maintaining aviation safety, and
14 applicability to governmental operations and agency mis-
15 sion. The total funds transferred or reimbursed shall not
16 exceed \$6,000,000 for any 12-month period. Such sums
17 shall be sufficient to ensure continued operation of the air-
18 field throughout the period cited above. Funds shall be
19 available for operation of the airfield or airfield-related
20 capital upgrades. The Director of the Office of Manage-
21 ment and Budget shall notify the Committees on Appro-
22 priations of the House of Representatives and the Senate
23 of such transfers or reimbursements within 15 days of this
24 Act. Such transfers or reimbursements shall begin within
25 30 days of enactment of this Act.

1 SEC. 734. None of the funds appropriated or other-
2 wise made available by this or any other Act may be used
3 to begin or announce a study or public-private competition
4 regarding the conversion to contractor performance of any
5 function performed by Federal employees pursuant to Of-
6 fice of Management and Budget Circular A-76 or any
7 other administrative regulation, directive, or policy.

8 SEC. 735. Unless otherwise authorized by existing
9 law, none of the funds provided in this Act or any other
10 Act may be used by an executive branch agency to produce
11 any prepackaged news story intended for broadcast or dis-
12 tribution in the United States, unless the story includes
13 a clear notification within the text or audio of the pre-
14 packaged news story that the prepackaged news story was
15 prepared or funded by that executive branch agency.

16 SEC. 736. None of the funds made available in this
17 Act may be used in contravention of section 552a of title
18 5, United States Code (popularly known as the Privacy
19 Act) and regulations implementing that section.

20 SEC. 737. Each executive department and agency
21 shall evaluate the creditworthiness of an individual before
22 issuing the individual a government travel charge card.
23 Such evaluations for individually billed travel charge cards
24 shall include an assessment of the individual's consumer
25 report from a consumer reporting agency as those terms

1 are defined in section 603 of the Fair Credit Reporting
2 Act (Public Law 91–508): *Provided*, That the department
3 or agency may not issue a government travel charge card
4 to an individual that either lacks a credit history or is
5 found to have an unsatisfactory credit history as a result
6 of this evaluation: *Provided further*, That this restriction
7 shall not preclude issuance of a restricted-use charge,
8 debit, or stored value card made in accordance with agency
9 procedures to: (1) an individual with an unsatisfactory
10 credit history where such card is used to pay travel ex-
11 penses and the agency determines there is no suitable al-
12 ternative payment mechanism available before issuing the
13 card; or (2) an individual who lacks a credit history. Each
14 executive department and agency shall establish guidelines
15 and procedures for disciplinary actions to be taken against
16 agency personnel for improper, fraudulent, or abusive use
17 of government charge cards, which shall include appro-
18 priate disciplinary actions for use of charge cards for pur-
19 poses, and at establishments, that are inconsistent with
20 the official business of the Department or agency or with
21 applicable standards of conduct.

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

24 (1) GREAT LAKES.—The terms “Great Lakes”
25 and “Great Lakes State” have the same meanings

1 as such terms have in section 506 of the Water Re-
2 sources Development Act of 2000 (42 U.S.C.
3 1962d-22).

4 (2) GREAT LAKES RESTORATION ACTIVITIES.—
5 The term “Great Lakes restoration activities”
6 means any Federal or State activity primarily or en-
7 tirely within the Great Lakes watershed that seeks
8 to improve the overall health of the Great Lakes eco-
9 system.

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

20 (1) an interagency budget crosscut report
21 that—

22 (A) displays the budget proposed, including
23 any planned interagency or intra-agency trans-
24 fer, for each of the Federal agencies that car-
25 ries out Great Lakes restoration activities in

1 the upcoming fiscal year, separately reporting
2 the amount of funding to be provided under ex-
3 isting laws pertaining to the Great Lakes eco-
4 system; and

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

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

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

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

22 SEC. 739. (a) IN GENERAL.—None of the funds ap-
23 propriated or otherwise made available by this or any
24 other Act may be used for any Federal Government con-
25 tract with any foreign incorporated entity which is treated

1 as an inverted domestic corporation under section 835(b)
2 of the Homeland Security Act of 2002 (6 U.S.C. 395(b))
3 or any subsidiary of such an entity.

4 (b) WAIVERS.—

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

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

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

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

23 SEC. 741. Section 743 of the Consolidated Appropria-
24 tions Act, 2010 (Public Law 111–117; 31 U.S.C. 501
25 note) is amended—

1 (1) in subsection (a)(3), by inserting after “ex-
2 ercise of an option” the following: “, and task orders
3 issued under any such contract,”;

4 (2) in subsection (a)(3)(G), by inserting before
5 the period at the end the following: “, using direct
6 labor hours and associated cost data collected from
7 contractors”;

8 (3) in subsection (e)(2)(B), by striking the text
9 and inserting the following: “the contracts exclude to
10 the maximum extent practicable functions that are
11 closely associated with inherently governmental func-
12 tions;”; and

13 (4) by redesignating subsections (h) and (i) as
14 subsections (i) and (j) and by inserting after sub-
15 section (g) the following new subsection:

16 “(h) SUBMISSION OF REPORT ON ACTIONS TAKEN
17 BEFORE PUBLIC-PRIVATE COMPETITION MAY OCCUR.—
18 An executive agency may not begin, plan for, or announce
19 a study or public-private competition regarding the con-
20 version to contractor performance of any function per-
21 formed by Federal employees pursuant to Office of Man-
22 agement and Budget Circular A-76 or any other adminis-
23 trative regulation or directive until after that agency has
24 submitted to the Office of Management and Budget a re-
25 port, pursuant to subsection (f), that includes actions

1 taken to convert from contractor to Federal employee per-
2 formance functions that are not inherently governmental,
3 closely associated with governmental functions, critical, or
4 should not otherwise be reserved for performance by Fed-
5 eral employees. This subsection shall take effect beginning
6 with the report required under subsection (f) that is in-
7 cluded as an attachment to the annual inventory due by
8 December 31, 2011.”.

9 SEC. 742. The Office of Management and Budget
10 shall issue guidance, consistent with section 735 of divi-
11 sion D of the Omnibus Appropriations Act, 2009, Public
12 Law 111–8, and section 739(a)(1) of division D of the
13 Consolidated Appropriations Act, 2008 (Public Law 110–
14 161), and section 327 of the 2008 National Defense Au-
15 thorization Act (Public Law 110–181), to prohibit the use
16 of direct conversions to contract out, in whole or in part,
17 activities or functions last performed by any number of
18 Federal employees by an executive agency without first
19 conducting a public-private competition. Such guidance
20 shall ensure that—

21 (1) activities or functions performed by an exec-
22 utive agency and are reengineered, reorganized,
23 modernized, upgraded, expanded, or changed to be-
24 come more efficient, but still essentially providing

1 the same service, shall not be contacted out without
2 first conducting a public-private competition;

3 (2) activities or functions performed by Federal
4 employees for an executive agency may not be modi-
5 fied, reorganized, divided, or in any way changed for
6 the purpose of exempting the conversion of the ac-
7 tivities or functions from the prohibition against the
8 use of direct conversions; and

9 (3) activities or functions performed by Federal
10 employees for an executive agency who have retired
11 or been reassigned to perform other activities may
12 not be converted to contractor performance without
13 first conducting a public-private competition.

14 SEC. 743. During fiscal year 2012, for each employee
15 who—

16 (1) retires under section 8336(d)(2) or
17 8414(b)(1)(B) of title 5, United States Code, or

18 (2) retires under any other provision of sub-
19 chapter III of chapter 83 or chapter 84 of such title
20 5 and receives a payment as an incentive to sepa-
21 rate, the separating agency shall remit to the Civil
22 Service Retirement and Disability Fund an amount
23 equal to the Office of Personnel Management's aver-
24 age unit cost of processing a retirement claim for
25 the preceding fiscal year. Such amounts shall be

1 available until expended to the Office of Personnel
2 Management and shall be deemed to be an adminis-
3 trative expense under section 8348(a)(1)(B) of title
4 5, United States Code.

5 SEC. 744. (a) DEFINITIONS.—In this section—

6 (1) the term “agency”—

7 (A) means an Executive agency as defined
8 under section 105 of title 5, United States
9 Code; and

10 (B) does not apply to the Department of
11 Defense; and

12 (2) the term “Federal employee” means an em-
13 ployee as defined under section 2105 of title 5,
14 United States Code.

15 (b) PROHIBITION OF CERTAIN PERSONNEL MANAGE-
16 MENT LIMITATIONS.—

17 (1) IN GENERAL.—Federal employees in each
18 agency shall be managed each fiscal year solely on
19 the basis of, and consistent with—

20 (A) the workload required to carry out the
21 functions and activities of that agency; and

22 (B) the funds made available to that agen-
23 cy for that fiscal year.

24 (2) PROHIBITION ON LIMITATIONS.—Notwith-
25 standing any other provision of law—

1 (A) the management of Federal employees
2 in any fiscal year shall not be subject to any
3 limitation in terms of work years, full-time
4 equivalent positions, or maximum number of
5 Federal employees; and

6 (B) an agency may not be required to
7 make a reduction in the number of full-time
8 equivalent positions, unless that reduction is—

9 (i) necessary due to a reduction in
10 funds available to the agency; or

11 (ii) required under a statute that—

12 (I) is enacted after the date of
13 enactment of this Act; and

14 (II) specifically refers to this sec-
15 tion.

16 (c) EMPLOYEE NUMBERS, SKILLS, AND QUALIFICA-
17 TIONS.—In each fiscal year, the head of each agency shall
18 ensure that there are employed during that fiscal year
19 Federal employees in the number and with the combina-
20 tion of skills and qualifications that are necessary to carry
21 out the functions within the applicable budget activity for
22 which funds are provided for that fiscal year.

23 (d) REPORTS.—

24 (1) IN GENERAL.—Not later than February 1
25 of each year, the Director of the Office of Manage-

1 jects of expenditure, such amount, unless otherwise speci-
2 fied, shall be considered as the maximum amount that
3 may be expended for said purpose or object rather than
4 an amount set apart exclusively therefor.

5 SEC. 802. Appropriations in this Act shall be avail-
6 able for expenses of travel and for the payment of dues
7 of organizations concerned with the work of the District
8 of Columbia government, when authorized by the Mayor,
9 or, in the case of the Council of the District of Columbia,
10 funds may be expended with the authorization of the
11 Chairman of the Council.

12 SEC. 803. There are appropriated from the applicable
13 funds of the District of Columbia such sums as may be
14 necessary for making refunds and for the payment of legal
15 settlements or judgments that have been entered against
16 the District of Columbia government.

17 SEC. 804. (a) None of the Federal funds provided in
18 this Act shall be used for publicity or propaganda purposes
19 or implementation of any policy including boycott designed
20 to support or defeat legislation pending before Congress
21 or any State legislature.

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

1 SEC. 805. (a) None of the Federal funds provided
2 under this Act to the agencies funded by this Act, both
3 Federal and District government agencies, that remain
4 available for obligation or expenditure in fiscal year 2012,
5 or provided from any accounts in the Treasury of the
6 United States derived by the collection of fees available
7 to the agencies funded by this Act, shall be available for
8 obligation or expenditures for an agency through a re-
9 programming of funds which—

10 (1) creates new programs;

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

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

15 (4) increases funds or personnel by any means
16 for any program, project, or responsibility center for
17 which funds have been denied or restricted;

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

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

1 (7) increases by 20 percent or more personnel
2 assigned to a specific program, project or responsi-
3 bility center,
4 unless the Committees on Appropriations of the House of
5 Representatives and the Senate are notified in writing 15
6 days in advance of the reprogramming.

7 (b) The District of Columbia government is author-
8 ized to approve and execute reprogramming and transfer
9 requests of local funds under this title through November
10 1, 2012.

11 SEC. 806. Consistent with the provisions of section
12 1301(a) of title 31, United States Code, appropriations
13 under this Act shall be applied only to the objects for
14 which the appropriations were made except as otherwise
15 provided by law.

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

23 SEC. 808. Except as otherwise provided in this sec-
24 tion, none of the funds made available by this Act or by
25 any other Act may be used to provide any officer or em-

1 ployee of the District of Columbia with an official vehicle
2 unless the officer or employee uses the vehicle only in the
3 performance of the officer’s or employee’s official duties.
4 For purposes of this section, the term “official duties”
5 does not include travel between the officer’s or employee’s
6 residence and workplace, except in the case of—

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

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

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

24 (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
22 from addressing the issue of the provision of contraceptive
23 coverage by health insurance plans, but it is the intent
24 of Congress that any legislation enacted on such issue

1 should include a “conscience clause” which provides excep-
2 tions for religious beliefs and moral convictions.

3 SEC. 812. Hereafter, as part of the submission of the
4 annual budget justification, the Mayor of the District of
5 Columbia shall submit to the Committees on Appropria-
6 tions of the House of Representatives and the Senate, the
7 Committee on Oversight and Government Reform of the
8 House of Representatives, and the Committee on Home-
9 land Security and Governmental Affairs of the Senate a
10 report addressing—

11 (1) crime, including the homicide rate, imple-
12 mentation of community policing, and the number of
13 police officers on local beats;

14 (2) access to substance and alcohol abuse treat-
15 ment, including the number of treatment slots, the
16 number of people served, the number of people on
17 waiting lists, and the effectiveness of treatment pro-
18 grams, the retention rates in treatment programs,
19 and the recidivism/re-arrest rates for treatment par-
20 ticipants;

21 (3) education, including access to special edu-
22 cation services and student achievement to be pro-
23 vided in consultation with the District of Columbia
24 Public Schools, repeated grade rates, high school

1 graduation rates, and post-secondary education at-
2 tendance rates;

3 (4) improvement in basic District services, in-
4 cluding rat control and abatement; and

5 (5) application for and management of Federal
6 grants, including the number and type of grants for
7 which the District was eligible but failed to apply
8 and the number and type of grants awarded to the
9 District but for which the District failed to spend
10 the amounts received.

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

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

23 SEC. 815. (a) No later than 30 calendar days after
24 the date of the enactment of this Act, the Chief Financial
25 Officer for the District of Columbia shall submit to the

1 appropriate committees of Congress, the Mayor, and the
2 Council of the District of Columbia, a revised appropriated
3 funds operating budget in the format of the budget that
4 the District of Columbia government submitted pursuant
5 to section 442 of the District of Columbia Home Rule Act
6 (D.C. Official Code, sec. 1–204.42), for all agencies of the
7 District of Columbia government for fiscal year 2012 that
8 is in the total amount of the approved appropriation and
9 that realigns all budgeted data for personal services and
10 other-than-personal services, respectively, with anticipated
11 actual expenditures.

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

16 SEC. 816. No later than 30 calendar days after the
17 date of the enactment of this Act, the Chief Financial Offi-
18 cer for the District of Columbia shall submit to the appro-
19 priate committees of Congress, the Mayor, and the Council
20 for the District of Columbia, a revised appropriated funds
21 operating budget for the District of Columbia Public
22 Schools that aligns schools budgets to actual enrollment.
23 The revised appropriated funds budget shall be in the for-
24 mat of the budget that the District of Columbia govern-
25 ment submitted pursuant to section 442 of the District

1 of Columbia Home Rule Act (D.C. Official Code, Sec. 1–
2 204.42).

3 SEC. 817. Amounts appropriated in this Act as oper-
4 ating funds may be transferred to the District of Colum-
5 bia’s enterprise and capital funds and such amounts, once
6 transferred, shall retain appropriation authority consistent
7 with the provisions of this Act.

8 SEC. 818. Notwithstanding any other laws, for this
9 and succeeding fiscal years, the Director of the District
10 of Columbia Public Defender Service shall, to the extent
11 the Director considers appropriate, provide representation
12 for and hold harmless, or provide liability insurance for,
13 any person who is an employee, member of the Board of
14 Trustees, or officer of the District of Columbia Public De-
15 fender Service for money damages arising out of any
16 claim, proceeding, or case at law relating to the furnishing
17 of representational services or management services or re-
18 lated services while acting within the scope of that per-
19 son’s office or employment, including, but not limited to
20 such claims, proceedings, or cases at law involving employ-
21 ment actions, injury, loss of liberty, property damage, loss
22 of property, or personal injury, or death arising from mal-
23 practice or negligence of any such officer or employee.

1 SEC. 819. Section 346 of the District of Columbia
2 Appropriations Act, 2005 (Public Law 108–335) is
3 amended—

4 (1) in the title, by striking “BIENNIAL”;

5 (2) in subsection (a), by striking “Biennial
6 management” and inserting “Management”;

7 (3) in subsection (a), by striking “States.” and
8 inserting “States every five years.”; and

9 (4) in subsection (b)(6), by striking “2” and in-
10 sserting “5”.

11 SEC. 820. Except as expressly provided otherwise,
12 any reference to “this Act” contained in this title or in
13 title IV shall be treated as referring only to the provisions
14 of this title or of title IV.

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

Calendar No. 171

112TH CONGRESS
1ST Session

S. 1573

[Report No. 112-79]

A BILL

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

SEPTEMBER 15, 2011

Read twice and placed on the calendar