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[House Appropriations Committee Print]

Omnibus Appropriations Act, 2009
(H.R. 1105; Public Law 111–8)

DIVISION D—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2009

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[CLERK'S NOTE: Five sections which precede division D in the Omnibus Appropriations Act apply to all divisions of the Act, including this one. The text of these sections is as follows:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Omnibus Appropriations Act, 2009".

SEC. 2 TABLE OF CONTENTS.

[Text omitted for purposes of this note]

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to "this Act" contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 4. EXPLANATORY STATEMENT.

The explanatory statement regarding this Act, printed in the House of Representatives section of the Congressional Record on or about February 23, 2009 by the Chairman of the Committee on Appropriations of the House, shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a joint explanatory statement of a committee of conference.

SEC. 5. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated for the fiscal year ending September 30, 2009.

Reproduced below is the text of division D of the Omnibus Appropriations Act, 2009 (H.R. 1105; P.L. 111–8) as presented to the President for signature.]

DIVISION D—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2009

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business, $278,870,000, of which not to exceed $21,619,000 is for executive direction program activities; not to exceed $45,910,000 is for economic policies and programs activities; not to exceed $36,039,000 is for financial policies and programs activities; not to exceed $62,098,000 is for terrorism and financial intelligence activities; not to exceed $21,600,000 is for Treasury-wide management policies and programs activities; and not to exceed $91,604,000 is for administration programs activities: *Provided*, That the Secretary of the Treasury is authorized to transfer funds appropriated for any program activity of the Departmental Offices to any other program activity of the Departmental Offices upon notification to the House and Senate Committees on Appropriations: *Provided further*, That no appropriation for any program activity shall be increased or decreased by more than 4 percent by all such transfers: *Provided further*, That any change in funding greater than 4 percent shall be submitted for approval to the House and Senate Committees on Appropriations: *Provided further*, That of the amount appropriated under this heading, not to exceed $3,000,000, to remain available until September 30, 2010, is for information technology modernization requirements; not to exceed $200,000 is for official reception and representation expenses; and not to exceed $258,000 is for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate: *Provided further*, That of the amount appropriated under this heading, $5,232,443, to remain available until September 30, 2010, is for the Treasury-wide Financial Statement Audit and Internal Control Program, of which such amounts as may be necessary may be transferred to accounts of the Department's offices and bureaus to conduct audits: *Provided further*, That this transfer authority shall be in addition to any other pro-

vided in this Act: *Provided further*, That of the amount appropriated under this heading, $500,000, to remain available until September 30, 2010, is for secure space requirements: *Provided further*, That of the amount appropriated under this heading, $1,100,000, to remain available until September 30, 2010, is for salary and benefits for hiring of personnel whose work will require completion of a security clearance investigation in order to perform highly classified work to further the activities of the Office of Terrorism and Financial Intelligence: *Provided further*, That of the amount appropriated under this heading, $3,400,000, to remain available until September 30, 2011, is to develop and implement programs within the Office of Critical Infrastructure Protection and Compliance Policy, including entering into cooperative agreements: Provided further, That of the amount appropriated under this heading $3,000,000 to remain available until September 30, 2011, is for modernizing the Office of Debt Management's information technology.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, $26,975,000, to remain available until September 30, 2011: *Provided*, That $11,518,000 is for repairs to the Treasury Annex Building: *Provided further*, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That none of the funds appropriated under this heading shall be used to support or supplement "Internal Revenue Service, Operations Support" or "Internal Revenue Service, Business Systems Modernization".

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, not to exceed $2,000,000 for official travel expenses, including hire of passenger motor vehicles; and not to exceed $100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury, $26,125,000, of which not to exceed $2,500 shall be available for official reception and representation expenses.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C.

1343(b)); services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; $146,083,000, of which not to exceed $6,000,000 shall be available for official travel expenses; of which not to exceed $500,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration; and of which not to exceed $1,500 shall be available for official reception and representation expenses.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel and training expenses of non-Federal and foreign government personnel to attend meetings and training concerned with domestic and foreign financial intelligence activities, law enforcement, and financial regulation; not to exceed $14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, $91,465,000, of which not to exceed $16,340,000 shall remain available until September 30, 2011; and of which $9,178,000 shall remain available until September 30, 2010: *Provided*, That funds appropriated in this account may be used to procure personal services contracts.

TREASURY FORFEITURE FUND

(RESCISSION)

Of the unobligated balances available under this heading, $30,000,000 are rescinded.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $239,785,000, of which not to exceed $9,220,000 shall remain available until September 30, 2011, for information systems modernization initiatives; and of which not to exceed $2,500 shall be available for official reception and representation expenses.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, $99,065,000; of which not to exceed $6,000 for official reception and representation expenses; not to exceed $50,000 for cooperative research and development programs for laboratory services; and provision of laboratory assistance to State and local agencies with or without reimbursement: *Provided,* That of the amount appropriated under this heading, $2,000,000, to remain available until September 30, 2010, is for information technology management.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments. The aggregate amount of new liabilities and obligations incurred during fiscal year 2009 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed $42,150,000.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, $187,352,000, of which not to exceed $2,500 shall be available for official reception and representation expenses, and of which not to exceed $2,000,000 shall remain available until September 30, 2011, for systems modernization: *Provided*, That the sum appropriated herein from the general fund for fiscal year 2009 shall be reduced by not more than $10,000,000 as definitive security issue fees and Legacy Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2009 appropriation from the general fund estimated at $177,352,000. In addition, $90,000 to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

To carry out the Community Development Banking and Financial Institutions Act of 1994 (Public Law 103–325), including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for ES–3, $107,000,000, to remain available until September 30, 2010, of which $8,500,000 shall be for financial assistance, technical assistance, training and outreach programs designed to benefit Native American, Native Hawaiian, and Alaskan Native communities and provided primarily through qualified community development lender organizations with experience and expertise in community development banking and lending in Indian country, Native American organizations, tribes and tribal organizations and other suitable providers, $2,000,000 shall be available for the pilot project grant program under section 1132(d) of division A of the Housing and Economic Recovery Act of 2008 (Public Law 110–289), up to $14,750,000 may be used for administrative expenses, including administration of the New Markets Tax Credit, up to $7,500,000 may be used for the cost of direct loans, and up to $250,000 may be used for administrative expenses to carry out the direct loan program: *Provided*, That the cost of direct loans, including the cost of modi-

fying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $16,000,000.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $2,293,000,000, of which not less than $5,100,000 shall be for the Tax Counseling for the Elderly Program, of which not less than $9,500,000 shall be available for low-income taxpayer clinic grants, of which not less than $8,000,000, to remain available until September 30, 2010, shall be available for a Community Volunteer Income Tax Assistance matching grants demonstration program for tax return preparation assistance, and of which not less than $193,000,000 shall be available for operating expenses of the Taxpayer Advocate Service.

ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Internal Revenue Service to determine and collect owed taxes, to provide legal and litigation support, to conduct criminal investigations, to enforce criminal statutes related to violations of internal revenue laws and other financial crimes, to purchase (for police-type use, not to exceed 850) and hire passenger motor vehicles (31 U.S.C. 1343(b)), and to provide other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, $5,117,267,000, of which not less than $57,252,000 shall be for the Interagency Crime and Drug Enforcement program: *Provided*, That up to $10,000,000 may be transferred as necessary from this account to "Operations Support" solely for the purposes of the Interagency Crime and Drug Enforcement program: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act.

OPERATIONS SUPPORT

For necessary expenses of the Internal Revenue Service to support taxpayer services and enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $3,867,011,000, of which up to $75,000,000 shall remain available until September 30, 2010, for information technology support; of which not to exceed $1,000,000 shall remain available until September 30, 2011, for research; of which not less than $2,000,000 shall be for the Internal

Revenue Service Oversight Board; and of which not to exceed $25,000 shall be for official reception and representation.

BUSINESS SYSTEMS MODERNIZATION

For necessary expenses of the Internal Revenue Service's business systems modernization program, $229,914,000, to remain available until September 30, 2011, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including related Internal Revenue Service labor costs, and contractual costs associated with operations authorized by 5 U.S.C. 3109: *Provided*, That, with the exception of labor costs, none of these funds may be obligated until the Internal Revenue Service submits to the Committees on Appropriations, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A–11; (2) complies with the Internal Revenue Service's enterprise architecture, including the modernization blueprint; (3) conforms with the Internal Revenue Service's enterprise life cycle methodology; (4) is approved by the Internal Revenue Service, the Department of the Treasury, and the Office of Management and Budget; (5) has been reviewed by the Government Accountability Office; and (6) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

HEALTH INSURANCE TAX CREDIT ADMINISTRATION

For expenses necessary to implement the health insurance tax credit included in the Trade Act of 2002 (Public Law 107–210), $15,406,000.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service or not to exceed 3 percent of appropriations under the heading "Enforcement" may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with taxpayers, and in cross-cultural relations.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased staffing to provide sufficient and effective 1–800 help line service for taxpayers. The Commissioner shall continue to make the improvement of the Internal Revenue Service 1–800 help line service a priority and allocate resources necessary to increase

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

SEC. 105. Of the funds made available by this Act to the Internal Revenue Service, not less than $6,997,000,000 shall be available only for tax enforcement. In addition, of the funds made available by this Act to the Internal Revenue Service, and subject to the same terms and conditions, $490,000,000 shall be available for enhanced tax law enforcement.

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

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFERS OF FUNDS)

SEC. 107. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 108. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Offices—Salaries and Expenses, Office of Inspector General, Financial Management Service, Alcohol and Tobacco Tax and Trade Bureau, Financial Crimes Enforcement Network, and Bureau of the Public Debt, may be transferred between such appropriations upon the advance approval of the Committees on Appropriations: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 109. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations: *Provided*, That no transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 110. Of the funds available for the purchase of law enforcement vehicles, no funds may be obligated until the Secretary of the Treasury certifies that the purchase by the respective Treasury bureau is consistent with departmental vehicle management principles: *Provided*, That the Secretary may delegate this authority to the Assistant Secretary for Management.

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

SEC. 112. The Secretary of the Treasury may transfer funds from Financial Management Service, Salaries and Expenses to the Debt Collection Fund as necessary to cover the costs of debt collec-

tion: *Provided*, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.

SEC. 113. Section 122(g)(1) of Public Law 105–119 (5 U.S.C. 3104 note), is further amended by striking "10 years" and inserting "11 years".

SEC. 114. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the Committees on Appropriations of the House of Representatives and the Senate, the House Committee on Financial Services, and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 115. None of the funds appropriated or otherwise made available by this or any other Act or source to the Department of the Treasury, the Bureau of Engraving and Printing, and the United States Mint, individually or collectively, may be used to consolidate any or all functions of the Bureau of Engraving and Printing and the United States Mint without the explicit approval of the House Committee on Financial Services; the Senate Committee on Banking, Housing, and Urban Affairs; the House Committee on Appropriations; and the Senate Committee on Appropriations.

SEC. 116. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for the Department of the Treasury's intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2009 until the enactment of the Intelligence Authorization Act for Fiscal Year 2009.

SEC. 117. Not to exceed $5,000 shall be made available from the Bureau of Engraving and Printing's Industrial Revolving Fund for necessary official reception and representation expenses.

This title may be cited as the "Department of the Treasury Appropriations Act, 2009".

TITLE II

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102, $450,000: *Provided*, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code.

WHITE HOUSE OFFICE

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized

by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed $19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President; $53,899,000, of which $1,400,000 shall be for the Office of National AIDS Policy.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, $13,363,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

REIMBURSABLE EXPENSES

For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: *Provided*, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: *Provided further*, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: *Provided further*, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: *Provided further*, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit $25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: *Provided further*, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: *Provided further*, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under section 3717 of title 31, United States Code: *Provided further*, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: *Provided further*, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act,

a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: *Provided further*, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: *Provided further*, That no provision of this paragraph may be construed to exempt the Executive Residence from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, $1,600,000, to remain available until expended, for required maintenance, safety and health issues, and continued preventative maintenance.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021 et seq.), $4,118,000.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, $3,550,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, $9,029,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, $101,333,000, of which not less than $5,700,000 shall be for e-mail restoration activities, and of which $11,923,000 shall remain available until expended for continued modernization of the information technology infrastructure within the Executive Office of the President.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109 and to carry out the provisions of chapter 35 of title 44, United States Code, $87,972,000, of which not to exceed $3,000 shall be available for official representation expenses: *Provided*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or their subcommittees: *Provided further*, That none of the funds provided in this or prior Acts shall be used, directly or indirectly, by the Office of Management and Budget, for evaluating or determining if water resource project or study reports submitted by the Chief of Engineers acting through the Secretary of the Army are in compliance with all applicable laws, regulations, and requirements relevant to the Civil Works water resource planning process: *Provided further*, That the Office of Management and Budget shall have not more than 60 days in which to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported: *Provided further*, That the Director of the Office of Management and Budget shall notify the appropriate authorizing and appropriating committees when the 60-day review is initiated: *Provided further*, That if water resource reports have not been transmitted to the appropriate authorizing and appropriating committees within 15 days after the end of the Office of Management and Budget review period based on the notification from the Director, Congress shall assume Office of Management and Budget concurrence with the report and act accordingly.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469); not to exceed $10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, $27,200,000; of which $1,300,000 shall remain available until expended for policy research and evaluation: *Provided*, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469), $3,000,000, which shall remain available until expended for counternarcotics research and development projects: *Provided*, That such amount shall be available for transfer to other Federal departments or agencies: *Provided further*, That the Office of National Drug Control Policy shall submit for approval by the Committees on Appropriations of the House of Representatives and the Senate, a detailed spending plan for the use of these funds no later than 90 days after enactment of this Act.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $234,000,000, to remain available until September 30, 2010, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which no less than 51 percent shall be transferred to State and local entities for drug control activities, which shall be obligated within 120 days after enactment of this Act: *Provided*, That up to 49 percent may be transferred to Federal agencies and departments at a rate to be determined by the Director, of which up to $2,100,000 may be used for auditing services and associated activities, and up to $250,000 of the $2,100,000 shall be used to ensure the continued operation and maintenance of the Performance Management System: *Provided further*, That High Intensity Drug Trafficking Areas Programs designated as of September 30, 2008, shall be funded at no less than the fiscal year 2008 initial allocation levels (as revised by the letter from the Director of the Office of National Drug Control Policy to the Committees on Appropriations of the House of Representatives and the Senate dated April 8, 2008) or $3,000,000, whichever is greater, unless the Director submits to the Committees on Appropriations of the House of Representatives and the Senate, and the Committees approve, justification for changes in those levels based on clearly articulated priorities for the High Intensity Drug Trafficking Areas Programs, as well as published Office of National Drug Control Policy performance measures of effectiveness: *Provided further*, That no High Intensity Drug Trafficking Area shall receive more than $47,457,447 as its fiscal year 2009 initial allocation level: *Provided further,* That, notwithstanding the requirements of Public Law 106–58, any unexpended funds obligated prior to fiscal year 2007 for programs addressing the treatment or prevention of drug use as part of the approved strategy for a designated High Intensity Drug Trafficking Area may be used for other approved activities of that High Intensity Drug Trafficking Area: *Provided further*, That the Office of Na-

tional Drug Control Policy (ONDCP) shall notify the Committees on Appropriations of the House of Representatives and the Senate of the initial High-Intensity Drug Trafficking Area (HIDTA) allocation funding within 45 days after the enactment of this Act: *Provided further,* That ONDCP shall submit recommendations for approval to the Committees on Appropriations for the use of discretionary HIDTA funding, according to a framework proposed jointly by the HIDTA Directors and ONDCP, within 90 days after the enactment of this Act.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

For activities to support a national anti-drug campaign for youth, and for other purposes, authorized by the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109–469), $174,700,000, to remain available until expended, of which the amounts are available as follows: $70,000,000 to support a national media campaign, of which at least $8,000,000 shall be designated for methamphetamine prevention messages: *Provided*, That the Office of National Drug Control Policy shall maintain funding for non-advertising services for the media campaign at no less than the fiscal year 2003 ratio of service funding to total funds and shall continue the corporate outreach program; $90,000,000 to continue a program of matching grants to drug-free communities, of which $2,000,000 shall be made available as directed by section 4 of Public Law 107–82, as amended by Public Law 109–469 (21 U.S.C. 1521 note): *Provided further,* That any grantee seeking a renewal grant (year 2 through 5, or year 7 through 10) that is determined to be ineligible or not entitled to continuation funding for any reason, shall be afforded a fair, timely, and independent appeal prior to the beginning of the subsequent funding year before being denied a renewal grant; $1,250,000 for the National Drug Court Institute; $9,800,000 for the United States Anti-Doping Agency for anti-doping activities; $1,900,000 for the United States membership dues to the World Anti-Doping Agency; $1,250,000 for the National Alliance for Model State Drug Laws; and $500,000 for evaluations and research related to National Drug Control Program performance measures: *Provided further,* That such funds may be transferred to other Federal departments and agencies to carry out such activities: *Provided further*, That of the amounts appropriated for a national media campaign, not to exceed 10 percent shall be for administration, advertising production, research and testing, labor, and related costs of the national media campaign.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, $1,000,000, to remain available until September 30, 2010.

PRESIDENTIAL TRANSITION ADMINISTRATIVE SUPPORT

(INCLUDING TRANSFER OF FUNDS)

For expenses of the Office of Administration to carry out the Presidential Transition Act of 1963 and similar expenses, in addition to amounts otherwise appropriated by law, $8,000,000; *Provided*, That such funds may be transferred to other accounts that provide funding for offices within the Executive Office of the President and the Office of the Vice President in this Act or any other Act, to carry out such purposes.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, $4,496,000.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For the care, operation, refurnishing, improvement, and to the extent not otherwise provided for, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed $90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate, $323,000: *Provided*, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

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

(INCLUDING TRANSFER OF FUNDS)

SEC. 201. From funds made available in this Act under the headings "White House Office", "Executive Residence at the White House", "White House Repair and Restoration", "Council of Economic Advisors", "National Security Council", "Office of Administration", "Office of Policy Development", "Special Assistance to the President", and "Official Residence of the Vice President", the Director of the Office of Management and Budget (or such other officer as the President may designate in writing), may, 15 days after giving notice to the Committees on Appropriations of the House of Representatives and the Senate, transfer not to exceed 10 percent of any such appropriation to any other such appropriation, to be merged with and available for the same time and for the same purposes as the appropriation to which transferred: *Provided*, That the amount of an appropriation shall not be increased by more than 50

percent by such transfers: *Provided further*, That no amount shall be transferred from "Special Assistance to the President" or "Official Residence of the Vice President" without the approval of the Vice President.

SEC. 202. The President shall submit to the Committees on Appropriations of the House of Representatives and the Senate not later than 60 days after the date of the enactment of this Act, and prior to the initial obligation of funds appropriated under the heading "Office of National Drug Control Policy", a detailed narrative and financial plan on the proposed uses of all funds under the heading by program, project, and activity, for which the obligation of funds is anticipated: *Provided*, That up to 20 percent of funds appropriated under this heading may be obligated before the submission of the report subject to prior approval of the Committees on Appropriations: *Provided further*, That the report shall be updated and submitted to the Committees on Appropriations every 6 months and shall include information detailing how the estimates and assumptions contained in previous reports have changed: *Provided further*, That any new projects and changes in funding of ongoing projects shall be subject to the prior approval of the Committees on Appropriations.

SEC. 203. Not to exceed 2 percent of any appropriations in this Act made available to the Office of National Drug Control Policy may be transferred between appropriated programs upon the advance approval of the Committees on Appropriations: *Provided*, That no transfer may increase or decrease any such appropriation by more than 3 percent.

SEC. 204. Not to exceed $1,000,000 of any appropriations in this Act made available to the Office of National Drug Control Policy may be reprogrammed within a program, project, or activity upon the advance approval of the Committees on Appropriations.

This title may be cited as the "Executive Office of the President Appropriations Act, 2009".

TITLE III

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

For expenses necessary for the operation of the Supreme Court, as required by law, excluding care of the building and grounds, including purchase or hire, driving, maintenance, and operation of an automobile for the Chief Justice, not to exceed $10,000 for the purpose of transporting Associate Justices, and hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; not to exceed $10,000 for official reception and representation expenses; and for miscellaneous expenses, to be expended as the Chief Justice may approve, $69,777,000, of which $2,000,000 shall remain available until expended.

CARE OF THE BUILDING AND GROUNDS

For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon the Architect by the Act approved May 7, 1934 (40 U.S.C. 13a–13b), $18,447,000, which shall remain available until expended.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

For salaries of the chief judge, judges, and other officers and employees, and for necessary expenses of the court, as authorized by law, $30,384,000.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

For salaries of the chief judge and eight judges, salaries of the officers and employees of the court, services, and necessary expenses of the court, as authorized by law, $19,605,000.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

For the salaries of circuit and district judges (including judges of the territorial courts of the United States), justices and judges retired from office or from regular active service, judges of the United States Court of Federal Claims, bankruptcy judges, magistrate judges, and all other officers and employees of the Federal Judiciary not otherwise specifically provided for, and necessary expenses of the courts, as authorized by law, $4,801,369,000 (including the purchase of firearms and ammunition); of which not to exceed $27,817,000 shall remain available until expended for space alteration projects and for furniture and furnishings related to new space alteration and construction projects.

In addition, for expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660), not to exceed $4,253,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

DEFENDER SERVICES

For the operation of Federal Defender organizations; the compensation and reimbursement of expenses of attorneys appointed to represent persons under section 3006A of title 18, United States Code, and also under section 3599 of title 18, United States Code, in cases in which a defendant is charged with a crime that may be punishable by death; the compensation and reimbursement of expenses of persons furnishing investigative, expert, and other services under section 3006A(e) of title 18, United States Code, and also under section 3599(f) and (g)(2) of title 18, United States Code, in cases in which a defendant is charged with a crime that may be punishable by death; the compensation (in accordance with the

maximums under section 3006A of title 18, United States Code) and reimbursement of expenses of attorneys appointed to assist the court in criminal cases where the defendant has waived representation by counsel; the compensation and reimbursement of travel expenses of guardians ad litem acting on behalf of financially eligible minor or incompetent offenders in connection with transfers from the United States to foreign countries with which the United States has a treaty for the execution of penal sentences; the compensation and reimbursement of expenses of attorneys appointed to represent jurors in civil actions for the protection of their employment, as authorized by 28 U.S.C. 1875(d); the compensation and reimbursement of expenses of attorneys appointed under 18 U.S.C. 983(b)(1) in connection with certain judicial civil forfeiture proceedings; and for necessary training and general administrative expenses, $849,400,000, to remain available until expended.

FEES OF JURORS AND COMMISSIONERS

For fees and expenses of jurors as authorized by 28 U.S.C. 1871 and 1876; compensation of jury commissioners as authorized by 28 U.S.C. 1863; and compensation of commissioners appointed in condemnation cases pursuant to rule 71A(h) of the Federal Rules of Civil Procedure (28 U.S.C. Appendix Rule 71A(h)), $62,206,000, to remain available until expended: *Provided*, That the compensation of land commissioners shall not exceed the daily equivalent of the highest rate payable under section 5332 of title 5, United States Code.

COURT SECURITY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses, not otherwise provided for, incident to the provision of protective guard services for United States courthouses and other facilities housing Federal court operations, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security, basic security services provided by the Federal Protective Service, and other similar activities as authorized by section 1010 of the Judicial Improvement and Access to Justice Act (Public Law 100–702), $428,858,000, of which not to exceed $15,000,000 shall remain available until expended, to be expended directly or transferred to the United States Marshals Service, which shall be responsible for administering the Judicial Facility Security Program consistent with standards or guidelines agreed to by the Director of the Administrative Office of the United States Courts and the Attorney General.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

For necessary expenses of the Administrative Office of the United States Courts as authorized by law, including travel as authorized by 31 U.S.C. 1345, hire of a passenger motor vehicle as

authorized by 31 U.S.C. 1343(b), advertising and rent in the District of Columbia and elsewhere, $79,049,000, of which not to exceed $8,500 is authorized for official reception and representation expenses.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Judicial Center, as authorized by Public Law 90–219, $25,725,000; of which $1,800,000 shall remain available through September 30, 2010, to provide education and training to Federal court personnel; and of which not to exceed $1,500 is authorized for official reception and representation expenses.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

For payment to the Judicial Officers' Retirement Fund, as authorized by 28 U.S.C. 377(o), $65,340,000; to the Judicial Survivors' Annuities Fund, as authorized by 28 U.S.C. 376(c), $6,600,000; and to the United States Court of Federal Claims Judges' Retirement Fund, as authorized by 28 U.S.C. 178(l), $4,200,000.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

For the salaries and expenses necessary to carry out the provisions of chapter 58 of title 28, United States Code, $16,225,000, of which not to exceed $1,000 is authorized for official reception and representation expenses.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

(INCLUDING TRANSFER OF FUNDS)

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

SEC. 302. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Judiciary in this Act may be transferred between such appropriations, but no such appropriation, except "Courts of Appeals, District Courts, and Other Judicial Services, Defender Services" and "Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners", shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under sections 604 and 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in section 608.

SEC. 303. Notwithstanding any other provision of law, the salaries and expenses appropriation for "Courts of Appeals, District Courts, and Other Judicial Services" shall be available for official reception and representation expenses of the Judicial Conference of

the United States: *Provided*, That such available funds shall not exceed $11,000 and shall be administered by the Director of the Administrative Office of the United States Courts in the capacity as Secretary of the Judicial Conference.

SEC. 304. Within 90 days after the date of the enactment of this Act, the Administrative Office of the U.S. Courts shall submit to the Committees on Appropriations a comprehensive financial plan for the Judiciary allocating all sources of available funds including appropriations, fee collections, and carryover balances, to include a separate and detailed plan for the Judiciary Information Technology Fund.

SEC. 305. Section 3314(a) of title 40, United States Code, shall be applied by substituting "Federal" for "executive" each place it appears.

SEC. 306. In accordance with 28 U.S.C. 561–569, and notwithstanding any other provision of law, the United States Marshals Service shall provide, for such courthouses as its Director may designate in consultation with the Director of the Administrative Office of the United States Courts, for purposes of a pilot program, the security services that 40 U.S.C. 1315 authorizes the Department of Homeland Security to provide, except for the services specified in 40 U.S.C. 1315(b)(2)(E). For building-specific security services at these courthouses, the Director of the Administrative Office of the United States Courts shall reimburse the United States Marshals Service rather than the Department of Homeland Security.

SEC. 307. (a). IN GENERAL.—Section 604(a)(5) of title 28, United States Code, is amended by striking "magistrate judges appointed under section 631 of this title," and inserting the following: ", United States magistrate judges, bankruptcy judges appointed under chapter 6 of this title, judges of the District Court of Guam, judges of the District Court for the Northern Mariana Islands, judges of the District Court of the Virgin Islands, bankruptcy judges and magistrate judges retired under section 377 of this title, and judges retired under section 373 of this title, who are".

(b) CONSTRUCTION.—For purposes of construing and applying chapter 87 of title 5, United States Code, including any adjustment of insurance rates by regulation or otherwise, the following categories of judicial officers shall be deemed to be judges of the United States as described under section 8701 of title 5, United States Code:

(1) United States magistrate judges.

(2) Bankruptcy judges appointed under chapter 6 of title 28, United States Code.

(3) Judges of the District Court of Guam, judges of the District Court for the Northern Mariana Islands, and judges of the District Court of the Virgin Islands.

(4) Bankruptcy judges and magistrate judges retired under section 377 of title 28, United States Code.

(5) Judges retired under section 373 of title 28, United States Code.

(c) EFFECTIVE DATE.—Subsection (b) and the amendment made by subsection (a) shall apply with respect to any payment made on or after the first day of the first applicable pay period beginning on or after the date of the enactment of Public Law 110–177.

SEC. 308. Subsection (c) of section 407 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (division A, title IV, of Public Law 109–115; 119 Stat. 2396, 2471) is repealed.

SEC. 309. Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 28 U.S.C. 133 note), is amended—

(1) in the second sentence, by inserting "the district of Hawaii," after "Pennsylvania,";

(2) in the third sentence (relating to the District of Kansas), by striking "17 years" and inserting "18 years";

(3) in the sixth sentence (relating to the Northern District of Ohio), by striking "17 years" and inserting "18 years".

(4) by inserting "The first vacancy in the office of the district judge in the district of Hawaii occurring 15 years or more after the confirmation date of the judge named to fill the temporary judgeship created under this subsection shall not be filled." after the sixth sentence.

SEC. 310. Pursuant to section 140 of Public Law 97–92, and from funds appropriated in this Act, Justices and judges of the United States are authorized during fiscal year 2009, to receive a salary adjustment in accordance with 28 U.S.C. 461.

This title may be cited as the "Judiciary Appropriations Act, 2009".

TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $35,100,000, to remain available until expended: *Provided*, That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: *Provided further*, That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *Provided further*, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: *Provided further*, That the Office of the Chief Financial Officer shall provide

a quarterly financial report to the Committees on Appropriations of the House of Representatives and the Senate for these funds showing, by object class, the expenditures made and the purpose therefor.

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

For a Federal payment of necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $39,177,000, to remain available until expended and in addition any funds that remain available from prior year appropriations under this heading for the District of Columbia Government, of which $38,825,000 is for the costs of providing public safety at events related to the presence of the national capital in the District of Columbia, for the costs of providing support requested by the Director of the United States Secret Service Division in carrying out protective duties under the direction of the Secretary of Homeland Security, and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions; and of which $352,000 is for the District of Columbia National Guard retention and college access program.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $248,409,000 to be allocated as follows: for the District of Columbia Court of Appeals, $12,630,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, $104,277,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Court System, $55,426,000, of which not to exceed $1,500 is for official reception and representation expenses; and $76,076,000, to remain available until September 30, 2010, for capital improvements for District of Columbia courthouse facilities, including structural improvements to the District of Columbia cell block at the Moultrie Courthouse: *Provided*, That funds made available for capital improvements shall be expended consistent with the General Services Administration (GSA) master plan study and building evaluation report: *Provided further*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the GSA, and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate: *Provided further*, That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and the Senate, the District of Co-

lumbia Courts may reallocate not more than $1,000,000 of the funds provided under this heading among the items and entities funded under this heading for operations, and not more than 4 percent of the funds provided under this heading for facilities.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance, and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Code, and payments for counsel authorized under section 21–2060, D.C. Official Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $52,475,000, to remain available until expended: *Provided*, That the funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the $76,076,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading: *Provided further*, That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia may use funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the $76,076,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: *Provided further*, That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided further*, That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate.

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

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National

Capital Revitalization and Self-Government Improvement Act of 1997, $203,490,000, of which not to exceed $2,000 is for official reception and representation expenses related to Community Supervision and Pretrial Services Agency programs; of which not to exceed $25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which not to exceed $400,000 for the Community Supervision Program and $160,000 for the Pretrial Services Program, both to remain available until September 30, 2010, are for information technology infrastructure enhancement acquisitions; of which $148,652,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons; of which $54,838,000 shall be available to the Pretrial Services Agency: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further*, That not less than $2,000,000 shall be available for re-entrant housing in the District of Columbia: *Provided further*, That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services to educate and train offenders and defendants: *Provided further*, That the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under the previous proviso, and shall make such records available for audit and public inspection: *Provided further*, That the Court Services and Offender Supervision Agency Director is authorized to accept and use reimbursement from the District of Columbia Government for space and services provided on a cost reimbursable basis.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE

For salaries and expenses, including the transfer and hire of motor vehicles, of the District of Columbia Public Defender Service, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $35,659,000, of which $700,000 is to remain available until September 30, 2010: *Provided*, That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of Federal agencies. *Provided further*, That for fiscal year 2009 and thereafter, the Public Defender Service is authorized to charge fees to cover costs of materials distributed and training provided to attendees of educational events, including conferences, sponsored by the Public Defender Service, and notwithstanding 31 U.S.C. 3302, such fees shall be credited to this account, to be available until expended without further appropriation.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, $16,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: *Provided*, That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $1,774,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

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

For a Federal payment to the Office of the Chief Financial Officer of the District of Columbia, $4,887,622: *Provided*, That each entity that receives funding under this heading shall submit to the Office of the Chief Financial Officer of the District of Columbia (CFO) a detailed budget and comprehensive description of the activities to be carried out with such funds no later than 60 days after enactment of this Act, and the CFO shall submit a comprehensive report to the Committees on Appropriations of the House of Representatives and the Senate no later than June 1, 2009.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, $54,000,000, to be allocated as follows: for the District of Columbia Public Schools, $20,000,000 to improve public school education in the District of Columbia; for the State Education Office, $20,000,000 to expand quality public charter schools in the District of Columbia, to remain available until expended; for the Secretary of the Department of Education, $14,000,000 to provide opportunity scholarships for students in the District of Columbia in accordance with division C, title III of the District of Columbia Appropriations Act, 2004 (Public Law 108–199; 118 Stat. 126), of which up to $1,000,000 may be used to administer and fund assessments: *Provided,* That none of the funds provided in this Act or any other Act for opportunity scholarships may be used by an eligible student to enroll in a participating school under the D.C. School Choice Incentive Act of 2003 unless (1) the participating school has and maintains a valid certificate of occupancy issued by the District of Columbia; and (2) the core subject matter teachers of the eligible student hold 4-year bachelor's degrees: *Provided further,* That use of any funds in this Act or any other Act for opportunity scholarships after school year 2009–2010 shall only be available upon enactment of reauthorization of that program by Congress and the adoption of legislation by the District of Columbia approving such reauthorization.

FEDERAL PAYMENT TO JUMP START PUBLIC SCHOOL REFORM

For a Federal payment to jump start public school reform in the District of Columbia, $20,000,000, of which $3,500,000 is to support the recruitment, development and training of principals and other school leaders; $7,000,000 is to develop optimal school programs and intervene in low performing schools; $7,500,000 is for a customized data reporting and accountability system on student performance as well as increased outreach and training for parents and community members; and $2,000,000 is to support data reporting requirements associated with the District of Columbia Public Schools teacher incentive program: *Provided*, That up to $500,000 or 10 percent, whichever is less, of the amounts above may be transferred as necessary from one activity to another activity: *Provided further*, That the Committees on Appropriations of the House of Representatives and Senate are notified in writing 15 days in advance of the transfer: *Provided further*, That any amount provided under this heading shall be available only after such amount has been apportioned pursuant to chapter 15 of title 31, United States Code.

FEDERAL PAYMENT FOR CONSOLIDATED LABORATORY FACILITY

For a Federal payment to the District of Columbia, $21,000,000, to remain available until September 30, 2010, for costs associated with the construction of a consolidated bioterrorism and forensics laboratory: *Provided*, That the District of Columbia provides a 100 percent match for this payment.

FEDERAL PAYMENT FOR CENTRAL LIBRARY AND BRANCH LOCATIONS

For a Federal payment to the District of Columbia, $7,000,000, to remain available until expended, for the Federal contribution for costs associated with the renovation and rehabilitation of District libraries.

FEDERAL PAYMENT TO THE EXECUTIVE OFFICE OF THE MAYOR OF THE DISTRICT OF COLUMBIA

For a Federal payment to the Executive Office of the Mayor of the District of Columbia to enhance the quality of life for District residents, $3,387,500, of which $1,250,000 shall be available as matching funds to temporarily continue Federal benefits for low-income couples who decide to marry, and of which $2,137,500 shall be to continue Marriage Development Accounts in the District of Columbia: *Provided*, That no funds shall be expended until the Mayor of the District of Columbia submits a detailed expenditure plan, including performance measures, to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That the District submit a preliminary progress report on activities no later than June 1, 2009, and a final report including a detailed description of outcomes achieved no later than February 1, 2010.

DISTRICT OF COLUMBIA FUNDS

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the General Fund of the District of Columbia ("General Fund"), except as otherwise specifically provided: *Provided,* That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act, approved November 2, 2000 (114 Stat. 2440; D.C. Official Code § 1–204.50a), and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2009 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $9,888,095,000 (of which $6,082,474,000 shall be from local funds (including $420,119,000 from dedicated taxes), $2,177,382,000 shall be from Federal grant funds, $1,621,929,000 shall be from other funds, and $6,310,000 shall be from private funds); in addition, $202,326,130 from funds previously appropriated in this Act as Federal payments: *Provided further,* That of the local funds, such amounts as may be necessary may be derived from the District's General Fund balance: *Provided further,* That of these funds the District's intradistrict authority shall be $725,461,000: in addition, for capital construction projects, an increase of $1,482,977,000, of which $1,121,734,000 shall be from local funds, $107,794,000 from the Local Street Maintenance fund, $60,708,000 from the District of Columbia Highway Trust Fund, $192,741,000 from Federal grant funds, and a rescission of $353,447,000 from local funds and a rescission of $37,500,000 from Local Street Maintenance funds appropriated under this heading in prior fiscal years for a net amount of $1,092,030,000 to remain available until expended: *Provided further,* That the amounts provided under this heading are to be available, allocated and expended as proposed under "Title III—District of Columbia Funds Division of Expenses" of the Fiscal Year 2009 Proposed Budget and Financial Plan submitted to the Congress by the District of Columbia on June 9, 2008 and such title is hereby incorporated by reference as though set forth fully herein: *Provided further,* That this amount may be increased by proceeds of one-time transactions which are expended for emergency or unanticipated operating or capital needs: *Provided further,* That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act approved December 24, 1973 (87 Stat. 777; D.C. Official Code § 1–201.01 et seq.), as amended by this Act: *Provided further,* That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2009, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

This title may be cited as the "District of Columbia Appropriations Act, 2009".

TITLE V

INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, authorized by 5 U.S.C. 591 et seq., $1,500,000, of which, not to exceed $1,000 is for official reception and representation expenses.

CHRISTOPHER COLUMBUS FELLOWSHIP FOUNDATION

SALARIES AND EXPENSES

For payment to the Christopher Columbus Fellowship Foundation, established by section 423 of Public Law 102–281, $1,000,000, to remain available until expended.

COMMODITY FUTURES TRADING COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Commodity Exchange Act (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles, and the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, $146,000,000, including not to exceed $3,000 for official reception and representation expenses: *Provided,* That $34,734,000 of the total amount appropriated under this heading shall not be available for obligation until the Commodity Futures Trading Commission submits an expenditure plan for fiscal year 2009 to the Committees on Appropriations of the House of Representatives and the Senate.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Consumer Product Safety Commission (CPSC), including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the maximum rate payable under 5 U.S.C. 5376, purchase of nominal awards to recognize non-Federal officials' contributions to Commission activities, and not to exceed $2,000 for official reception and representation expenses, $105,404,000, of which $6,000,000 shall remain available for obligation until September 30, 2011 for costs associated with the relocation of CPSC's laboratory to a modern facility and the upgrade of laboratory equipment, and of which $2,000,000 shall remain available for obligation until September 30, 2010 to implement the Virginia Graeme Baker Pool and Spa Safety Act grant program as provided by section 1405 of Public Law 110–140 (15 U.S.C. 8004).

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the Help America Vote Act of 2002, $17,959,000, of which $4,000,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002: *Provided*, That $750,000 shall be for the Help America Vote College Program as provided by the Help America Vote Act of 2002 (Public Law 107–252): *Provided further*, That $300,000 shall be for a competitive grant program to support community involvement in student and parent mock elections.

ELECTION REFORM PROGRAMS

For necessary expenses relating to election reform programs, $106,000,000, to remain available until expended, of which $100,000,000 shall be for requirements payments under part 1 of subtitle D of title II of the Help America Vote Act of 2002 (Public Law 107–252), $5,000,000 shall be for grants to carry out research on voting technology improvements as authorized under part 3 of subtitle D of title II of such Act, and $1,000,000, shall be to conduct a pilot program for grants to States and units of local government for pre-election logic and accuracy testing and post-election voting systems verification.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed $4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, $341,875,000: *Provided*, That of the funds provided, not less than $3,000,000 shall be available to establish and administer a State Broadband Data and Development matching grants program for State-level broadband demand aggregation activities and creation of geographic inventory maps of broadband service to identify gaps in service and provide a baseline assessment of statewide broadband deployment: *Provided further,* That $341,875,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2009 so as to result in a final fiscal year 2009 appropriation estimated at $0: *Provided further*, That any offsetting collections received in excess of $341,875,000 in fiscal year 2009 shall not be available for obligation: *Provided further*, That remaining offsetting collections from

prior years collected in excess of the amount specified for collection in each such year and otherwise becoming available on October 1, 2008, shall not be available for obligation: *Provided further*, That notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed $85,000,000 for fiscal year 2009: *Provided further*, That, in addition, not to exceed $25,480,000 may be transferred from the Universal Service Fund in fiscal year 2009 to remain available until expended, to monitor the Universal Service Fund program to prevent and remedy waste, fraud and abuse, and to conduct audits and investigations by the Office of Inspector General.

ADMINISTRATIVE PROVISIONS—FEDERAL COMMUNICATIONS COMMISSION

SEC. 501. Section 302 of the Universal Service Antideficiency Temporary Suspension Act is amended by striking "December 31, 2008", each place it appears and inserting "December 31, 2009".

SEC. 502. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change its rules or regulations for universal service support payments to implement the February 27, 2004 recommendations of the Federal-State Joint Board on Universal Service regarding single connection or primary line restrictions on universal service support payments.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $27,495,000, to be derived from the Deposit Insurance Fund or, only when appropriate, the FSLIC Resolution Fund.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, $63,618,000, of which not to exceed $5,000 shall be available for reception and representation expenses.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, and including hire of experts and consultants, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia and elsewhere, $22,674,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons em-

ployed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed $2,000 for official reception and representation expenses, $259,200,000, to remain available until expended: *Provided*, That not to exceed $300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: *Provided further*, That, notwithstanding any other provision of law, not to exceed $168,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: *Provided further*, That, notwithstanding any other provision of law, not to exceed $21,000,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the Telemarketing and Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses in this appropriation: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2009, so as to result in a final fiscal year 2009 appropriation from the general fund estimated at not more than $70,200,000: *Provided further*, That none of the funds made available to the Federal Trade Commission may be used to implement subsection (e)(2)(B) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t).

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

For an additional amount to be deposited in the Federal Buildings Fund, $651,198,000. To carry out the purposes of the Fund established pursuant to section 592 of title 40, United States Code, the revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased build-

ings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of $8,427,771,000, of which: (1) $746,317,000 shall remain available until expended for construction (including funds for sites and expenses and associated design and construction services) of additional projects at the following locations:

New Construction:

Alabama:

Tuscaloosa Federal Building, $25,000,000.

California:

San Diego, United States Courthouse Annex, $110,362,000.

San Ysidro, Land Port of Entry, $58,910,000.

Colorado:

Lakewood, Denver Federal Center Remediation, $10,472,000.

District of Columbia:

DHS Consolidation and development of St. Elizabeths Campus, $331,390,000.

Federal Office Building 8, $15,000,000.

St. Elizabeths West Campus Infrastructure, $8,249,000.

St. Elizabeths West Campus Site Acquisition, $7,000,000.

Maryland:

Montgomery County, Food and Drug Administration Consolidation, $163,530,000.

North Dakota:

Portal, Land Port of Entry, $15,204,000:

Provided, That each of the foregoing limits of costs on new construction projects may be exceeded to the extent that savings are affected in other such projects, but not to exceed 10 percent of the amounts included in an approved prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount: *Provided further*, That all funds for direct construction projects shall expire on September 30, 2010 and remain in the Federal Buildings Fund except for funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: *Provided further,* That for fiscal year 2010 and thereafter, the annual budget submission of the

General Services Administration shall include a detailed 5-year plan for Federal building construction projects with a yearly update of total projected future funding needs: *Provided further,* That for fiscal year 2010 and thereafter, the annual budget submission of the General Services Administration shall, in consultation with U.S. Customs and Border Protection, include a detailed 5-year plan for Federal land port-of-entry projects with a yearly update of total projected future funding needs; (2) $692,374,000 shall remain available until expended for repairs and alterations, which includes associated design and construction services:

Repairs and Alterations:

District of Columbia:

Eisenhower Executive Office Building, CBR, $14,700,000.

Eisenhower Executive Office Building, Phase III, $51,075,000.

West Wing Infrastructure Systems Replacement, $76,487,000.

Illinois:

Chicago, Dirksen Courthouse, $152,825,000.

North Carolina:

New Bern, United States Post Office and Courthouse, $10,640,000.

Special Emphasis Programs:

Energy and Water Retrofit and Conservation Measures, $36,647,000.

Basic Repairs and Alterations, $350,000,000:

Provided further, That funds made available in this or any previous Act in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount identified for each project, except each project in this or any previous Act may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount: *Provided further*, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations: *Provided further*, That the amounts provided in this or any prior Act for "Repairs and Alterations" may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: *Provided further*, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading "Repairs and Alterations", may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: *Provided further*, That all funds for repairs and alterations prospectus projects shall expire on September 30, 2010 and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: *Provided further*, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading "Repairs

and Alterations" or used to fund authorized increases in prospectus projects; (3) $149,570,000 for installment acquisition payments including payments on purchase contracts which shall remain available until expended; (4) $4,642,156,000 for rental of space which shall remain available until expended; and (5) $2,197,354,000 for building operations which shall remain available until expended: *Provided further*, That funds available to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: *Provided further*, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: *Provided further*, That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 592(b)(2)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: *Provided further*, That revenues and collections and any other sums accruing to this Fund during fiscal year 2009, excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 592(b)(2)) in excess of the aggregate new obligational authority authorized for Real Property Activities of the Federal Buildings Fund in this Act shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

For expenses authorized by law, not otherwise provided for, for Government-wide policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; Government-wide policy support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities; and services as authorized by 5 U.S.C. 3109; $54,578,000.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, for Government-wide activities associated with utilization and donation of surplus personal property; disposal of real property; agency-wide policy direction, management, and communications; Civilian Board of Contract Appeals; services as authorized by 5 U.S.C. 3109; and not to exceed $7,500 for official reception and representation expenses; $70,645,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and service authorized by 5 U.S.C. 3109, $54,000,000: *Provided*, That not to exceed $15,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further*, That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(INCLUDING TRANSFER OF FUNDS)

For carrying out the provisions of the Act of August 25, 1958 (3 U.S.C. 102 note), and Public Law 95–138, $2,934,000: *Provided*, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

PRESIDENTIAL TRANSITION EXPENSES

For expenses necessary to carry out the Presidential Transition Act of 1963, $8,520,000, of which not to exceed $1,000,000 is for activities authorized by subsections 3(a)(8) and (9) of the Act.

FEDERAL CITIZEN SERVICES FUND

For necessary expenses of the Office of Citizen Services, including services authorized by 5 U.S.C. 3109, $36,096,000, to be deposited into the Federal Citizen Services Fund: *Provided*, That the appropriations, revenues, and collections deposited into the Fund shall be available for necessary expenses of Federal Citizen Services activities in the aggregate amount not to exceed $50,000,000. Appropriations, revenues, and collections accruing to this Fund during fiscal year 2009 in excess of such amount shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

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

SEC. 511. Funds in the Federal Buildings Fund made available for fiscal year 2009 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: *Provided*, That any proposed transfers shall be approved in advance by the Committees on Appropriations.

SEC. 512. Except as otherwise provided in this title, funds made available by this Act shall be used to transmit a fiscal year 2010 request for United States Courthouse construction only if the request: (1) meets the design guide standards for construction as established and approved by the General Services Administration,

the Judicial Conference of the United States, and the Office of Management and Budget; (2) reflects the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan; and (3) includes a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 513. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in compliance with the Public Buildings Amendments Act of 1972 (Public Law 92–313).

SEC. 514. From funds made available under the heading "Federal Buildings Fund, Limitations on Availability of Revenue", claims against the Government of less than $250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations.

SEC. 515. In any case in which the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate adopt a resolution granting lease authority pursuant to a prospectus transmitted to Congress by the Administrator of General Services under section 3307 of title 40, United States Code, the Administrator shall ensure that the delineated area of procurement is identical to the delineated area included in the prospectus for all lease agreements, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to each of such committees and the House and Senate Committees on Appropriations prior to exercising any lease authority provided in the resolution.

SEC. 516. Subsections (a) and (b)(1) of section 323 of title 40, United States Code, are each amended by striking "Consumer Information Center" and inserting "Federal Citizen Services"; and subsection (a) is further amended by striking "consumer".

SEC. 517. In furtherance of the emergency management policy set forth in the Robert T. Stafford Disaster Relief and Emergency Assistance Act, the Administrator of the General Services Administration may provide for the use of the Federal supply schedules of the General Services Administration by relief and disaster assistance organizations as described in section 309 of that Act. Purchases under this authority shall be limited to use in preparation for, response to, and recovery from hazards as defined in section 602 of that Act.

SEC. 518. WORKING CAPITAL FUND. (a) PURPOSE AND OPERATION OF WORKING CAPITAL FUND.—Subsections (a), (b) and (c) of section 3173 of title 40, United States Code, are amended to read as follows:

"(a) ESTABLISHMENT AND PURPOSE.—There is a working capital fund for the necessary expenses of administrative support services including accounting, budget, personnel, legal support and other re-

lated services; and the maintenance and operation of printing and reproduction facilities in support of the functions of the General Services Administration, other Federal agencies, and other entities; and other such administrative and management services that the Administrator of GSA deems appropriate and advantageous (subject to prior notice to the Office of Management and Budget).

"(b) COMPOSITION.—

"(1) IN GENERAL.—Amounts received shall be credited to and merged with the Fund, to remain available until expended, for operating costs and capital outlays of the Fund: *Provided*, That entities for which such services are performed shall be charged at rates which will return in full all costs of providing such services.

"(2) COST AND CAPITAL REQUIREMENTS.—The Administrator shall determine the cost and capital requirements of the Fund for each fiscal year and shall develop a plan concerning such requirements in consultation with the Chief Financial Officer of the General Services Administration. Any change to the cost and capital requirements of the Fund for a fiscal year shall be approved by the Administrator. The Administrator shall establish rates to be charged to entities for which services are performed, in accordance with the plan.

"(c) DEPOSIT OF EXCESS AMOUNTS IN THE TREASURY.—At the close of each fiscal year, after making provision for anticipated operating needs reflected in the cost and capital plan developed under subsection (b), the uncommitted balance of any funds remaining in the Fund shall be transferred to the general fund of the Treasury as miscellaneous receipts.".

(b) TRANSFER AND USE OF AMOUNTS FOR MAJOR EQUIPMENT ACQUISITIONS.—Section 3173 of title 40, United States Code, is amended to add subsection (d), as follows:

"(d) TRANSFER AND USE OF AMOUNTS FOR MAJOR EQUIPMENT ACQUISITIONS.—

"(1) IN GENERAL.—Subject to subparagraph (2), unobligated balances of amounts appropriated or otherwise made available to the General Services Administration for operating expenses and salaries and expenses may be transferred and merged into the 'Major equipment acquisitions and development activity' of the working capital fund of the General Services Administration for agency-wide acquisition of capital equipment, automated data processing systems and financial management and management information systems: *Provided*, That acquisitions are limited to those needed to implement the Chief Financial Officers Act of 1990 (Public Law 101–576, 104 Stat. 2838) and related laws or regulations.

"(2) REQUIREMENTS AND AVAILABILITY.—

"(A) TIME FOR TRANSFER.—Transfer of an amount under this section must be done no later than the end of the fifth fiscal year after the fiscal year for which the amount is appropriated or otherwise made available.

"(B) APPROVAL FOR USE.—An amount transferred under this section may be used only with the advance approval of the Committees on Appropriations of the House of Representatives and the Senate.

"(C) AVAILABILITY.—An amount transferred under this section remains available until expended."

(c) CONFORMING AND CLERICAL AMENDMENTS.—

(1) Section 312 of such title is repealed.

(2) The heading for section 3173 of such title is amended to read as follows:

"§ 3173. Working capital fund for General Services Administration".

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

SALARIES AND EXPENSES

For payment to the Harry S Truman Scholarship Foundation Trust Fund, established by section 10 of Public Law 93–642, $500,000, to remain available until expended: *Provided,* That hereafter, all requests of the Board of Trustees to the Secretary of the Treasury provided for in this section shall be binding on the Secretary, including requests for the issuance at par of special obligations exclusively to the fund as provided for in section 10(b), which the Secretary shall implement without regard to the determination related to the public interest required by the last sentence of that section.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978, and the Whistleblower Protection Act of 1989 (5 U.S.C. 5509 note), including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, direct procurement of survey printing, and not to exceed $2,000 for official reception and representation expenses, $38,811,000 together with not to exceed $2,579,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

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

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

(INCLUDING TRANSFER OF FUNDS)

For payment to the Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund, pursuant to the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5601 et seq.), $3,750,000, to remain available until ex-

pended, of which up to $50,000 shall be used to conduct financial audits pursuant to the Accountability of Tax Dollars Act of 2002 (Public Law 107–289) notwithstanding sections 8 and 9 of Public Law 102–259: *Provided*, That up to 60 percent of such funds may be transferred by the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for the necessary expenses of the Native Nations Institute.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, $2,100,000, to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and Records Administration (including the Information Security Oversight Office) and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents and the activities of the Public Interest Declassification Board, and for the hire of passenger motor vehicles, and for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901 et seq.), including maintenance, repairs, and cleaning, $330,308,000, of which $650,000 shall remain available until September 30, 2010.

ELECTRONIC RECORDS ARCHIVES

For necessary expenses in connection with the development of the electronic records archives, to include all direct project costs associated with research, analysis, design, development, and program management, $67,008,000, of which $45,795,000 shall remain available until September 30, 2011: *Provided*, That none of the multiyear funds may be obligated until the National Archives and Records Administration submits to the Committees on Appropriations, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A–11; (2) complies with the National Archives and Records Administration's enterprise architecture; (3) conforms with the National Archives and Records Administration's enterprise life cycle methodology; (4) is approved by the National Archives and Records Administration and the Office of Management and Budget; (5) has been reviewed by the Government Accountability Office; and (6) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, $50,711,000, to remain available until expended: *Provided*, That the Archivist is

authorized to construct an addition to the John F. Kennedy Presidential Library and Museum; and of the funds provided, $22,000,000 shall be available for construction costs and related services for building the addition to the John F. Kennedy Presidential Library and Museum and other necessary expenses, including renovating the Library as needed in constructing the addition; $17,500,000 is for necessary expenses related to the repair and renovation of the Franklin D. Roosevelt Presidential Library and Museum in Hyde Park, New York; and $2,000,000 is for the repair and restoration of the plaza that surrounds the Lyndon Baines Johnson Presidential Library and Museum that is under the joint control and custody of the University of Texas: *Provided further*, That such funds shall remain available until expended for this purpose and may be transferred directly to the University and used, together with University funds, for the repair and restoration of the plaza: *Provided further*, That such funds shall be spent in accordance with the construction plan submitted to the Committees on Appropriations on March 14, 2005: *Provided further*, That the Archivist shall be prohibited from entering into any agreement with the University or any other party that requires additional funding commitments on behalf of the Federal Government for this project: *Provided further,* That hereafter, no further Federal funding shall be provided for this plaza project.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, $11,250,000, to remain available until expended: *Provided*, That of the funds provided in this paragraph, $2,000,000 shall be transferred to the operating expenses account of the National Archives and Records Administration for operating expenses of the National Historical Publications and Records Commission.

ADMINISTRATIVE PROVISION—NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Hereafter, the National Archives and Records Administration shall include in its annual budget submission a comprehensive capital needs assessment for funding provided under the "Repairs and Restoration" appropriations account to be updated yearly: *Provided*, That funds proposed under the "Repairs and Restoration" appropriations account for each fiscal year shall be allocated to projects on a priority basis established under a comprehensive capital needs assessment.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

During fiscal year 2009, gross obligations of the Central Liquidity Facility for the principal amount of new direct loans to member credit unions, as authorized by 12 U.S.C. 1795 et seq.,

shall be the amount authorized by section 307(a)(4)(A) of the Federal Credit Union Act (12 U.S.C. 1795f(a)(4)(A)): *Provided*, That administrative expenses of the Central Liquidity Facility in fiscal year 2009 shall not exceed $1,250,000.

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

For the Community Development Revolving Loan Fund program as authorized by 42 U.S.C. 9812, 9822 and 9910, $1,000,000 shall be available until September 30, 2010 for technical assistance to low-income designated credit unions.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses, $13,000,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed $2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, $92,829,000, of which $5,851,000 shall remain available until expended for the Enterprise Human Resources Integration project; $1,351,000 shall remain available until expended for the Human Resources Line of Business project; and in addition $118,082,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs, of which $15,200,000 shall remain available until expended for the cost of automating the retirement recordkeeping systems: *Provided*, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), and 9004(f)(2)(A) of title 5, United States Code: *Provided further*, That no part of this appro-

priation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2009, accept donations of money, property, and personal services: *Provided further*, That such donations, including those from prior years, may be used for the development of publicity materials to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission: *Provided further,* That within the funds provided, the Office of Personnel Management shall carry out the Intergovernmental Personnel Act Mobility Program, with special attention to Federal agencies employing more than 2,000 nurses: *Provided further,* That funding may be allocated to develop guidelines that provide Federal agencies direction in using their authority under the Intergovernmental Personnel Act Mobility Program, according to the directives outlined in the accompanying report.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, $1,828,000, and in addition, not to exceed $18,755,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

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

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE

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

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as

authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: *Provided*, That annuities authorized by the Act of May 29, 1944, and the Act of August 19, 1950 (33 U.S.C. 771–775), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12), Public Law 107–304, and the Uniformed Services Employment and Reemployment Rights Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $17,468,000.

POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Postal Regulatory Commission in carrying out the provisions of the Postal Accountability and Enhancement Act (Public Law 109–435), $14,043,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(a) of such Act.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SALARIES AND EXPENSES

For necessary expenses of the Privacy and Civil Liberties Oversight Board, as authorized by section 1061 of the Intelligence Reform and Terrorism Prevention Act of 2004 (5 U.S.C. 601 note), $1,500,000, to remain available until September 30, 2010.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed $3,500 for official reception and representation expenses, $943,000,000, to remain available until expended; of which not to exceed $20,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed $130,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate

representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (1) such incidental expenses as meals taken in the course of such attendance; (2) any travel and transportation to or from such meetings; and (3) any other related lodging or subsistence: *Provided*, That fees and charges authorized by sections 6(b) of the Securities Exchange Act of 1933 (15 U.S.C. 77f(b)), and 13(e), 14(g) and 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78m(e), 78n(g), and 78ee), shall be credited to this account as offsetting collections: *Provided further*, That not to exceed $894,356,000 of such offsetting collections shall be available until expended for necessary expenses of this account: *Provided further*, That $48,644,000 shall be derived from prior year unobligated balances from funds previously appropriated to the Securities and Exchange Commission: *Provided further*, That the total amount appropriated under this heading from the general fund for fiscal year 2009 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2009 appropriation from the general fund estimated at not more than $0.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

For necessary expenses of the Selective Service System, including expenses of attendance at meetings and of training for uniformed personnel assigned to the Selective Service System, as authorized by 5 U.S.C. 4101–4118 for civilian employees; purchase of uniforms, or allowances therefor, as authorized by 5 U.S.C. 5901–5902; hire of passenger motor vehicles; services as authorized by 5 U.S.C. 3109; and not to exceed $750 for official reception and representation expenses; $22,000,000: *Provided*, That during the current fiscal year, the President may exempt this appropriation from the provisions of 31 U.S.C. 1341, whenever the President deems such action to be necessary in the interest of national defense: *Provided further*, That none of the funds appropriated by this Act may be expended for or in connection with the induction of any person into the Armed Forces of the United States.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 108–447, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed $3,500 for official reception and representation expenses, $386,896,000: *Provided*, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan program activities, including fees authorized by section

5(b) of the Small Business Act: *Provided further*, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to remain available until expended, for carrying out these purposes without further appropriations: *Provided further*, That $110,000,000 shall be available to fund grants for performance in fiscal year 2009 or fiscal year 2010 as authorized, of which $1,000,000 shall be for the Veterans Assistance and Services Program authorized by section 21(n) of the Small Business Act, as added by section 107 of Public Law 110–186, and of which $1,000,000 shall be for the Small Business Energy Efficiency Program authorized by section 1203(c) of Public Law 110–140: *Provided further*, That $7,654,400 shall be available for the Loan Modernization and Accounting System, to be available until September 30, 2010.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $16,750,000.

SURETY BOND GUARANTEES REVOLVING FUND

For additional capital for the Surety Bond Guarantees Revolving Fund, authorized by the Small Business Investment Act of 1958, $2,000,000, to remain available until expended.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, $2,500,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2009 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958 shall not exceed $7,500,000,000: *Provided further*, That during fiscal year 2009 commitments for general business loans authorized under section 7(a) of the Small Business Act shall not exceed $17,500,000,000: *Provided further*, That during fiscal year 2009 commitments to guarantee loans for debentures under section 303(b) of the Small Business Investment Act of 1958, shall not exceed $3,000,000,000: *Provided further*, That during fiscal year 2009, guarantees of trust certificates authorized by section 5(g) of the Small Business Act shall not exceed a principal amount of $12,000,000,000. In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $138,480,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 520. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropria-

tions, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 521. All disaster loans issued in Alaska or North Dakota shall be administered by the Small Business Administration and shall not be sold during fiscal year 2009.

SEC. 522. None of the funds made available under this Act may be used by the Small Business Administration to implement the rule relating to women-owned small business Federal contract assistance procedures published in the Federal Register on October 1, 2008 (73 Fed. Reg. 56940 et seq.).

SEC. 523. Of the amount made available under the heading "State and Tribal Assistance Grants" under title II of division F of the Consolidated Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2125) for the Mingo County Redevelopment Authority, $2,953,000 is transferred to the "Salaries and Expenses" account of the Small Business Administration. The amount transferred under this section shall be for the Mingo County Redevelopment Authority and shall be available for use under the terms and conditions otherwise applicable to amounts appropriated for the "Salaries and Expenses" account of the Small Business Administration and shall remain available until expended.

SEC. 524. Funds made available under section 534 of Public Law 110–161 (121 Stat. 2125) for the Alabama Small Business Institute of Commerce, Small Business Incubator, Rainbow City, Alabama shall be made available to Alabama Small Business Institute of Commerce, Rainbow City, Alabama.

SEC. 525. For an additional amount under the heading "Small Business Administration, Salaries and Expenses", $65,653,678, to remain available until September 30, 2010, shall be for initiatives related to small business development and entrepreneurship, including programmatic and construction activities, and in the amounts specified in the table that appears under the heading "Administrative Provisions–Small Business Administration" in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, $111,831,000, of which $82,831,000 shall not be available for obligation until October 1, 2009: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further*, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual

participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2009.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, $239,356,000, to be derived by transfer from the Postal Service Fund and expended as authorized by section 603(b)(3) of the Postal Accountability and Enhancement Act (Public Law 109–435).

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, $48,463,000: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

TITLE VI

GENERAL PROVISIONS—THIS ACT

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

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

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

SEC. 604. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

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

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

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

SEC. 608. Except as otherwise provided in this Act, none of the funds provided in this Act, provided by previous appropriations Acts to the agencies or entities funded in this Act that remain available for obligation or expenditure in fiscal year 2009, or provided from any accounts in the Treasury derived by the collection of fees and available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) creates or reorganizes offices, programs, or activities unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That prior to any significant reorganization or restructuring of offices, programs, or activities, each agency or entity funded in this Act shall consult with the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest: *Provided further*, That the amount appropriated or limited for salaries and expenses for an agency shall be reduced by $100,000 per day for each day after the required date that the report has not been submitted to the Congress.

SEC. 609. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2009 from appropriations made available for salaries and expenses for fiscal year 2009 in this Act, shall remain available through September 30, 2010, for each such account for the purposes authorized: *Provided*, That a request shall be submitted to the Committees on Appropriations of the House of Rep-

resentatives and the Senate for approval prior to the expenditure of such funds: *Provided further*, That these requests shall be made in compliance with reprogramming guidelines.

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

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

(2) such request is required due to extraordinary circumstances involving national security.

SEC. 611. The cost accounting standards promulgated under section 26 of the Office of Federal Procurement Policy Act (Public Law 93–400; 41 U.S.C. 422) shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.

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

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

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

SEC. 615. In order to promote Government access to commercial information technology, the restriction on purchasing nondomestic articles, materials, and supplies set forth in the Buy American Act (41 U.S.C. 10a et seq.), shall not apply to the acquisition by the Federal Government of information technology (as defined in section 11101 of title 40, United States Code), that is a commercial item (as defined in section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)).

SEC. 616. Section 5112 of title 31, United States Code (as amended by Public Law 110–161), is amended—

(1) by redesignating the second subsection (r) as subsection (s), and

(2) by striking "paragraph (4)" each place it appears in subsection (s)(5) (as redesignated by paragraph (1)) and inserting "paragraph (3)".

SEC. 617. Notwithstanding section 1353 of title 31, United States Code, no officer or employee of any regulatory agency or commission funded by this Act may accept on behalf of that agency, nor may such agency or commission accept, payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an officer or employee to attend and participate in any meeting or similar function relating to

the official duties of the officer or employee when the entity offering payment or reimbursement is a person or entity subject to regulation by such agency or commission, or represents a person or entity subject to regulation by such agency or commission, unless the person or entity is an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.

SEC. 618. LIFE INSURANCE FOR TAX COURT JUDGES AGE 65 OR OVER. (a) IN GENERAL.—Section 7472 of title 26, United States Code, is amended by inserting after the word "imposed" where it appears in the second sentence the following phrase "after April 24, 1999, that is incurred".

(b) EFFECTIVE DATE.—This amendment shall take effect as if included in the amendment made by section 852 of the Pension Protection Act of 2006.

SEC. 619. The Public Company Accounting Oversight Board shall have authority to obligate funds for the scholarship program established by section 109(c)(2) of the Sarbanes-Oxley Act of 2002 (Public Law 107–204) in an aggregate amount not exceeding the amount of funds collected by the Board as of December 31, 2008, including accrued interest, as a result of the assessment of monetary penalties. Funds available for obligation in fiscal year 2009 shall remain available until expended.

SEC. 620. Section 910(a) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7209(a)) is amended to read as follows:

"(a) AUTHORIZATION OF TRAVEL RELATING TO COMMERCIAL SALES OF AGRICULTURAL AND MEDICAL GOODS.—The Secretary of the Treasury shall promulgate regulations under which the travel-related transactions listed in paragraph (c) of section 515.560 of title 31, Code of Federal Regulations, are authorized by general license for travel to, from, or within Cuba for the marketing and sale of agricultural and medical goods pursuant to the provisions of this title.".

SEC. 621. None of the funds made available in this Act may be used to administer, implement, or enforce the amendments made to section 515.560 and section 515.561 of title 31, Code of Federal Regulations, related to travel to visit relatives in Cuba, that were published in the Federal Register on June 16, 2004.

SEC. 622. None of the funds made available in this Act may be used to administer, implement, or enforce the amendment made to section 515.533 of title 31, Code of Federal Regulations, that was published in the Federal Register on February 25, 2005.

SEC. 623. CHRISTOPHER COLUMBUS FELLOWSHIP AUTHORIZATION. The Christopher Columbus Fellowship Act (20 U.S.C. 5701 et seq.) is amended—

(1) in section 426(a) (20 U.S.C. 5705(a))—

(A) in paragraph (3), by striking "and" at the end;

(B) by redesignating paragraph (4) as paragraph (5); and

(C) by inserting after paragraph (3) the following:

"(4) amounts appropriated to the Foundation, as authorized under section 430; and"; and

(2) by adding at the end the following new section:

"SEC. 430. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to the Foundation, such sums as may be necessary to carry out this subtitle.".

SEC. 624. Notwithstanding any other provision of law, for fiscal year 2009 and each fiscal year thereafter, neither the Board of Governors of the Federal Reserve System nor the Secretary of the Treasury may determine, by rule, regulation, order, or otherwise, for purposes of section 4(k) of the Bank Holding Company Act of 1956, or section 5136A of the Revised Statutes of the United States, that real estate brokerage activity or real estate management activity is an activity that is financial in nature, is incidental to any financial activity, or is complementary to a financial activity. For purposes of this section, "real estate brokerage activity" shall mean "real estate brokerage", and "real estate management activity" shall mean "property management", as those terms were understood by the Board of Governors of the Federal Reserve System prior to March 11, 2000.

SEC. 625. (a) Section 102(a)(3)(B) of the Help America Vote Act of 2002 (42 U.S.C. 15302(a)(3)(B)) is amended by striking "March 1, 2008" and inserting "November 1, 2010".

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of the Help America Vote Act of 2002.

SEC. 626. (a) Within 90 days after the date of enactment of this Act, the Federal Trade Commission shall initiate a rulemaking proceeding with respect to mortgage loans in accordance with section 553 of title 5, United States Code. Any violation of a rule prescribed under this subsection shall be treated as a violation of a rule under section 18 of the Federal Trade Commission Act (15 U.S.C. 57a) regarding unfair or deceptive acts or practices.

(b)(1) Except as provided in paragraph (6), a State, as parens patriae, may bring a civil action on behalf of its residents in an appropriate State or district court of the United States to enforce the provisions of section 128 of the Truth in Lending Act (15 U.S.C. 1638), any other provision of the Truth in Lending Act, or any mortgage loan rule promulgated by the Federal Trade Commission to obtain penalties and relief provided under such Act or rule whenever the attorney general of the State has reason to believe that the interests of the residents of the State have been or are being threatened or adversely affected by a violation of such Act or rule.

(2) The State shall serve written notice to the Commission of any civil action under paragraph (1) at least 60 days prior to initiating such civil action. The notice shall include a copy of the complaint to be filed to initiate such civil action, except that if it is not feasible for the State to provide such prior notice, the State shall provide notice immediately upon instituting such civil action.

(3) Upon receiving the notice required by paragraph (2), the Commission may intervene in such civil action and upon intervening—

(A) be heard on all matters arising in such civil action;

(B) remove the action to the appropriate United States district court; and

(C) file petitions for appeal of a decision in such civil action.

(4) Nothing in this subsection shall prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of such State to conduct investigations or to administer oaths or affirmations or to compel the attendance of witnesses or the production of documentary and other evidence. Nothing in this section shall prohibit the attorney general of a State, or other authorized State officer, from proceeding in State or Federal court on the basis of an alleged violation of any civil or criminal statute of that State.

(5) In a civil action brought under paragraph (1)—

(A) the venue shall be a judicial district in which the defendant is found, is an inhabitant, or transacts business or wherever venue is proper under section 1391 of title 28, United States Code; and

(B) process may be served without regard to the territorial limits of the district or of the State in which the civil action is instituted.

(6) Whenever a civil action or an administrative action has been instituted by or on behalf of the Commission for violation of any provision of law or rule described in paragraph (1), no State may, during the pendency of such action instituted by or on behalf of the Commission, institute a civil action under that paragraph against any defendant named in the complaint in such action for violation of any law or rule as alleged in such complaint.

(7) If the attorney general of a State prevails in any civil action under paragraph (1), the State can recover reasonable costs and attorney fees from the lender or related party.

(c) Section 129 of the Truth in Lending Act (15 U.S.C. 1639) is amended by adding at the end the following:

"(m) CIVIL PENALTIES IN FEDERAL TRADE COMMISSION ENFORCEMENT ACTIONS.—For purposes of enforcement by the Federal Trade Commission, any violation of a regulation issued by the Federal Reserve Board pursuant to subsection (l)(2) of this section shall be treated as a violation of a rule promulgated under section 18 of the Federal Trade Commission Act (15 U.S.C. 57a) regarding unfair or deceptive acts or practices.".

TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 701. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2009 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act (21 U.S.C. 802)) by the officers and employees of such department, agency, or instrumentality.

SEC. 702. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the pur-

chase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $13,197 except station wagons for which the maximum shall be $13,631: *Provided*, That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: *Provided further*, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further*, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles.

SEC. 703. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–5924.

SEC. 704. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of the enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States; (3) is a person who owes allegiance to the United States; (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence; (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992 (Public Law 102–404): *Provided*, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the Broadcasting Board of Governors, or to temporary employment of translators, or to tem-

porary employment in the field service (not to exceed 60 days) as a result of emergencies: *Provided further*, That this section does not apply to the employment as Wildland firefighters for not more than 120 days of nonresident aliens employed by the Department of the Interior or the USDA Forest Service pursuant to an agreement with another country.

SEC. 705. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 479), the Public Buildings Amendments of 1972 (86 Stat. 216), or other applicable law.

SEC. 706. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

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

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

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

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

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

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

SEC. 710. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2009, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by the comparable section for previous fiscal years until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2009, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section; and

(2) during the period consisting of the remainder of fiscal year 2009, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 2009 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2009 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in the previous fiscal year under such section.

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

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 2008, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 2008, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 2008.

(f) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a

rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 711. During the period in which the head of any department or agency, or any other officer or civilian employee of the Federal Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is transmitted to the Committees on Appropriations of the House of Representatives and the Senate. For the purposes of this section, the term "office" shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 712. Notwithstanding section 1346 of title 31, United States Code, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984).

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

(b) The provisions of this section shall not apply to Federal employees or members of the armed forces detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the National Geospatial-Intelligence Agency;

(5) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

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

(7) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Department of Homeland Security, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treas-

ury, and the Department of Energy performing intelligence functions; and

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

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

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance or efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Government, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

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

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; or

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace.

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

SEC. 716. No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: "These restrictions are consistent

with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act of 1989 (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive order and listed statutes are incorporated into this agreement and are controlling.": *Provided*, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress, or to an authorized official of an executive agency or the Department of Justice, that are essential to reporting a substantial violation of law.

SEC. 717. No part of any funds appropriated in this or any other Act shall be used by an agency of the executive branch, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, and for the preparation, distribution or use of any kit, pamphlet, booklet, publication, radio, television, or film presentation designed to support or defeat legislation pending before the Congress, except in presentation to the Congress itself.

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

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

SEC. 720. No part of any appropriation contained in this or any other Act shall be used directly or indirectly, including by private contractor, for publicity or propaganda purposes within the United States not heretofor authorized by the Congress.

SEC. 721. (a) In this section, the term "agency"—

(1) means an Executive agency, as defined under section 105 of title 5, United States Code;

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

(3) shall not include the Government Accountability Office.

(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under section 6301(2) of title 5, United States Code, has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.

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

(TRANSFER OF FUNDS)

SEC. 723. Notwithstanding 31 U.S.C. 1346 and section 708 of this Act, the head of each Executive department and agency is hereby authorized to transfer to or reimburse "General Services Administration, Government-wide Policy" with the approval of the Director of the Office of Management and Budget, funds made available for the current fiscal year by this or any other Act, including rebates from charge card and other contracts: *Provided*, That these funds shall be administered by the Administrator of General Services to support Government-wide financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency groups designated by the Director (including the President's Management Council for overall management improvement initiatives, the Chief Financial Officers Council for financial management initiatives, the Chief Information Officers Council for information technology initiatives, the Chief Human Capital Officers Council for human capital initiatives, and the Chief Acquisition Officers Council for procurement initiatives): *Provided further*, That the total funds transferred or reimbursed shall not exceed $17,000,000: *Provided further*, That such transfers or reimbursements may only be made after 15 days following notification of the Committees on Appropriations by the Director of the Office of Management and Budget.

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

SEC. 725. Notwithstanding section 1346 of title 31, United States Code, or section 708 of this Act, funds made available for the current fiscal year by this or any other Act shall be available

for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: *Provided*, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science and Technology, and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 726. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds, the Catalog of Federal Domestic Assistance Number, as applicable, and the amount provided: *Provided*, That this provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

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

(1) to collect, review, or create any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any Federal Government Internet site of the agency; or

(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregation of data, derived from any means, that includes any personally identifiable information relating to an individual's access to or use of any nongovernmental Internet site.

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

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

(2) any voluntary submission of personally identifiable information;

(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or

(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to providing the Internet site services or to protecting the rights or property of the provider of the Internet site.

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

(1) The term "regulatory" means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term "supervisory" means examinations of the agency's supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

SEC. 728. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.

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

(1) any of the following religious plans:

(A) Personal Care's HMO; and

(B) OSF HealthPlans, Inc.; and

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

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

(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.

SEC. 729. The Congress of the United States recognizes the United States Anti-Doping Agency (USADA) as the official anti-doping agency for Olympic, Pan American, and Paralympic sport in the United States.

SEC. 730. Notwithstanding any other provision of law, funds appropriated for official travel by Federal departments and agencies may be used by such departments and agencies, if consistent with Office of Management and Budget Circular A–126 regarding official travel for Government personnel, to participate in the fractional aircraft ownership pilot program.

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

SEC. 732. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.

SEC. 733. (a) For fiscal year 2009, no funds shall be available for transfers or reimbursements to the E-Government initiatives sponsored by the Office of Management and Budget prior to 15 days following submission of a report to the Committees on Appropriations by the Director of the Office of Management and Budget and receipt of approval to transfer funds by the Committees on Appropriations of the House of Representatives and the Senate.

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

(1) a description of each initiative including but not limited to its objectives, benefits, development status, risks, cost effec-

tiveness (including estimated net costs or savings to the government), and the estimated date of full operational capability;

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

(3) the sources and distribution of funding by fiscal year and by agency and bureau for each initiative including agency contributions to date and estimated future contributions by agency.

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

SEC. 734. Notwithstanding section 1346 of title 31, United States Code, and section 708 of this Act and any other provision of law, the head of each appropriate executive department and agency shall transfer to or reimburse the Federal Aviation Administration, upon the direction of the Director of the Office of Management and Budget, funds made available by this or any other Act for the purposes described below, and shall submit budget requests for such purposes. These funds shall be administered by the Federal Aviation Administration, in consultation with the appropriate interagency groups designated by the Director and shall be used to ensure the uninterrupted, continuous operation of the Midway Atoll Airfield by the Federal Aviation Administration pursuant to an operational agreement with the Department of the Interior for the entirety of fiscal year 2009 and any period thereafter that precedes the enactment of the Financial Services and General Government Appropriations Act, 2010. The Director of the Office of Management and Budget shall mandate the necessary transfers after determining an equitable allocation between the appropriate executive departments and agencies of the responsibility for funding the continuous operation of the Midway Atoll Airfield based on, but not limited to, potential use, interest in maintaining aviation safety, and applicability to governmental operations and agency mission. The total funds transferred or reimbursed shall not exceed $6,000,000 for any 12-month period. Such sums shall be sufficient to ensure continued operation of the airfield throughout the period cited above. Funds shall be available for operation of the airfield or airfield-related capital upgrades. The Director of the Office of Management and Budget shall notify the Committees on Appropriations of such transfers or reimbursements within 15 days of this Act. Such transfers or reimbursements shall begin within 30 days of enactment of this Act.

SEC. 735. Section 739(a)(1) of division D of the Consolidated Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2029) is amended by striking "more than 10".

SEC. 736. Section 739 of division D of the Consolidated Appropriations Act, 2008 (Public Law 110–161; 121 Stat. 2030) is amended by striking subsection (b) and inserting the following:

"(b) GUIDELINES ON INSOURCING NEW AND CONTRACTED OUT FUNCTIONS.—

"(1) GUIDELINES REQUIRED.—(A) The heads of executive agencies subject to the Federal Activities Inventory Reform Act of 1998 (Public Law 105–270; 31 U.S.C. 501 note) shall devise and implement guidelines and procedures to ensure that consideration is given to using, on a regular basis, Federal employees to perform new functions and functions that are performed by contractors and could be performed by Federal employees.

"(B) The guidelines and procedures required under subparagraph (A) may not include any specific limitation or restriction on the number of functions or activities that may be converted to performance by Federal employees.

"(2) SPECIAL CONSIDERATION FOR CERTAIN FUNCTIONS.—The guidelines and procedures required under paragraph (1) shall provide for special consideration to be given to using Federal employees to perform any function that—

"(A) is performed by a contractor and—

"(i) has been performed by Federal employees at any time during the previous 10 years;

"(ii) is a function closely associated with the performance of an inherently governmental function;

"(iii) has been performed pursuant to a contract awarded on a non-competitive basis; or

"(iv) has been performed poorly, as determined by a contracting officer during the 5-year period preceding the date of such determination, because of excessive costs or inferior quality; or

"(B) is a new requirement, with particular emphasis given to a new requirement that is similar to a function previously performed by Federal employees or is a function closely associated with the performance of an inherently governmental function.

"(3) EXCLUSION OF CERTAIN FUNCTIONS FROM COMPETITIONS.—The head of an executive agency may not conduct a public-private competition under Office of Management and Budget Circular A–76 or any other provision of law or regulation before—

"(A) in the case of a new agency function, assigning the performance of the function to Federal employees;

"(B) in the case of any agency function described in paragraph (2), converting the function to performance by Federal employees; or

"(C) in the case of an agency function performed by Federal employees, expanding the scope of the function.

"(4) DEADLINE.—(A) The head of each executive agency shall implement the guidelines and procedures required under this subsection by not later than 120 days after the date of the enactment of this subsection.

"(B) Not later than 210 days after the date of the enactment of this subsection, the Government Accountability Office shall submit a report on the implementation of this subsection to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the

Committee on Homeland Security and Governmental Affairs of the Senate.

"(5) DEFINITIONS.—In this subsection:

"(A) The term 'inherently governmental functions' has the meaning given such term in subpart 7.5 of part 7 of the Federal Acquisition Regulation.

"(B) The term 'functions closely associated with inherently governmental functions' means the functions described in section 7.503(d) of the Federal Acquisition Regulation.

"(6) APPLICABILITY.—This subsection shall not apply to the Department of Defense.".

SEC. 737. None of the funds appropriated or otherwise made available by this or any other Act may be used to begin or announce a study or public-private competition regarding the conversion to contractor performance of any function performed by Federal employees pursuant to Office of Management and Budget Circular A–76 or any other administrative regulation, directive, or policy.

SEC. 738. (a) Section 142(a) of division A of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110–329; 122 Stat. 3580) is amended by striking "Security." and inserting "Security and shall apply to civilian employees in the Department of Defense who are represented by a labor organization as defined in section 7103(a)(4) of title 5, United States Code.".

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009.

SEC. 739. Unless otherwise authorized by existing law, none of the funds provided in this Act or any other Act may be used by an executive branch agency to produce any prepackaged news story intended for broadcast or distribution in the United States, unless the story includes a clear notification within the text or audio of the prepackaged news story that the prepackaged news story was prepared or funded by that executive branch agency.

SEC. 740. None of the funds made available in this Act may be used in contravention of section 552a of title 5, United States Code (popularly known as the Privacy Act) and regulations implementing that section.

SEC. 741. Each executive department and agency shall evaluate the creditworthiness of an individual before issuing the individual a government travel charge card. Such evaluations for individually-billed travel charge cards shall include an assessment of the individual's consumer report from a consumer reporting agency as those terms are defined in section 603 of the Fair Credit Reporting Act (Public Law 91–508): *Provided*, That the department or agency may not issue a government travel charge card to an individual that either lacks a credit history or is found to have an unsatisfactory credit history as a result of this evaluation: *Provided further*, That this restriction shall not preclude issuance of a restricted-use charge, debit, or stored value card made in accordance with agency procedures to: (1) an individual with an unsatisfactory credit history where such card is used to pay travel expenses and

the agency determines there is no suitable alternative payment mechanism available before issuing the card; or (2) an individual who lacks a credit history. Each executive department and agency shall establish guidelines and procedures for disciplinary actions to be taken against agency personnel for improper, fraudulent, or abusive use of government charge cards, which shall include appropriate disciplinary actions for use of charge cards for purposes, and at establishments, that are inconsistent with the official business of the Department or agency or with applicable standards of conduct.

SEC. 742. CROSSCUT BUDGET. (a) DEFINITIONS.—For purposes of this section the following definitions apply:

(1) GREAT LAKES.—The terms "Great Lakes" and "Great Lakes State" have the same meanings as such terms have in section 506 of the Water Resources Development Act of 2000 (42 U.S.C. 1962d–22).

(2) GREAT LAKES RESTORATION ACTIVITIES.—The term "Great Lakes restoration activities" means any Federal or State activity primarily or entirely within the Great Lakes watershed that seeks to improve the overall health of the Great Lakes ecosystem.

(b) REPORT.—Not later than 45 days after submission of the budget of the President to Congress, the Director of the Office of Management and Budget, in coordination with the Governor of each Great Lakes State and the Great Lakes Interagency Task Force, shall submit to the appropriate authorizing and appropriating committees of the Senate and the House of Representatives a financial report, certified by the Secretary of each agency that has budget authority for Great Lakes restoration activities, containing—

(1) an interagency budget crosscut report that—

(A) displays the budget proposed, including any planned interagency or intra-agency transfer, for each of the Federal agencies that carries out Great Lakes restoration activities in the upcoming fiscal year, separately reporting the amount of funding to be provided under existing laws pertaining to the Great Lakes ecosystem; and

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

(2) a detailed accounting of all funds received and obligated by all Federal agencies and, to the extent available, State agencies using Federal funds, for Great Lakes restoration activities during the current and previous fiscal years;

(3) a budget for the proposed projects (including a description of the project, authorization level, and project status) to be carried out in the upcoming fiscal year with the Federal portion of funds for activities; and

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

SEC. 743. (a) IN GENERAL.—None of the funds appropriated or otherwise made available by this or any other Act may be used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation under sec-

tion 835(b) of the Homeland Security Act of 2002 (6 U.S.C. 395(b)) or any subsidiary of such an entity.

(b) WAIVERS.—

(1) IN GENERAL.—Any Secretary shall waive subsection (a) with respect to any Federal Government contract under the authority of such Secretary if the Secretary determines that the waiver is required in the interest of national security.

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

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

SEC. 744. (a) Each executive department and agency shall establish and maintain on the homepage of its website, an obvious, direct link to the website of its respective Inspector General.

(b) Each Office of Inspector General shall: (1) post on its website any public report or audit or portion of any report or audit issued within one day of its release; (2) provide a service on its website to allow an individual to request automatic receipt of information relating to any public report or audit or portion of that report or audit and which permits electronic transmittal of the information, or notice of the availability of the information without further request; and (3) establish and maintain a direct link on its website for individuals to anonymously report waste, fraud and abuse.

SEC. 745. None of the funds made available by this or any other Act may be used to implement, administer, enforce, or apply the rule entitled "Competitive Area" published by the Office of Personnel Management in the Federal Register on April 15, 2008 (73 Fed. Reg. 20180 et seq.).

SEC. 746. None of the funds made available by this or any other Act may be used to implement, administer, or enforce section 5(b) of Executive Order 13422 (72 Fed. Reg. 2763; relating to Regulatory Policy Officer).

SEC. 747. No later than 120 days after enactment of this Act, the Office of Management and Budget shall submit a status report on the pilot program, established under section 748 of division D of Public Law 110–161, to develop and implement an inventory to track the cost and size (in contractor manpower equivalents) of service contracts, particularly with respect to contracts that have been performed poorly by a contractor because of excessive costs or inferior quality, as determined by a contracting officer within the last 5 years, involve inherently governmental functions, or were undertaken without competition.

SEC. 748. Executive Order 13423 (72 Fed. Reg. 3919; Jan. 24, 2007) shall remain in effect hereafter except as otherwise provided by law after the date of the enactment of this Act.

SEC. 749. Effective January 20, 2009, and for each fiscal year thereafter, no part of any appropriation contained in this or any other Act may be used for the payment of services to any individual carrying out the responsibilities of any position requiring Senate advice and consent in an acting or temporary capacity after the second submission of a nomination for that individual to that position has been withdrawn or returned to the President.

SEC. 750. Except as expressly provided otherwise, any reference to "this Act" contained in any title other than title IV or VIII shall not apply to such title IV or VIII.

SEC. 751. NONREDUCTION IN PAY WHILE FEDERAL EMPLOYEE IS PERFORMING ACTIVE SERVICE IN THE UNIFORMED SERVICES OR NATIONAL GUARD. (a) IN GENERAL.—Subchapter IV of chapter 55 of title 5, United States Code, is amended by adding at the end the following:

"§ 5538. Nonreduction in pay while serving in the uniformed services or National Guard

"(a) An employee who is absent from a position of employment with the Federal Government in order to perform active duty in the uniformed services pursuant to a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10 shall be entitled, while serving on active duty, to receive, for each pay period described in subsection (b), an amount equal to the amount by which—

"(1) the amount of basic pay which would otherwise have been payable to such employee for such pay period if such employee's civilian employment with the Government had not been interrupted by that service, exceeds (if at all)

"(2) the amount of pay and allowances which (as determined under subsection (d))—

"(A) is payable to such employee for that service; and

"(B) is allocable to such pay period.

"(b)(1) Amounts under this section shall be payable with respect to each pay period (which would otherwise apply if the employee's civilian employment had not been interrupted)—

"(A) during which such employee is entitled to reemployment rights under chapter 43 of title 38 with respect to the position from which such employee is absent (as referred to in subsection (a)); and

"(B) for which such employee does not otherwise receive basic pay (including by taking any annual, military, or other paid leave) to which such employee is entitled by virtue of such employee's civilian employment with the Government.

"(2) For purposes of this section, the period during which an employee is entitled to reemployment rights under chapter 43 of title 38—

"(A) shall be determined disregarding the provisions of section 4312(d) of title 38; and

"(B) shall include any period of time specified in section 4312(e) of title 38 within which an employee may report or apply for employment or reemployment following completion of service on active duty to which called or ordered as described in subsection (a).

"(c) Any amount payable under this section to an employee shall be paid—

"(1) by such employee's employing agency;

"(2) from the appropriation or fund which would be used to pay the employee if such employee were in a pay status; and

"(3) to the extent practicable, at the same time and in the same manner as would basic pay if such employee's civilian employment had not been interrupted.

"(d) The Office of Personnel Management shall, in consultation with Secretary of Defense, prescribe any regulations necessary to carry out the preceding provisions of this section.

"(e)(1) The head of each agency referred to in section 2302(a)(2)(C)(ii) shall, in consultation with the Office, prescribe procedures to ensure that the rights under this section apply to the employees of such agency.

"(2) The Administrator of the Federal Aviation Administration shall, in consultation with the Office, prescribe procedures to ensure that the rights under this section apply to the employees of that agency.

"(f) For purposes of this section—

"(1) the terms 'employee', 'Federal Government', and 'uniformed services' have the same respective meanings as given those terms in section 4303 of title 38;

"(2) the term 'employing agency', as used with respect to an employee entitled to any payments under this section, means the agency or other entity of the Government (including an agency referred to in section 2302(a)(2)(C)(ii)) with respect to which such employee has reemployment rights under chapter 43 of title 38; and

"(3) the term 'basic pay' includes any amount payable under section 5304.".

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 55 of title 5, United States Code, is amended by inserting after the item relating to section 5537 the following:

"5538. Nonreduction in pay while serving in the uniformed services or National Guard.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to pay periods (as described in section 5538(b) of title 5, United States Code, as amended by this section) beginning on or after the date of enactment of this Act.

SEC. 752. Not later than 120 days after enactment of this Act, each executive department and agency shall submit to the Director of the Office of Management and Budget a report stating the total size of its workforce, differentiated by number of civilian, military, and contract workers as of December 31, 2008. Not later than 180 days after enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committee a comprehensive statement delineating the workforce data by individual department and agency, as well as aggregate totals of civilian, military, and contract workers.

TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

SEC. 801. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the

maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 802. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor, or, in the case of the Council of the District of Columbia, funds may be expended with the authorization of the Chairman of the Council.

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

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

(b) The District of Columbia may use local funds provided in this title to carry out lobbying activities on any matter.

SEC. 805. (a) None of the funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2009, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditures for an agency through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

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

(5) reestablishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of $3,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center,

unless in the case of Federal funds, the Committees on Appropriations of the House of Representatives and the Senate are notified in writing 15 days in advance of the reprogramming and in the case of local funds, the Committees on Appropriations of the House of Representatives and the Senate are provided summary reports on April 1, 2009 and October 1, 2009, setting forth detailed information regarding each such local funds reprogramming conducted subject to this subsection.

(b) None of the local funds contained in this Act may be available for obligation or expenditure for an agency through a transfer of any local funds in excess of $3,000,000 from one appropriation heading to another unless the Committees on Appropriations of the House of Representatives and the Senate are provided summary re-

ports on April 1, 2009 and October 1, 2009, setting forth detailed information regarding each reprogramming conducted subject to this subsection.

(c) The District of Columbia government is authorized to approve and execute reprogramming and transfer requests of local funds under this title through December 1, 2009.

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

SEC. 807. None of the Federal funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C. Official Code, sec. 32–701 et seq.) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples, including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

SEC. 808. (a) Section 446B(f) of the District of Columbia Home Rule Act (sec. 1–204.46b(f), D.C. Official Code) is amended by striking "fiscal years 2006 through 2008" and inserting "fiscal year 2006 and each succeeding fiscal year".

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of the 2005 District of Columbia Omnibus Authorization Act.

SEC. 809. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

SEC. 810. Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this section, the term "official duties" does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or a District of Columbia government employee as may otherwise be designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day or is otherwise designated by the Fire Chief;

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

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

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

SEC. 811. (a) None of the Federal funds contained in this Act may be used by the District of Columbia Attorney General or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the District of Columbia Attorney General from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 812. None of the Federal funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

SEC. 813. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a "conscience clause" which provides exceptions for religious beliefs and moral convictions.

SEC. 814. (a) Notwithstanding section 615(i)(3)(B) of the Individuals With Disabilities Education Act (20 U.S.C. 1415(i)(3)(B)), none of the funds contained in this Act or in any other Act making appropriations for the government of the District of Columbia for fiscal year 2009 or any succeeding fiscal year may be made available—

(1) to pay the fees of an attorney who represents a party in or defends an IDEA proceeding which was initiated prior to the date of the enactment of this Act in an amount in excess of $4,000 for that proceeding; or

(2) to pay the fees of an attorney or firm who represents a party in or defends an IDEA proceeding if the Chief Financial Officer of the District of Columbia determines that the attorney or firm has a pecuniary interest (either directly or through an attorney, officer, or employee of the firm) in any special education diagnostic services or schools or other special education service providers.

(b) In this section, the term "IDEA proceeding" means any action or administrative proceeding (including any ensuing or related proceedings before a court of competent jurisdiction) brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

SEC. 815. The Mayor of the District of Columbia shall submit to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate annual reports addressing—

(1) crime, including the homicide rate, implementation of community policing, the number of police officers on local beats, and the closing down of open-air drug markets;

(2) access to substance and alcohol abuse treatment, including the number of treatment slots, the number of people

served, the number of people on waiting lists, and the effectiveness of treatment programs, the retention rates in treatment programs, and the recidivism/re-arrest rates for treatment participants;

(3) management of parolees and pre-trial violent offenders, including the number of halfway houses escapes and steps taken to improve monitoring and supervision of halfway house residents to reduce the number of escapes to be provided in consultation with the Court Services and Offender Supervision Agency for the District of Columbia;

(4) education, including access to special education services and student achievement to be provided in consultation with the District of Columbia Public Schools and the District of Columbia public charter schools, repeated grade rates, high school graduation rates, post-secondary education attendance rates, and teen pregnancy rates;

(5) improvement in basic District services, including rat control and abatement;

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

(7) indicators of child and family well-being including child living arrangements by family structure, number of children aging out of foster care, poverty rates by family structure, crime by family structure, marriage rates by income quintile, and out-of-wedlock births; and

(8) employment, including job status and participation in assistance programs by income, education and family structure.

SEC. 816. Beginning in fiscal year 2009 and each fiscal year thereafter, the amount appropriated to the District of Columbia may be increased by no more than $100,000,000 from funds identified in the annual comprehensive annual financial report as the District's immediately preceding fiscal year's unexpended general fund surplus. The District may obligate and expend these amounts only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify that the use of any such amounts is not anticipated to have a negative impact on the District's long-term financial, fiscal, and economic vitality.

(2) The District of Columbia may only use these funds for the following expenditures:

(A) One-time expenditures.

(B) Expenditures to avoid deficit spending.

(C) Debt Reduction.

(D) Program needs.

(E) Expenditures to avoid revenue shortfalls.

(3) The amounts shall be obligated and expended in accordance with laws enacted by the Council in support of each such obligation or expenditure.

(4) The amounts may not be used to fund the agencies of the District of Columbia government under court ordered receivership.

(5) The amounts may not be obligated or expended unless the Mayor notifies the Committees on Appropriations of the House of Representatives and the Senate not fewer than 30 days in advance of the obligation or expenditure.

SEC. 817. (a) Beginning in fiscal year 2009 and each fiscal year thereafter, consistent with revenue collections, the amount appropriated as District of Columbia Funds may be increased—

(1) by an aggregate amount of not more than 25 percent, in the case of amounts proposed to be allocated as "Other-Type Funds" in the annual Proposed Budget and Financial Plan submitted to Congress by the District of Columbia; and

(2) by an aggregate amount of not more than 6 percent, in the case of any other amounts proposed to be allocated in such Proposed Budget and Financial Plan.

(b) The District of Columbia may obligate and expend any increase in the amount of funds authorized under this section only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify—

(A) the increase in revenue; and

(B) that the use of the amounts is not anticipated to have a negative impact on the long-term financial, fiscal, or economic health of the District.

(2) The amounts shall be obligated and expended in accordance with laws enacted by the Council of the District of Columbia in support of each such obligation and expenditure, consistent with the requirements of this Act.

(3) The amounts may not be used to fund any agencies of the District government operating under court-ordered receivership.

(4) The amounts may not be obligated or expended unless the Mayor has notified the Committees on Appropriations of the House of Representatives and the Senate not fewer than 30 days in advance of the obligation or expenditure.

SEC. 818. Beginning in fiscal year 2009 and each fiscal year thereafter, the Chief Financial Officer for the District of Columbia may, for the purpose of cash flow management, conduct short-term borrowing from the emergency reserve fund and from the contingency reserve fund established under section 450A of the District of Columbia Home Rule Act (Public Law 93–198): *Provided*, That the amount borrowed shall not exceed 50 percent of the total amount of funds contained in both the emergency and contingency reserve funds at the time of borrowing: *Provided further*, That the borrowing shall not deplete either fund by more than 50 percent: *Provided further*, That 100 percent of the funds borrowed shall be replenished within 9 months of the time of the borrowing or by the end of the fiscal year, whichever occurs earlier: *Provided further*, That in the event that short-term borrowing has been conducted and the emergency or the contingency reserve funds are later depleted below 50 percent as a result of an emergency or contingency, an amount equal to the amount necessary to restore reserve levels

to 50 percent of the total amount of funds contained in both the emergency and contingency reserve fund must be replenished from the amount borrowed within 60 days.

SEC. 819. (a) None of the funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols derivative.

(b) The Legalization of Marijuana for Medical Treatment Initiative of 1998, also known as Initiative 59, approved by the electors of the District of Columbia on November 3, 1998, shall not take effect.

SEC. 820. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 821. Amounts appropriated in this Act as operating funds may be transferred to the District of Columbia's enterprise and capital funds and such amounts, once transferred shall retain appropriation authority consistent with the provisions of this Act.

SEC. 822. (a) INCREASE IN THE HOURLY RATE FOR ATTORNEYS REPRESENTING INDIGENT DEFENDANTS IN THE DISTRICT OF COLUMBIA COURTS.—Section 11–2604(a), District of Columbia Official Code, is amended by striking "$80 per hour" and inserting "$90 per hour".

(b) SPECIAL RULE FOR COMPENSATION OF ATTORNEYS IN NEGLECT AND TERMINATION OF PARENTAL RIGHTS PROCEEDINGS.—Section 16–2326.01(b), District of Columbia Official Code, is amended—

(1) in paragraph (1), by striking "$1,760" and inserting "$1,980";

(2) in paragraph (2), by striking "$1,760" and inserting "$1,980";

(3) in paragraph (3), by striking "$2,400" and inserting "$2,700"; and

(4) in paragraph (4), by striking "$1,200" and inserting "$1,350".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to cases and proceedings initiated on or after the date of enactment of this Act.

SEC. 823. Section 2 of the Act entitled "An Act Relative to the control of wharf property and certain public spaces in the District of Columbia", approved March 3, 1899 (sec. 10–501.02(a), D.C. Official Code) is amended by striking the last sentence.

SEC. 824. Except as expressly provided otherwise, any reference to "this Act" contained in this title or in title IV shall be treated as referring only to the provisions of this title or of title IV.

This division may be cited as the "Financial Services and General Government Appropriations Act, 2009".

[CLERK'S NOTE: Reproduced below is the material relating to division D contained in the "Explanatory Statement Submitted by Mr. Obey, Chairman of the House Committee on Appropriations, Regarding H.R. 1105, Omnibus Appropriations Act, 2009".[1]

DIVISION D—FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2009

Following is an explanation of the effects of division D, relating to the Financial Services and General Government Appropriations Act, 2009.

REPROGRAMMING GUIDELINES

The bill includes a provision (section 608) establishing the authority of agencies to reprogram funds and the limitations on that authority. The provision specifically requires the advance approval of the House and Senate Committees on Appropriations of any proposal to reprogram funds that meets specified criteria.

Each agency is required to submit an operating plan to the House and Senate Committees on Appropriations not later than 60 days after the enactment of this Act. This operating plan establishes the baseline for application of reprogramming and transfer authorities provided in this Act. Specifically, each agency should provide a table for each appropriation with columns displaying the budget request; adjustments made by Congress; adjustments for rescissions, if appropriate; and the fiscal year enacted level. The table shall delineate the appropriation both by object class and by program, project, and activity. The report must also identify items of special congressional interest.

Agencies should submit reprogramming requests in a timely manner and provide a thorough explanation of the proposed reallocations, including a detailed justification of increases and reductions and the specific impact the proposed changes will have on the budget request for the following fiscal year. Except in emergency situations, reprogramming requests should be submitted no later than June 30. When an agency submits a reprogramming or transfer request to the Committees on Appropriations and does not receive identical responses from the House and the Senate Committees, it is the responsibility of the agency to reconcile the House and the Senate differences before proceeding, and if reconciliation is not possible, to consider the request to reprogram funds denied.

[1] This Explanatory Statement was submitted for printing the *Congressional Record* on February 23, 2009, prior to House consideration of the bill and as directed by the House of Representatives in section 2 of H. Res. 92 (as amended by section 2 of H. Res. 108). The Statement appears in the February 23 *Congressional Record*, beginning on page H1653.

AGENCY REPORTS

As a measure to reduce costs and conserve paper, agencies funded by this Act that currently provide separate copies of periodic reports (such as Performance and Accountability Reports) to the Chairs of the House and Senate Appropriations Committees and Subcommittees on Financial Services and General Government, and also to the Ranking Members of the Committees and Subcommittees, should send only one copy jointly addressed to the Chairs of the Committee and Subcommittee and one copy jointly addressed to the Ranking Members of the Committee and Subcommittee (separate copies should be sent to the House and the Senate). This will reduce by half (from eight to four) the copies of periodic reports agencies send to the Committees.

COMPARISONS

Comparisons between amounts provided by this Act, amounts enacted for fiscal year 2008, and amounts requested by the President may be found in the table at the end of this division.

TITLE I

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The bill provides $278,870,000 for departmental offices salaries and expenses.

For the activities under this heading, the bill provides the following funding levels:

Executive Direction	$21,619,000
Economic Policies and Programs	45,910,000
Financial Policies and Programs	36,039,000
Terrorism and Financial Intelligence	62,098,000
Treasury-wide Management	21,600,000
Administration	91,604,000

Within the Financial Policies and Programs budget activity, the bill provides an increase of $500,000 above the amount assumed in the budget request for the Department's Office of Financial Education. The Department is directed to target this increase toward financial education efforts aimed at elementary and high schools, as well as efforts aimed at combating predatory lending.

Within the funds provided for the Office of Foreign Assets Control (OFAC), not less than $300,000 is provided to increase, above fiscal year 2008 levels, efforts to reduce the backlog of OFAC Freedom of Information Act requests.

The bill includes a provision allowing the Department to transfer up to 4 percent of funds available between budget activities upon notification of the House and Senate Committees on Appropriations. Transfers in excess of 4 percent may be made upon approval of the Committees on Appropriations.

The Department is directed to submit to the House and Senate Committees on Appropriations an operating plan for the fiscal year

2009 resources provided to the Department, including all offices and bureaus, not more than 60 days after enactment of this Act. This requirement is further addressed by section 608 of this Act. The plan must include information on program increases and major procurements at the Department. The operating plan should incorporate input from all senior level managers of the Department, and once submitted, the final plan should be made available to those managers.

The bill includes funding for the Department's Office of General Counsel within the Executive Direction budget activity, rather than as a separate budget activity. The Department is directed to include, in its budget submission for fiscal year 2010, information on actual fiscal year 2008 costs, estimated fiscal year 2009 costs, and estimated fiscal year 2010 costs associated with the Office of General Counsel.

As a result of the Emergency Economic Stabilization Act of 2008 (EESA) and other actions to stabilize the financial markets, the Department's responsibilities and activities have substantially and rapidly increased. The Department is expected to properly account for spending between amounts appropriated in the bill for specified activities and activities funded by direct spending authority under EESA.

The Department is also expected to address the recommendations provided by the Government Accountability Office (GAO) in the report titled "Troubled Asset Relief Program: Additional Actions Needed to Better Insure Integrity, Accountability, and Transparency" (GAO–09–161). Specifically, the Department is directed to implement reporting requirements to link the use of funds with the specified goals of EESA, to improve communications with Congress and the public, to monitor compliance with limitations on executive compensation, and to establish procedures for comprehensive oversight of contracts. The Committees on Appropriations are particularly concerned with the reliance on "time and materials" contracts, as the GAO has cited that these types of contracts present a high risk for the government because they provide no positive incentive to control for costs. The Department is directed to brief the Committees on Appropriations regularly on activities relating to EESA.

The Department is directed to fully exercise its authority under EESA and its other authorities to reduce the amount of mortgage defaults and foreclosures. Preventing foreclosure is not only a key step to providing stability to domestic and global financial markets, it also will help keep American families in their homes during the economic crisis.

The Committees on Appropriations are greatly concerned by the resource allocation decisions being made by OFAC, as noted in a November 2007 report from GAO. OFAC's resource allocation decisions should be made on the basis of the most pressing national security threats facing the United States. OFAC is responsible for administering and enforcing more than 20 economic and trade sanctions programs, based on U.S. foreign policy and national security goals, against targeted foreign countries, terrorists, international narcotics traffickers, and proliferators of weapons of mass destruction. Yet, as the GAO report points out, Cuba embargo-related cases comprised 61 percent of OFAC's investigatory caseload from

2000 through 2006. In contrast, Cuba embargo-related cases comprise a minor part of the investigation caseloads of the Commerce Department's Bureau of Industry and Security (BIS)/Office of Export Enforcement and the Department of Homeland Security's Bureau of Immigration and Customs Enforcement (3 percent and 0.2 percent, respectively).

In addition, OFAC penalties for Cuba embargo violations represented more than 70 percent of OFAC's total penalties between 2000 and 2005. The report notes that most of these penalties were for infractions such as purchasing Cuban cigars. By contrast, Cuba embargo penalties comprised just 0.16 percent of the total penalties of BIS during the period of 2002–2006. The Commerce Department, the Department of Homeland Security's Bureau of Immigration and Customs Enforcement, and the Justice Department reported undertaking relatively few investigations, penalties, and prosecutions of Cuba embargo violations.

The Committees on Appropriations strongly concur with GAO's recommendation that the Secretary of the Treasury direct OFAC to assess its allocation of resources for investigating and penalizing violations of the Cuba embargo with respect to the numerous other sanctions programs OFAC administers. The Department is directed to report to the House and Senate Appropriations Committees, within 90 days of enactment of this Act, as to the steps it is taking to assess OFAC's allocation of resources, along with any plans to reallocate OFAC resources. As part of such report, the Department is additionally directed to provide the following information:

(1) for each fiscal year from 2001 to 2008, the following information related to OFAC's Cuba-related licensing:

- the number of family travel licenses issued, as well as the number denied;
- the number of religious travel licenses issued, as well as the number denied;
- the number of academic travel licenses issued, as well as the number denied;
- the number of licenses issued for the various categories of permissible travel;
- the number of licenses denied for the various categories of permissible travel;
- the number of fines issued;
- the average amount of fines;
- the total amount (in dollars) of fines issued per violation category;
- the number of Cuba travel service providers receiving licenses;
- the names of Cuba travel service providers receiving licenses;
- the number of Full-time Equivalents (FTE) used for issuing Cuba licenses; and
- the number of FTE used for issuing licenses for Cuba travel service providers;

(2) for each fiscal year from 2001 to 2008, the following information related to OFAC enforcement of the Cuba embargo:

- the number of FTE used for Cuba embargo enforcement;
- the number of fines issued;
- the average amount of fines;

• the total amount (in dollars) of fines issued, per violation category;

• the number of cases heard by OFAC Administrative Law Judges, along with information on whether these judges were OFAC's own, or whether they were borrowed from other Government agencies;

• the average fine in these cases; and

• the total amount (in dollars) of fines issued by these judges;

(3) for each fiscal year from 1990 to 2008, the following information related to OFAC enforcement of the Cuba embargo:

• the total amount of fines collected in each year;

• the number of travelers engaged in illegal travel to Cuba and apprehended, as reported to OFAC, along with statistics as to the points-of-entry where travelers were apprehended;

• the number of cases against travelers that were/are disputed by the traveler;

• the number of these cases that are settled;

• the average settlement amount; and

• the average time from the first notice sent to the traveler until final settlement was reached;

(4) for fiscal years 2007 and 2008, the number of FTE devoted to OFAC enforcement in the area of Foreign Terrorist Organizations.

The Department is directed to fully implement the sanctions and divestment measures specified in the Sudan Accountability and Divestment Act of 2007 as well as all other sanctions and divestment measures applicable to Sudan, Burma, Iran, and Zimbabwe. The Department is further directed to promptly notify the Appropriations Committees of any resource constraints that adversely impact the implementation of these sanctions programs.

Given Iran's failure to fully cooperate with International Atomic Energy Agency inspections and various resolutions passed by the United Nations Security Council, as well as continuing deficiencies in Iran's anti-money laundering and counter-terrorist financing procedures, the Department is urged to continue working with other cognizant Federal agencies and international organizations, including the Financial Action Task Force, to help deter Iran's support for weapons proliferation.

A July 2007 GAO report found that while the Department has established many of the capabilities needed to select, control, and evaluate its information technology (IT) investments, the Department has significant weaknesses that hamper its ability to effectively manage its investments. The Department has since initiated efforts to improve its IT investment management process and recognizes the need to take proactive steps to strengthen its investment board operations and oversight. The Department is directed to continue improving the management of its capital investments, specifically focusing on integrating all of the Department's bureaus into improvement efforts and institutionalizing improvements so that taxpayers will benefit from better management of future capital projects. The Department is further directed to report to the House and Senate Committees on Appropriations on a quarterly basis, beginning not later than 90 days after the date of enactment of this Act, on any planned or implemented improvements in the

area of Treasury's IT investments, including progress in addressing GAO's recommendations. The Department is further directed to ensure that adequate resources are devoted both to projects in the capital phase and to proper maintenance and modernization of existing systems.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The bill provides $26,975,000 for systems and capital investments.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The bill provides $26,125,000 for the Office of Inspector General. The bill provides additional funds above the budget request for the increased workload associated with Material Loss Reviews.

The Inspector General of the Treasury, with respect to the Office of Thrift Supervision and the Comptroller of the Currency; the Inspector General of the Federal Deposit Insurance Corporation, with respect to the Corporation; and the Inspector General of the Securities and Exchange Commission, with respect to the Commission, are encouraged to fully investigate how any policies, actions, or supervisory roles of such agencies might have contributed to the mortgage foreclosure crisis.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

The bill provides $146,083,000 for salaries and expenses of the Treasury Inspector General for Tax Administration (TIGTA).

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

The bill provides $91,465,000 for salaries and expenses of the Financial Crimes Enforcement Network.

The Department is directed to focus management, regulatory, and enforcement efforts on the consistency of Suspicious Activity Reports.

TREASURY FORFEITURE FUND

(RESCISSION)

The bill includes a rescission of $30,000,000 of unobligated balances in the Treasury Forfeiture Fund.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

The bill provides $239,785,000 for salaries and expenses of the Financial Management Service.

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

The bill provides $99,065,000 for salaries and expenses of the Alcohol and Tobacco Tax and Trade Bureau. Within this amount, $2,000,000, available until September 30, 2010, is provided to enable the bureau to begin implementation of comprehensive lifecycle planning for information technology equipment.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

The bill provides that not more than $42,150,000 in new liabilities and obligations may be incurred during fiscal year 2009 for circulating coinage and protective service capital investments of the U.S. Mint.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

The bill provides $187,352,000 for costs associated with administering the public debt. The bill directs that $10,000,000 in user fees be used to offset the appropriated amounts.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

The bill provides $107,000,000 for the Community Development Financial Institutions (CDFI) Fund program. Within this amount, $8,500,000 is for technical assistance and other purposes for Native American, Native Hawaiian, and Alaskan Native communities.

In addition, of the funds provided, $2,000,000 is included for a new competitive grants pilot program at the Department, aimed at providing financial counseling services to prospective homebuyers, as authorized by the Housing and Economic Recovery Act of 2008 (Public Law 110–289). In developing the competitive grants process, the Department is directed to consult with other Federal agencies and public and private organizations with expertise in community-based financial counseling programs.

The Department is directed to fund the Bank Enterprise Award program at a level not less than $22,000,000.

Poverty, lack of economic opportunity, and lack of low-cost financial services continue to be problems across much of the Nation, particularly in many Hispanic-American, African-American, Native American, Asian American, Pacific Islander, Alaskan Native, and other minority communities. The House and Senate Committees on Appropriations appreciate the ongoing efforts of the CDFI Fund to work to remedy the particular problems in these communities and strongly encourage the CDFI Fund to continue to place a heavy emphasis on these efforts.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

The bill includes $2,293,000,000 for Taxpayer Services, an increase of $143,000,000 above both the request and the amount provided in fiscal year 2008. The increase above the budget request is in addition to, and not a substitute for, the $127,000,000 in user fee collections that the Internal Revenue Service (IRS) estimated in its fiscal year 2009 budget request would be available to supplement the Taxpayer Services account. Within the overall amount, not less than $9,500,000 is for low-income taxpayer clinic grants, and not less than $5,100,000 is for the Tax Counseling for the Elderly Program. Not less than $193,000,000 is provided for operating expenses of the IRS Taxpayer Advocate Service (TAS).

In addition, within the overall amount provided, $8,000,000, available until September 30, 2010, is included to continue the Community Volunteer Income Tax Assistance matching grants program. In administering this program, the IRS is not permitted to treat any in-kind contributions from the IRS as counting toward the $8,000,000 appropriation, nor shall the IRS reduce any current contributions toward tax return preparation services.

Within the overall funds provided, the IRS is expected to devote funding to maintaining its processing of essential pension plan return information while transitioning to a new mandated electronic filing system in 2010.

Of the increase above the budget request, $38,000,000 is directed to be targeted toward the following activities within the Pre-filing Taxpayer Assistance and Education budget activity: (1) increasing IRS outreach and education activities, for individuals, businesses, and tax-exempt entities, above the levels assumed in the fiscal year 2009 budget request, (2) enhancements to IRS face-to-face service, and (3) enhancements to the IRS 1–800 help line service. The Department is directed to include, in its fiscal year 2009 operating plan, a specific plan for increasing these activities above the levels assumed in the budget request. For purposes of comparison, the plan should include: (1) details on the funding levels and full-time equivalents (FTEs) assumed in the fiscal year 2009 budget request for these activities, and (2) funding levels and FTEs for these activities as funded by this Act. The IRS is directed to add this funding to the IRS base budget and include it in future budget requests. To the maximum extent possible, these funds should go toward increasing the numbers of IRS personnel devoted to these activities.

The IRS is directed to strengthen, improve, and expand taxpayer service overall. If the IRS proposes further reductions in specific taxpayer services, such reductions must be consistent with the budget justification, operating plan, and Taxpayer Assistance Blueprint, and the IRS must demonstrate that such reductions will not result in a decline in voluntary compliance. Where such reductions involve a reduction in face-to-face service, the IRS must demonstrate that the proposed reductions do not adversely impact compliance by taxpayers who are dependent on such services, by showing, through such means as a successful pilot program, survey, or

other empirical means, that there is an effective and viable service alternative available.

The IRS, the IRS Oversight Board and the National Taxpayer Advocate are directed to submit annually to the House and Senate Committees on Appropriations an update to the Taxpayer Assistance Blueprint, detailing its implementation status and identifying any changes to the strategic plan for taxpayer service, including the results of any new research and relevant findings, and any open issues requiring additional research. The first update shall be submitted 120 days after enactment of this Act.

The IRS is directed to continue to report to the House and Senate Committees on Appropriations on a quarterly basis, beginning not later than 60 days after the date of enactment of this Act, with updated projections on user fee collections.

The IRS is directed to provide an assessment of lessons learned from the administration of the 2008 economic stimulus program, including recommendations for managing similar programs in the future and minimizing declines in level of core services, to the House and Senate Committees on Appropriations no later than 120 days after enactment of this Act. As part of such report, the IRS should include an analysis of the feasibility, including cost savings, of converting taxpayers who receive paper checks to electronic or debit card payment systems.

Given the remote distance of Alaska and Hawaii from the U.S. mainland and the difficulty experienced by Alaska and Hawaii taxpayers in receiving needed tax assistance by the national toll free line, it is imperative that the TAS in each of these states is fully staffed and capable of resolving taxpayer problems of the most complex nature. The IRS is directed to continue to staff each TAS Center in each of these states with a Collection Technical Advisor and an Examination Technical Advisor in addition to the current complement of office staff.

There continues to be a steady increase in the number of tax returns filed electronically. Eighty million tax returns were e-filed in 2007. While the IRS did not meet the congressionally-mandated goal of having 80 percent of tax returns filed electronically by 2007, it achieved an overall e-file rate of 65 percent, up over 9 percent. The IRS is directed, in consultation with stakeholders, including the National Taxpayer Advocate, to implement a strategy to achieve the 80 percent e-file goal. This plan should address alternate electronic filing strategies, including Telefile and 2–D Bar Coding and methods of e-filing directly with the IRS for free.

The Department's fiscal year 2009 budget request for the IRS assumes more than $80,000,000 in efficiency savings. While it is important for the IRS, like all Federal agencies, to explore ways to achieve cost savings, these budget assumptions also carry risks, as the IRS would need to reduce program funding if savings fail to materialize as projected. An August 2007 report from TIGTA noted that savings estimates could not be validated for more than $146,000,000 in taxpayer service reengineering and program efficiencies initiatives over fiscal years 2006 and 2007. The IRS is directed to report to the House and Senate Committees on Appropriations, within 30 days of enactment of this Act, on the steps it is taking to improve its processes for measuring savings and effi-

ciencies, including steps to address TIGTA's recommendations in this area.

In recent years, the IRS has made progress expanding the availability of IRS services available in languages other than English, including the establishment of a Spanish-language version of "Where's My Refund?" in 2008. However, the IRS Taxpayer Advocate has also expressed concerns in recent years about the lack of availability of certain IRS services, forms, and publications in languages other than English, even though six percent of taxpayers do not speak English at home. The IRS is urged to continue to work to translate a broad range of documents, not just education and outreach materials, but also forms and examination and collection notices.

In addition, an August 2007 TIGTA report showed that for the 2007 filing season, the quality and level of customer service for Spanish-speaking taxpayers was lower than that provided for English-speaking taxpayers. Furthermore, the accuracy rate for tax answers provided by the IRS to Spanish-speaking taxpayers was lower than that for English-speaking taxpayers. The IRS is directed to report to the House and Senate Committees on Appropriations, within 30 days of enactment of this Act, on the status of the quality and level of customer service for Spanish language applications on the IRS 1–800 help line, along with any IRS corrective actions planned or implemented to improve performance.

Many low-income taxpayers and their families are having their Earned Income Tax Credit (EITC) benefits unnecessarily diminished through high-cost, short-term products such as refund anticipation loans (RALs). The IRS is directed, in consultation with the National Taxpayer Advocate, to educate consumers about the costs associated with these products and expand access to alternative methods of obtaining timely tax refunds.

The IRS, in consultation with the IRS Taxpayer Advocate, is directed to report to the House and Senate Committees on Appropriations, within 90 days of enactment of this Act, on improvements being made in the process for making decisions about Taxpayer Assistance Center services and locations, including progress in addressing the recent recommendations of TIGTA in this area.

The IRS has stated that it would achieve millions of dollars in cost savings as a result of the consolidation of IRS processing centers for paper tax returns. However, an August 2007 TIGTA report showed that the IRS had not provided adequate information about the actual results from the first two processing center closures. In addition, the IRS business decision to consolidate the processing centers did not include a cost-benefit analysis. Consequently, the IRS did not set financial goals for the consolidation, and thus has not had an incentive to determine how efficient its decisions have been. While the IRS has continued to successfully process individual income tax returns while implementing the consolidation, the report cited several unanticipated developments at the Fresno, CA processing site due to increased tax return volume, including delays in processing returns and a possible staffing shortfall. Prior to future processing center closures, the IRS is strongly urged to have the IRS Project Management Office complete a cost-benefit analysis, as recommended by TIGTA, to determine if the existing

submission processing consolidation plan is optimal in terms of cost savings and operational effectiveness.

ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

The bill provides $5,117,267,000 for Enforcement.

The IRS is directed to report to the House and Senate Committees on Appropriations, within 120 days of enactment of this Act, on the status of efforts to improve IRS's system for identifying paid preparers, including addressing the recommendations of the Government Accountability Office (GAO) in this area.

The IRS is urged to continue to work to avoid unnecessary delays in the issuances of Earned Income Tax Credit (EITC) refunds, as such refunds comprise a significant portion of the annual income of eligible taxpayers. In addition, the IRS is directed to report to the House and Senate Committees on Appropriations, within 90 days of enactment of this Act, on steps it is taking to address the recommendations of the IRS Taxpayer Advocate regarding barriers faced by taxpayers when negotiating the EITC audit process.

An understanding of the causes of inadvertent noncompliance and the role of preparers in facilitating both inadvertent and intentional noncompliance will improve tax administration and should inform IRS's allocation of resources. The IRS, in administering its National Research Program (NRP) for fiscal year 2009, is directed to collect information on the causes of noncompliance, including inadvertent noncompliance, the type of return preparation method (self, volunteer, paid preparer, or IRS preparer), whether the taxpayer was represented during the examination, and the extent to which that taxpayer sought and received IRS services. The IRS is further directed to use an independent external survey firm to conduct interviews with NRP taxpayers in order to identify the causes of taxpayer noncompliance. The National Taxpayer Advocate is directed to assist with this effort.

Many types of vehicles, such as fire engines, garbage trucks, utility trucks, farm vehicles, cement trucks, dump trucks, and tow trucks use their main engine to run auxiliary equipment, which is known as "power take-off." However, current IRS regulations prohibit taxpayers from taking a credit or claiming a refund for Federal fuel excise tax paid on fuel used to power the main propulsion engine for power take-off. The IRS is encouraged to consider issuing a rule to address this issue, in order to encourage fuel efficiency and reduce emissions.

OPERATIONS SUPPORT

The bill provides $3,867,011,000 for Operations Support. Of the funds provided, up to $75,000,000 is available until September 30, 2010 for information technology support and $1,000,000 is available until September 30, 2011 for research. In addition, not less than $2,000,000 is provided for the IRS Oversight Board.

In addition to the normal operating plan requirements detailed in the introduction to this division of the statement, the IRS is directed to include in its fiscal year 2009 operating plan details on any planned reorganization, job reductions or increases to offices or

activities within the agency, and modifications to any service or enforcement activity. The IRS is additionally directed to obtain comments on the operating plan from the IRS Oversight Board and to provide a summary of the comments as part of the operating plan submission to the House and Senate Committees on Appropriations. Further, the IRS should promptly notify the Committees on Appropriations and the IRS Oversight Board if there are any substantial changes to these plans.

The Appropriations Committees continue to support adequate staffing levels for effective tax administration and support the staffing plans for the IRS facilities in the communities of Martinsburg and Beckley, West Virginia. The IRS is urged, within the constraints of the fiscal year 2009 funding levels, to make no staffing reductions at the Martinsburg National Computing Center and the programmed level at the Finance Center in Beckley, West Virginia. Further, the IRS is directed to provide an annual report to the House and Senate Committees on Appropriations on its efforts to protect and increase staffing levels at the Martinsburg and Beckley IRS facilities.

Given the strong and legitimate concerns that continue to be raised by Congress, GAO, TIGTA, and others regarding information security vulnerabilities at the IRS and the IRS's handling of cases of identity theft, the IRS is directed to report to the House and Senate Committees on Appropriations within 60 days of enactment of this Act as to the status of its efforts at improvement in these areas.

A September 2007 GAO report noted that there are significant problems in the management of paper case files at the IRS. In particular, the report noted that the IRS does not have an effective process for ensuring that paper case files can be located within the requesters' time frames, frequently causing unnecessary taxpayer burden and hindering the oversight efforts of Congress, GAO, TIGTA, and others. The IRS has agreed it needs to review its paper case file management program and has formed a cross-functional working group to identify improvements and consider GAO's recommendations. The IRS is directed to report to the House and Senate Committees on Appropriations, within 60 days of enactment of this Act, on progress IRS is making in improving its paper case file management.

BUSINESS SYSTEMS MODERNIZATION

The bill provides $229,914,000 for Business Systems Modernization (BSM). Language is included requiring approval by the House and Senate Committees on Appropriations of a GAO-reviewed expenditure plan for BSM prior to the obligation of the funds, except in the case of funds for IRS labor costs. The Department is directed to notify the House and Senate Committees on Appropriations, within seven days, if BSM management funds are reallocated to the capital asset acquisition program.

As one of the Federal Government's largest, most visible, and sensitive modernization efforts, managing the risks inherent in BSM will continue to require vigilant management attention for several years. To the IRS's credit, the program has made steady progress over the past few years. At the same time, however, GAO

has noted that three recent BSM project milestones experienced significant cost or schedule delays. In addition, future releases, especially the Customer Account Data Engine and Accounts Management Services projects, continue to face significant risks and issues that could impact overall cost and schedule estimates. The IRS is urged to work diligently to improve the BSM program, including efforts to address the related concerns highlighted by GAO and TIGTA, and to immediately report to the House and Senate Committees on Appropriations any delays or cost overruns associated with BSM efforts.

HEALTH INSURANCE TAX CREDIT ADMINISTRATION

The bill provides $15,406,000 for administration of the Health Insurance Tax Credit program.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFER OF FUNDS)

The bill includes the following administrative provisions:

—section 101 providing transfer authority;

—section 102 requiring IRS to maintain training in taxpayer rights;

—section 103 requiring IRS to safeguard taxpayer information;

—section 104 permitting funding for 1–800 help line services and directing the Commissioner to make improving phone service a priority;

—section 105 directing that, of the funds made available by this Act to the IRS, not less than $6,997,000,000 shall be available for tax enforcement, and that an additional $490,000,000 shall be available for enhanced tax law enforcement; and

—section 106 prohibiting funds made available in this Act from being used to enter into, renew, extend, administer, implement, enforce, or provide oversight of any qualified tax collection contract (as defined in section 6306 of the Internal Revenue Code).

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFERS OF FUNDS)

The bill includes the following administrative provisions:

—section 107 allowing Treasury to use funds for certain specified expenses, including uniforms or allowances therefor, motor vehicles, motor vehicle insurance, health insurance for employees serving in foreign countries, and services authorized by 5 U.S.C. 3109;

—section 108 allowing for the transfer of up to 2 percent of funds between Departmental Offices and the various Treasury bureaus, except the IRS;

—section 109 allowing for the transfer of up to 2 percent from the IRS accounts to TIGTA;

—section 110 directing that the purchase of vehicles be consistent with vehicle management principles;

—section 111 prohibiting funding to redesign the $1 note;

—section 112 allowing for the transfer of funds from 'Financial Management Service, Salaries and Expenses' to the Debt Collection Fund conditional on future reimbursement;

—section 113 extending a pay demonstration program for one year;

—section 114 prohibiting funds to build a United States Mint museum without the approval of the House and Senate Committees on Appropriations and the authorizing committees of jurisdiction;

—section 115 prohibiting funding for consolidating the functions of the United States Mint and the Bureau of Engraving and Printing without the approval of the House and Senate Committees on Appropriations and the authorizing committees of jurisdiction;

—section 116 specifying that funds for Treasury intelligence activities are deemed to be specifically authorized until enactment of the fiscal year 2009 intelligence authorization act; and

—section 117 permitting the Bureau of Engraving and Printing to use up to $5,000 from the Industrial Revolving Fund for reception and representation expenses.

TITLE II

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

COMPENSATION OF THE PRESIDENT

The bill provides $450,000 for compensation of the President, including an expense allowance as authorized by 3 U.S.C. 102.

WHITE HOUSE OFFICE

SALARIES AND EXPENSES

The bill provides $53,899,000 for the White House Office. This amount includes $1,400,000 for the White House Office of National AIDS Policy. The Administration is urged to develop and implement a National AIDS Strategy that engages multiple sectors in strategy development, is comprehensive across Federal agencies, sets timelines and assigns responsibility for implementing changes, identifies targets for improved prevention and treatment outcomes and reduced racial disparities, and mandates annual reporting on progress.

EXECUTIVE RESIDENT AT THE WHITE HOUSE

OPERATING EXPENSES

The bill provides $13,363,000 for the operating expenses of the Executive Residence.

WHITE HOUSE REPAIR AND RESTORATION

The bill provides $1,600,000 for White House repair and restoration.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

The bill provides $4,118,000 for the Council of Economic Advisers.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

The bill provides $3,550,000 for the Office of Policy Development.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

The bill provides $9,029,000 for the National Security Council.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

The bill provides $101,333,000 for the Office of Administration. Included in this amount is $5,700,000 for e-mail restoration activities and $11,923,000 for continued modernization of information technology infrastructure.

The Administration should implement comprehensive policies and procedures for the preservation of all records, including electronic records such as e-mails, consistent with the requirements of the Presidential Records Act, the Federal Records Act, and other pertinent laws. The Office of Administration should also work closely with the National Archives and Records Administration (NARA) to ensure the full and complete maintenance and formatting of electronic records that will eventually be turned over to NARA. The Administration is directed to submit a report to the House and Senate Committees on Appropriations no later than June 30, 2009 describing actions it is taking to ensure such policies and procedures are in place, as well as the estimated costs, by program, activity, and fiscal year, of new systems, staff, or other resources needed to ensure the preservation of electronic Presidential records.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

The bill provides $87,972,000 for the Office of Management and Budget (OMB).

Included in this amount is funding to help OMB avoid further reductions in FTE as well as to help OMB meet its responsibilities related to the Emergency Economic Stabilization Act of 2008 and other Federal efforts to stabilize the economy. In addition, the bill provides funding to maintain and modernize the Federal government's core budgeting system, which is nearly 20 years old. Also included is funding, estimated at $200,000, for the printing of paper copies of the President's annual budget submission so that Congress can properly and thoroughly evaluate the President's budget proposals. For fiscal year 2009, OMB did not provide Congress with printed copies of the budget request resulting in the Government Printing Office assuming these costs.

The value of Federal contracts has increased significantly in recent years to well over $400 billion. OMB, through its Office of Federal Procurement Policy, should be playing a central role in coordinating contracting oversight government-wide. However, in re-

cent years, OMB appeared to be more focused on promoting questionable workforce conversion practices rather than vigorous contracting oversight. The Administration is strongly encouraged to refocus OMB's efforts toward effective oversight of Federal contracts.

An April 2008 Government Accountability Office (GAO) report on use of purchase cards found that although purchase cards help agencies lower transaction costs for small purchases and provide procurement flexibility, 41 percent of the transactions made with purchase cards between July 2005 and June 2006 did not follow proper procedures. OMB is directed to report to the Committees on Appropriations within 120 days of enactment of this Act on actions taken to implement GAO's recommendations and improve purchase card internal controls.

OMB, working with the Environmental Protection Agency, should aggressively pursue completion of pending Integrated Risk Information System (IRIS) assessments, such as trichloroethylene (TCE), which has been under review by IRIS since 1998. In 2004, OMB initiated an interagency review of all IRIS assessments. The number of completed IRIS assessments has decreased since OMB, and in particular the Office of Information and Regulatory Affairs, became involved in the process. According to the GAO, 32 draft assessments were sent for external review in fiscal years 2006 and 2007, but only four IRIS assessments were finalized; an unacceptable number.

The President is urged to establish the Task Force on International Cooperation for Clean and Efficient Technologies as required under section 916 of the Energy Independence and Security Act of 2007 (Public Law 110–140).

OMB is reminded of the report due to Congress no later than March 1, 2009, regarding the extent to which executive departments and agencies that administer directed funding allocate the designated amounts to intended recipients at a level less than specified in any enacted bill or accompanying report.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

The bill provides $27,200,000 for Office of National Drug Control Policy (ONDCP) salaries and expenses. Of this amount, $1,300,000 is for policy research and evaluation within the Office of Planning and Budget. This funding should be used to inform policy issues relating to formulation of the National Drug Control Strategy, including attention to demand reduction programs and policies.

The findings of a recent study regarding ONDCP, requested by Congress and completed by the National Academy of Public Administration (NAPA), raise serious issues with the agency's organization and management, as well as the agency's national drug control strategy formulation, coordination, and budget. For example, the NAPA study "found ONDCP's current structure to be less than optimally aligned for the work to be done, highly compartmentalized, and out of balance, with an over-abundance of supervisors, managers, and political appointees."

The strength and diversity of ONDCP's workforce is also a serious concern. From fiscal year 2000 to fiscal year 2008, the agency's workforce declined from 123 to 106, and both racial/ethnicity and female representation have declined significantly as a percentage of the total workforce. Political appointments (with the largest portion being Schedule C appointments) constitute almost a quarter of the workforce at this 'non-partisan' organization, a level greater than other EOP components. Among career staff, the level of turnover in some years has raised concerns about continuity of leadership as well as sufficiency of expertise. Management policies and practices, particularly those relating to human capital, have resulted in a highly centralized and non-transparent structure. More than one-half of ONDCP employees report directly or secondarily to the chief of staff (a non-career SES position), while the deputy director of ONDCP, a Senate-confirmed Presidential appointee, has no supervisory responsibilities.

The NAPA study also looked closely at ONDCP's external relationships, including those with Congress. The Committees on Appropriations have had concerns for some time that ONDCP often disregards the intent of Congress. As an example, the Committees have expressed displeasure and frustration with how ONDCP approached a reorganization of its budget and Counterdrug Technology Assessment Center offices and its refusal to reverse the reorganization in spite of statutory law and directives. As the NAPA study noted, "[r]efusing to comply with statutory requirements, while not making the necessary efforts to resolve these issues with Congress, only serves to increase frustrations on both sides." NAPA goes on to recommend that ONDCP be more engaged in addressing such issues with Congress. Improved communication and cooperation between ONDCP and Congress is possible if such efforts are made.

The NAPA study contains many additional observations and recommendations. The Administration and ONDCP leadership are strongly encouraged to consider these recommendations as they review the goals, organization, and management of the agency.

Methamphetamine production, trafficking and abuse continue to be a serious problem. ONDCP should continue its efforts to work with various agencies, such as the Departments of Justice, State, Homeland Security and Health and Human Services, along with state and local governments, to develop and implement strategies to reduce the demand for and supply of methamphetamine in the U.S.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

(INCLUDING TRANSFER OF FUNDS)

The bill provides $3,000,000 for the Counterdrug Technology Assessment Center (CTAC) for counter-narcotics research and development. The bill requires a detailed spending plan for the use of these funds be submitted no later than 90 days after enactment of the Act.

In fiscal year 2003, the CTAC research and development program was appropriated $22,000,000 (in addition, the Technology Transfer Program was funded under CTAC at $26,000,000). Since

that time, budget constraints and concerns about the direction and leadership of CTAC have resulted in dramatically reduced funding levels. The Committees on Appropriations are hopeful that new leadership at ONDCP and CTAC will reinvigorate this program so that this once-valuable program will again flourish.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

The bill provides $234,000,000 for the High Intensity Drug Trafficking Areas Program (HIDTA). Of the funds provided, $2,100,000 is provided for audit activities, including $250,000 for the continued operation and maintenance of the Performance Management System.

The bill requires that HIDTAs existing in fiscal year 2009 receive funding at least equal to the fiscal year 2008 initial allocation level or $3,000,000, whichever is greater. The fiscal year 2009 initial allocation level (before the distribution of discretionary funds) may not exceed $47,457,447.

The total amount provided assumes $15,939,987 in discretionary funds for the HIDTA program. ONDCP is directed to work closely with the HIDTA Directors to develop a framework for the use of these discretionary funds. Funding is provided within this amount to provide for a program adjustment for HIDTAs that qualify under performance measurement criteria. This program adjustment should be added to the baseline for the initial allocation levels that will be received by HIDTAs in fiscal year 2010.

ONDCP is directed to transfer HIDTA funds to the appropriate drug control agencies expeditiously. On November 14, 2008, ONDCP sent a letter to HIDTAs stating that the distribution of initial allocation funding would be completed within 45 days of enactment of the fiscal year 2009 appropriation. The bill includes a requirement consistent with this timetable. The bill also includes a requirement that ONDCP submit its recommendations on discretionary funding for approval to the House and Senate Committees on Appropriations within 90 days of enactment of this Act. The timely review and transfer of both initial allocation funding and discretionary funding will significantly improve the ability of HIDTAs to manage these funds.

The HIDTA funds should not be used to supplant existing support for ongoing Federal, state, or local drug control operations normally funded out of the operating budgets of each agency. ONDCP is directed to withhold all HIDTA funds from a state until such time as a state or locality has met its financial obligation for ongoing operations.

As a result of the many new counties established with fiscal year 2007 funds, ONDCP provided no funding for new counties in fiscal year 2008 with the Committees' concurrence. For fiscal year 2009, discretionary funds may be provided for new counties if ONDCP and the HIDTA Directors determine that the need is warranted and the appropriate criteria have been met. As with all discretionary funds, ONDCP should follow the consultation and approval

process with the Committees with regard to any new county funding.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The bill provides $174,700,000 for Other Federal Drug Control Programs. The following allocations are made within the amount provided:

[In thousands of dollars]

National Youth Anti-Drug Media Campaign	$70,000
Drug-Free Communities Support Program	90,000
National Drug Court Institute	1,250
National Alliance for Model State Drug Laws	1,250
U.S. Anti-Doping Agency	9,800
World Anti-Doping Agency Membership Dues	1,900
Performance Measures Development	500

Of the amount provided for the media campaign, at least $8,000,000 is available for methamphetamine prevention messages.

The bill maintains funding for non-advertising services for the Media Campaign at no less than the fiscal year 2003 ratio of service funding to total funds. These activities should continue to include special initiatives designed to reach Hispanic audiences and engage private sector participation in the program.

As noted, the bill provides $1,250,000 to the National Alliance for Model State Drug Laws (NAMSDL). ONDCP is directed to provide the entire amount directly to NAMSDL within 30 days of enactment of this Act.

Performance measures funding is used to conduct evaluation research for assessing the effectiveness of the National Drug Control Strategy. The bill provides $500,000 for this program and directs ONDCP to outline and submit to the House and Senate Committees on Appropriations a detailed plan for projects that assess the effectiveness of the strategy in achieving its goals and objectives, and develop and improve needed data sources, including specific funding levels, no later than 120 days after enactment of this Act.

UNANTICIPATED NEEDS

The bill provides $1,000,000 for Unanticipated Needs, to remain available until September 30, 2010. These funds enable the President to meet unanticipated emergencies in support of the national interest, security, or defense.

PRESIDENTIAL TRANSITION ADMINISTRATIVE SUPPORT

(INCLUDING TRANSFER OF FUNDS)

The bill provides $8,000,000 for the Presidential Transition Administrative Support account, which supplements other administrative resources of the Executive Office of the President in support of the transition to the next Presidential Administration.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

The bill provides $4,496,000 for Special Assistance to the President.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The bill provides $323,000 for operating expenses of the official residence of the Vice President.

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

(INCLUDING TRANSFER OF FUNDS)

Section 201 provides transfer authority between "White House Office", "Executive Residence at the White House", "White House Repair and Restoration", "Council of Economic Advisers", "National Security Council", "Office of Administration", "Office of Policy Development", "Special Assistance to the President", and "Official Residence of the Vice President."

Section 202 requires a detailed narrative and financial plan to be submitted by ONDCP to the Committees on Appropriations not later than 60 days after enactment of this Act.

Section 203 specifies that not to exceed 2 percent of ONDCP appropriations may be transferred between appropriated programs upon advance approval of the Committees on Appropriations.

Section 204 specifies that not to exceed $1,000,000 of ONDCP appropriations may be reprogrammed upon advance approval of the Committees on Appropriations.

TITLE III

THE JUDICIARY

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

The bill includes $69,777,000 for the salaries and expenses of the Supreme Court.

CARE OF THE BUILDING AND GROUNDS

The bill includes $18,447,000 for care of the Supreme Court building and grounds. The Supreme Court is directed to report to the House and Senate Committees on Appropriations on the construction and modernization project no later than 90 days after enactment of this Act and to continue to update the Committees as the Court becomes aware of any changes in schedule or budgetary needs.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

The bill includes $30,384,000 for the United States Court of Appeals for the Federal Circuit. The bill provides one half of the requested funds for rental space for senior judges and one half the requested funding for law clerks for new judges. It is difficult to justify full funding of the Court's requests when these requests are apparently based on the assumption that the maximum amount of space and staff will be necessary at any given time. Historically, these assumptions are then not realized, negating the requirement to provide full funding. In order for the Court's request to be considered in full, the Court is urged to request that judges who are eligible for senior status declare their intention at the earliest possible opportunity. The Court is further urged to communicate information in a transparent and ongoing manner so that decisions on funding can be made based on the most up-to-date information available.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

The bill includes $19,605,000 for the United States Court of International Trade.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

The bill provides $4,801,369,000 for the salaries and expenses of the Courts of Appeals, District Courts, and Other Judicial Services. In addition, the bill includes $4,253,000 for the Vaccine Injury Compensation Trust Fund.

The Judicial Conference is urged to take into consideration district caseloads when prioritizing Federal courthouse construction, for example in McAllen, Texas in the Southern District of Texas, and other border districts which are experiencing high caseloads.

DEFENDER SERVICES

The bill provides $849,400,000 for Defender Services. The bill provides a cost of living adjustment from $100 to $102 an hour for non-capital panel attorneys and an adjustment from $170 to $174 an hour for attorneys associated with capital cases. The bill further includes funding to provide a pay raise from $102 to $110 an hour for non-capital panel attorneys.

FEES OF JURORS AND COMMISSIONERS

The bill provides $62,206,000 for the fees of Jurors and Commissioners.

COURT SECURITY

(INCLUDING TRANSFERS OF FUNDS)

The bill includes $428,858,000 for Court Security. The Judiciary is directed to report on the execution of the court security pilot program authorized in fiscal year 2008, including a cost comparison, 120 days after enactment of this Act.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

The bill provides $79,049,000 for the salaries and expenses of the Administrative Office of the United States Courts.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

The bill provides $25,725,000 for salaries and expenses of the Federal Judicial Center. The Federal Judicial Center is directed to keep the House and Senate Committees on Appropriations informed of new staff hires throughout fiscal year 2009.

JUDICIAL RETIREMENT FUNDS

PAYMENT TO JUDICIARY TRUST FUNDS

The bill provides $76,140,000 for payments for various judicial retirement funds.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

The bill provides $16,225,000 for the salaries and expenses of the United States Sentencing Commission.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

(INCLUDING TRANSFER OF FUNDS)

Section 301 allows the Judiciary to expend funds for the employment of expert and consultative services.

Section 302 provides transfer authority in compliance with transfer and reprogramming guidelines set forth in section 604 and 608 of this Act.

Section 303 authorizes not to exceed $11,000 to be available for official receptions and representation.

Section 304 requires a financial plan from the Judiciary allocating the sources and uses of all funds within 90 days of enactment of this Act.

Section 305 extends the authority to contract for repairs of less than $100,000 to the Judiciary.

Section 306 continues to authorize a pilot program to allow the Administrative Office of the United States Courts to reimburse the United States Marshals Service for some services currently being performed by the Federal Protective Service.

Section 307 includes language intended to provide equal treatment for Federal judges regarding life insurance premiums.

Section 308 extends the sunset provision for certain procurement authorities.

Section 309 extends the term of temporary judgeships in Kansas, Northern Ohio, and Hawaii for one year.

Section 310 authorizes a cost of living adjustment for fiscal year 2009 for Federal judges.

TITLE IV

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

The bill includes $35,100,000 for a Federal payment for tuition support. The District of Columbia is expected to adhere to the authorizing statute with regard to the administrative expenses associated with operation of this program.

The Mayor of the District of Columbia and the State Education Office are directed to institute cost containment measures and report regularly on these efforts. Additionally, the District of Columbia is directed to explore other funding options to augment the Federal investment for this program. The District of Columbia is expected to address any insufficiency in funding through ratable reductions and other adjustments or prioritizations based on the income and need of eligible students.

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

The bill provides $39,177,000 for a Federal payment to the District of Columbia for the costs associated with emergency planning and security. Within the amount provided, $352,000 is for the District of Columbia National Guard for a tuition assistance program.

Due to estimates of the unprecedented number of people who visited Washington, DC for the Presidential Inauguration, and the stress this event placed on the resources of the nation's capital, the bill provides $38,825,000 for security and planning for this event. This is $23,825,000 more than the amount originally requested by the President and the District of Columbia. While all reports indicate that this event was unmatched in size, it may take some time for the actual costs to the District of Columbia to be clear. It is for that reason that the District of Columbia is urged to report to the House and Senate Committees on Appropriations once the actual costs to the city are known. The District of Columbia is expected to include information about the amounts and other sources of Federal funding that were made available, or are anticipated, as a result of this event being designated a Federal emergency, when reporting to the Committees.

Beginning in fiscal year 2010, the District of Columbia government is directed to submit a detailed budget justification with the funding request for this account. The District of Columbia is also directed to provide a report to the House and Senate Committees

on Appropriations, within 60 days of the end of the fiscal year, outlining the purposes and amounts expended using the funds, with attention given to detailing any deviation from the initial justification.

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA COURTS

The bill provides $248,409,000 as a Federal payment to the District of Columbia Courts. Within this amount, $12,630,000 is for the District of Columbia Court of Appeals, $104,277,000 is for the District of Columbia Superior Court, $55,426,000 is for the District of Columbia Court System and $76,076,000 is for capital improvements to Court facilities. Increases for capital improvements above the amount requested in the President's budget should be directed to renovations for the Moultrie Courthouse cell block. The Courts are directed to keep the House and Senate Committees on Appropriations informed on the status of the capital renovations, including schedule delays and significant cost increases.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

The bill includes $52,475,000 for Defender Services in the District of Columbia. This amount is intended to provide an increase in the reimbursement rate for attorneys to $90 per hour.

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

The bill provides $203,490,000 for a Federal payment to the Court Services and Offender Supervision Agency for the District of Columbia.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA PUBLIC DEFENDER SERVICE

The bill includes $35,659,000 for a Federal payment to the District of Columbia Public Defender Service. Of the amounts provided, $700,000 is available until September 30, 2010 for the moving expenses of the Mental Health Division.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

The bill provides $16,000,000 for a Federal payment for the District of Columbia Water and Sewer Authority (WASA). WASA is directed to provide a 100 percent match for these funds.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

The bill provides $1,774,000 to the Criminal Justice Coordinating Council (CJCC). The CJCC is directed to report annually on performance measures and individual initiatives to the House and Senate Committees on Appropriations.

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

The bill provides $4,887,622 for a Federal payment to the Office of the Chief Financial Officer of the District of Columbia. The fund-

ing is for grants to the following organizations with the requirement that the funds be spent primarily in the District of Columbia to benefit District residents:

Project Name	*Amount*
"I Have A Dream" Foundation of Washington DC, Brent Dream Class of 2006	$82,536
Boys and Girls Club of Greater Washington for Project Learn	100,000
Capital Area Food Bank Facility Construction	196,514
Children's National Medical Center, pediatric surgical center renovations	2,850,000
DC Campaign for Literacy Education (CYCLE)	82,536
Educational Advancement Alliance for the DC Student Support Services Project	245,643
Everybody Wins!	225,000
Excel—Automotive Workforce Development Training Program	294,772
Georgetown Metro Connection	98,257
National Children's Alliance	245,643
Safe Kids Worldwide, Inc., Child Safety Initiative	368,464
The Perry School for an Economic Empowerment Program	98,257

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

The bill includes $54,000,000 for a Federal payment for school improvement, an increase of $13,200,000 over the fiscal year 2008 enacted level. Within this amount, $20,000,000 is for public schools, $20,000,000 is for public charter schools, and $14,000,000 is to provide opportunity scholarships.

Funding provided for the private scholarship program shall be used for currently-enrolled participants rather than new applicants. The Chancellor of the District of Columbia Public Schools should promptly take steps to minimize potential disruption and ensure smooth transition for any students seeking enrollment in the public school system as a result of any changes made to the private scholarship program affecting periods after school year 2009–2010.

The District is directed to submit, no later than 60 days after enactment of this Act, a detailed budget proposal outlining specific activities for use of the funds provided for public charter school facilities, school-level grants to improve academic performance, and the replication of existing high-quality public charter schools in the District.

FEDERAL PAYMENT TO JUMP-START PUBLIC SCHOOL REFORM

The bill includes $20,000,000 as a one-time Federal payment to jump-start public school reform, as requested by the President.

FEDERAL PAYMENT FOR CONSOLIDATED LABORATORY FACILITY

The bill provides $21,000,000 for a Federal payment for a consolidated laboratory facility, $16,000,000 more than both the fiscal year 2008 enacted level and the President's budget request, to expedite construction of the lab.

FEDERAL PAYMENT FOR CENTRAL LIBRARY AND BRANCH LOCATIONS

The bill provides $7,000,000 for a Federal payment to the District of Columbia for a central library and branch locations.

FEDERAL PAYMENT TO THE EXECUTIVE OFFICE OF THE MAYOR OF THE DISTRICT OF COLUMBIA

The bill provides $3,387,500 for a Federal payment to the Executive Office of the Mayor of the District of Columbia to enhance the quality of life for District residents. Of this amount $1,250,000 shall be available to temporarily continue Federal benefits for low-income couples who decide to marry. Additionally, $2,137,500 shall be available to continue marriage development accounts in the District of Columbia. These funds shall be distributed to the partnership comprised of the National Center for Fathering, Life STARTS and the Capital Area Asset Building Corporation for continuation of the Marriage Development Accounts/Pre-marriage Development Accounts and the Together is Better Campaign Demonstration Program in the District of Columbia. The Mayor of the District of Columbia is directed to submit a detailed spending plan to the House and Senate Committees on Appropriations, including performance measures, before these funds may be expended and within 30 days of enactment of this Act. The Mayor is further directed to submit a progress report on these activities no later than June 1, 2009 and a final report describing outcomes achieved no later than February 1, 2010.

DISTRICT OF COLUMBIA FUNDS

The bill provides authority for the District of Columbia to spend $9,888,095,000 from the General Fund of the District of Columbia. Of the funds provided, $6,082,474,000 is from local funds, of which $420,119,000 is from dedicated taxes; $2,177,382,000 is from the Federal grant funds; $1,621,929,000 is from other funds; and $6,310,000 is from private funds. In addition, the District may use $202,326,130 from funds previously appropriated in this Act.

For capital construction, the bill provides an additional $1,482,977,000. Of the funds provided, $1,121,734,000 is from local funds, $60,708,000 is from the Highway Trust Fund, $107,794,000 is from the Local Street Maintenance Fund, $37,500,000 is available from a rescission of Local Street Maintenance Funds, and $192,741,000 is from Federal grant funds. In addition, $353,447,000 of prior year local funds are rescinded. In total, $1,092,030,000 is provided.

Any changes to the financial plan as submitted by the District must follow the reprogramming guidelines.

TITLE V

INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

The bill provides $1,500,000 for the Administrative Conference of the United States (ACUS). The newly reauthorized ACUS is an independent agency and advisory committee which was created to study administrative processes in order to recommend improvements to Congress and agencies.

CHRISTOPHER COLUMBUS FELLOWSHIP FOUNDATION

SALARIES AND EXPENSES

The bill provides $1,000,000 for the Christopher Columbus Fellowship Foundation.

COMMODITY FUTURES TRADING COMMISSION

SALARIES AND EXPENSES

The bill includes $146,000,000 for the Commodity Futures Trading Commission. New authorities added through enactment of the 2008 farm bill (Public Law 110–246), coupled with escalating public concern about record energy and agricultural commodity prices, and compounded by a growing influx of financial funds into the futures markets, make the CFTC's present staffing situation unsustainable.

The CFTC is directed to devote the resources provided above the budget request to hire up to 100 additional staff positions in fiscal year 2009 to conduct aggressive market surveillance and ensure vigorous enforcement of the laws.

The CFTC is further directed to submit an expenditure plan for the increased appropriations provided in the bill above fiscal year 2008. The plan should include details for how the agency will assign up to 100 new staff positions across its program activities. The plan should also include budget object classification information, as proscribed by OMB Circular A–11, for how the agency will obligate the increased funding provided by the bill.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

The bill provides $105,404,000 for the Consumer Product Safety Commission (CPSC). After years of budget cuts and staffing decline, Congress is providing the CPSC the additional resources it needs to substantially improve its product safety activities. CPSC will be expected to use this infusion of resources consistent with recently-enacted legislation to enhance efforts to keep unsafe products out of the marketplace.

Of the amount provided, $17,098,000 is estimated for new responsibilities and requirements set by the Consumer Product Safety Improvement Act of 2008, including the development of a consumer product safety database; and $7,138,000 is estimated for activities under the Virginia Graeme Baker Pool and Spa Safety Act. Funds are also available within the amount provided to assign a Regional Product Safety Officer and one locally-employed staff position to the United States embassy in Beijing, China. This will better enable the CPSC to aggressively promote compliance with U.S. product safety standards, requirements, and expectations by Chinese and other Asian governments, manufacturers, and exporters.

Also included is $412,000 for three additional positions to support the Inspector General of the CPSC. This includes two auditors and one administrative officer.

The CPSC is directed to consider promulgating regulations that require cribs to be durability-tested and contain warning labels against the use of soft bedding.

The CPSC is urged to increase its capacity for screening consumer products for lead content as those products arrive at ports of entry, including through the use of innovative technologies that enable fast and accurate on-site analysis of lead content.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The bill provides $17,959,000 for salaries and expenses of the Election Assistance Commission (EAC). This amount includes $750,000 for the Help America Vote College Program and $300,000 for mock election programs. Both programs are competitive grant programs.

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

Concerns exist regarding voters who face alternative language accessibility challenges, including Latino, Asian American, Pacific Islander and Native American and Alaskan Native voters. Such challenges have been well documented throughout recent election cycles and include both a failure of applicable jurisdictions to meet requirements of Section 203 of the Voting Rights Act, and general discrimination faced by such voters at polling places. Jurisdictions covered under Section 203 of the Voting Rights Act must commit the financial resources necessary to meet the requirements of the Section and the requirements under Section 301(a)(4) of the Help America Vote Act (HAVA). Funding is essential to ensure that every eligible voter has an equal opportunity to cast a vote and have that vote counted, regardless of English proficiency. States should submit plans under HAVA that are consistent with providing sufficient funding levels for alternative language accessibility, and it is noted that states are obligated by statute to comply with Section 203 irrespective of the availability of HAVA funding. The EAC is directed, in consultation with the Department of Justice, to communicate with states to reiterate the requirements of HAVA and the Voting Rights Act and to direct states to revise their plans if they are not consistent with alternative language accessibility requirements under law. The EAC is also directed to report to the House and Senate Committees on Appropriations, within 90 days of enactment of this Act, on how the EAC would develop a plan for a thorough assessment of state and local jurisdiction funding requirements for alternative language accessibility in jurisdictions covered by Section 203, including (but not limited to): 1) the type and quantity of data EAC would need to collect from the

jurisdictions; 2) data quality considerations; 3) resources required by the EAC for this assessment; and 4) statutory changes for Congress to consider that would better enable the EAC to perform the assessment.

The bill includes a provision (section 625) modifying a deadline in HAVA relating to the replacement of punch card or lever voting machines. Any state with unused funds provided under section 102 of HAVA totaling $2,000,000 or more as of the date of enactment of this Act must submit a report to the Election Assistance Commission, not later than 60 days after enactment of this Act, on the expected use of the funds and a timetable for the use of the funds. This timetable should specifically describe how the state will expend the funds by November 1, 2010. The EAC shall provide a copy of this report to the Committees on Appropriations. Any state receiving funding and failing to expend it within the stated time frame risks permanent loss of funding. States should communicate regularly with EAC if, and as, problems arise.

ELECTION REFORM PROGRAMS

The bill provides $106,000,000 for election reform programs. Included in this amount is $100,000,000 for grants to states to help them meet HAVA requirements, $5,000,000 for grants relating to research on voting technology improvements as authorized by HAVA, and $1,000,000 for a pilot program to provide grants to states and units of local government to fund pre-election logic and accuracy testing of voting systems, as well as post-election voting system verification.

The EAC is directed to use the $5,000,000 to fund research into technological solutions for voting systems that ensure accessibility for voters with disabilities so that such voters can vote privately and independently, including through the use of official paper ballots. Technological solutions developed through this Federally-funded research should be non-proprietary and be made available to the public, including to voting system manufacturers. The EAC is also directed to report to the Committees on Appropriations, within 120 days of enactment of this Act, on a plan for the award of these grants, including criteria used to evaluate grant applications and the expected timing of grant awards. Within the $5,000,000 provided, the EAC is expected to reimburse the National Institute of Standards and Technology for review and monitoring activities related to this program.

Pre-election logic and accuracy testing will help to ensure that voting system equipment, including tabulation equipment, to be used in an upcoming election is properly prepared to support the election. Post-election voting system verification will assess the adequacy of controls in place prior to and during the election that can detect and correct, or prevent, anomalies from occurring in voting systems. The EAC is directed to report to the Committees on Appropriations, within 90 days of enactment of this Act, on a plan for the award of grants under this pilot program, including criteria used to evaluate grant applications and the expected timing of grant awards. The EAC shall also report to the Committees on Appropriations no later than March 30, 2010 for 2009 grants, and March 30, 2011 for 2010 grants, on the results of the pilot program.

These reports shall include recommendations regarding future actions or funding in relation to logic and accuracy testing and post-election audits.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The bill provides $341,875,000 for salaries and expenses of the Federal Communications Commission (FCC), which is to be derived from offsetting collections.

The amount includes $3,000,000 for a competitive grant program for state broadband data and development. Recipients shall be non-profit entities, contribute non-Federal matching funds of not less than 20 percent, and demonstrate the capability to work with state agencies and private sector partners. Funding shall be used to establish local technology planning teams, create programs to improve computer ownership and Internet access for unserved and underserved populations, and create a geographic inventory map of broadband service to identify gaps in such service at the census block level.

The bill includes a $25,480,000 transfer from the Universal Service Fund (USF) for additional audits and oversight activities. Audits should focus on all USF programs, including the high cost program, schools and libraries program, and the rural health care program. The FCC's Inspector General (IG) has reported that the schools and libraries program has a payment error rate of 13 percent, the high cost program has a payment error rate of 16.6 percent, and the rural health care program has a payment error rate of 20 percent, far exceeding the government-wide average payment error rate of 3 percent and the 2.5 percent threshold that the Office of Management and Budget sets for a program to be "at-risk." The FCC is directed to follow the recommendations of both the IG and the Government Accountability Office and to assume greater managerial control over these important programs, including improvement of the improper payment rates. In addition, the FCC and the IG are expected to have appropriate auditing standards and plans in place to ensure consistency in USF auditing. This shall include ensuring that auditors are knowledgeable of the USF program rules and industry standard auditing protocols.

The bill includes funding to support the FCC's continued efforts to facilitate the nationwide transition of broadcast television signals from analog to digital. Concerns remain that many viewers may not be adequately prepared for the transition. This is particularly true with respect to disadvantaged and lower-income communities, including Hispanic, African American, disabled, and senior citizen communities. The FCC is directed to continue collaborating with the National Telecommunications and Information Administration, other government agencies, and in particular broadcasters and other private sector entities involved in the effort to ensure a smooth transition.

It is important to provide all persons living under the American flag, including those living in the United States territories, equal

access to communications services. The Communications Act of 1934 established the FCC to "make available, so far as possible, to *all the people of the United States*, without discrimination on the basis of race, color, religion, national origin, or sex, a rapid, efficient, Nation-wide, and world-wide wire and radio communication service with adequate facilities at reasonable charges" (emphasis added). All communication services should be equally available to persons living under the American flag outside of the contiguous 48 states. Satellite radio services, for example, are currently unavailable or have limited availability in Puerto Rico, the U.S. Virgin Islands, Guam, and American Samoa, Alaska, and Hawaii. The FCC is strongly encouraged to consider equal access for persons living in these locations as it undertakes rulemakings and other actions that affect communications access.

The FCC is directed to improve its responsiveness to congressional requests and inquiries, including letters. Responses to letters to the FCC from the Committees on Appropriations have sometimes taken months to receive. For example, the FCC took over four months to respond to a 2007 letter from the Chairman of the House Financial Services Appropriations subcommittee regarding the communications access concerns described above. A letter from the Ranking Republican Member of the Senate Financial Services Appropriations subcommittee sent in April 2008 has not been responded to as of mid-January 2009. Another April 2008 letter from House Members on universal service funding for insular areas had also not been responded to as of mid-January 2009. Such delays are unacceptable.

The 9/11 Commission identified the need to increase the assignment of spectrum for first responders in its July 2004 report, and it is disappointing that the Federal Government has yet to address this critical need. The FCC is directed to work expeditiously to conduct a successful auction of the D Block spectrum so that first responders have an interoperable communications network.

Public, educational, and governmental (PEG) programming serves the public interest by providing outlets for free speech, local information and opinions, and emergency communications. The FCC is urged to ensure that PEG channels remain on the basic service tier of programming and that cable service providers do not place impediments in the way of the public's access to PEG programming.

The FCC is directed to issue a report to the House and Senate Committees on Appropriations, the House Committee on Energy and Commerce, and the Senate Committee on Commerce, Science, and Transportation within 180 days of enactment of this Act on commercial proposals for broadcasting radio or television programs for reception onboard specially-equipped school buses operated by, or under contract with, local public educational agencies. The study shall examine the nature of the material proposed to be broadcast and whether it is age appropriate for the passengers; the amount and nature of commercial advertising to be broadcast; and whether such broadcasts for reception by public school buses are in the public interest.

Concerns exist that emergency personnel and first responders along the northern border have had difficulty securing licenses for

the appropriate communications frequency from the FCC. The FCC is directed to work with Canadian officials and applicants to devise a strategy for ensuring that licensing along the northern border proceeds without delay. The FCC is also directed to issue a report, in coordination with the Department of Homeland Security, to the House and Senate Committees on Appropriations no later than 270 days after enactment of this Act that: 1) evaluates the Federal guidance provided to states working to establish interoperable first responder communications networks, 2) describes the degree to which the guidance is coordinated with the Canadian Government, and 3) identifies methods to avoid future coordination problems.

The Committees on Appropriations applaud the Commission's work with the broadcasting industry to develop family-friendly programming and direct the Commission to pursue these efforts. As a result of the Commission's efforts, many cable and satellite television operators are developing family-friendly packages for consumers. The Committees direct the Commission to continue its endeavors with the broadcast industry to empower parents with the resources and tools to effectively navigate the various broadcast channels.

ADMINISTRATIVE PROVISIONS—FEDERAL COMMUNICATIONS COMMISSION

Section 501 extends an exemption for the Universal Service Fund.

Section 502 prohibits the Federal Communications Commission from changing rules governing the Universal Service Fund regarding single connection or primary line restrictions.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

The bill includes a transfer of $27,495,000 to fund the Office of Inspector General (OIG) of the Federal Deposit Insurance Corporation. The OIG's appropriations are derived from the Deposit Insurance Fund; however, if the OIG performed work in connection with the Federal Savings and Loan Insurance Corporation Resolution Fund, the cost of such work would be derived from that Fund.

Enacted October 14, 2008, the Inspector General Reform Act of 2008 contains various requirements affecting the OIG and its operations, including the budgetary process. The requirements of the Act will be implemented as appropriate.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

The bill provides $63,618,000 for salaries and expenses of the Federal Election Commission (FEC).

The FEC is directed to report to the House and Senate Committees on Appropriations, no later than 270 days following enactment of this Act, on an assessment of the feasibility, including estimates of cost, time, and personnel required, to gather and make public data regarding the media expenditures of Federal campaigns.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

The bill provides $22,674,000 for salaries and expenses of the Federal Labor Relations Authority (FLRA).

The FLRA is directed to issue a report to the House and Senate Committees on Appropriations, within 90 days of enactment of this Act, on all activities, including cost, that the FLRA has taken in the previous 24-month period regarding the integration and upgrade of information technology systems.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

The bill provides $259,200,000 for salaries and expenses of the Federal Trade Commission (FTC). The bill also estimates that the amount provided will be partially offset by $168,000,000 of collections from Hart-Scott-Rodino premerger filing fees and $21,000,000 of collections from Do-Not-Call list fees.

The appropriation provides the FTC with additional resources for consumer protection activities, including subprime lending and other financial services investigations, as well as activities to fight spam, spyware, and Internet fraud and deception. The FTC can do more to investigate, challenge, and take enforcement actions against mortgage brokers, lenders, and loan servicers who engage in deceptive or unfair marketing practices or fraudulent financial practices directed at subprime borrowers. Such practices have exacerbated the mortgage crisis by taking advantage of the most vulnerable borrowers, and the FTC needs to be aggressive in fighting this serious problem.

The FTC is also encouraged to expand its enforcement and education activities particularly with respect to consumer protections for Hispanic, African American, disabled, and senior citizen populations. For example, the FTC has an aggressive campaign against consumer fraud in the Hispanic community. As recent immigrants, many Hispanics are unaware of the fraudulent practices perpetrated by some businesses and individuals against consumers. Consequently, many fall prey to such predators and suffer great financial losses. They may also be unaware of the remedies that are available to them if they are victimized. The FTC should continue to promote increased awareness through its Hispanic Outreach initiative, and it should work with all at-risk populations to ensure the highest possible level of consumer protection.

The dramatic fluctuations in fuel prices raise serious concerns about market manipulation and anticompetitive behavior in the oil and natural gas industries. The FTC is encouraged to continue its investigations and other activities relating to these concerns. The FTC is directed to keep the House and Senate Committees on Appropriations apprised of findings made regarding fuel prices, as well as other planned activities and investigations regarding the oil and gas industries.

The FTC, together with the Commissioner of the Food and Drug Administration, the Director of the Centers for Disease Control and Prevention, and the Secretary of Agriculture, who have expertise

and experience in child nutrition, child health, psychology, education, marketing, and other fields relevant to food and beverage marketing and child nutrition standards shall establish the Interagency Working Group on Food Marketed to Children (Working Group). The Working Group is directed to conduct a study and develop recommendations for standards for the marketing of food when such marketing targets children who are 17 years old or younger or when such food represents a significant component of the diets of children. In developing such standards, the Working Group is directed to consider (1) positive and negative contributions of nutrients, ingredients, and food (including calories, portion size, saturated fat, trans fat, sodium, added sugars, and the presence of nutrients, fruits, vegetables, and whole grains) to the diets of such children; and (2) evidence concerning the role of consumption of nutrients, ingredients, and foods in preventing or promoting the development of obesity among such children. The Working Group will determine the scope of the media to which such standards should apply. The Working Group shall submit to Congress, not later than July 15, 2010, a report containing the findings and recommendations of the Working Group.

In September of 2000, the FTC released a report entitled: "Marketing Violent Entertainment to Children: A Review of Self-Regulation and Industry Practices in the Motion Picture, Music Recording & Electronic Game Industries." The report was highly critical of the entertainment industry and its persistent and calculated marketing of violent games, movies, and music to children. In response to this report, the entertainment industry has promised to impose tougher regulations on itself and to voluntarily comply with the report's recommendation. The FTC should continue with, and expand upon, its efforts in this area. The FTC is directed to continue to engage in consumer research and workshops, underage shopper-retail compliance surveys, and marketing data collection.

Concerns have been raised regarding reports of explicit content that can be easily accessed by minors on increasingly popular virtual reality web programs. The FTC is directed to issue a consumer alert to educate parents on the content that is available to children on virtual reality web programs. In addition, no later than nine months after enactment of this Act, the FTC shall submit a report to the House and Senate Committees on Appropriations discussing the types of content on virtual reality sites and what steps, if any, these sites take to prevent minors from accessing content.

GENERAL SERVICES ADMINISTRATION

The General Services Administration (GSA) is directed to consider adoption of a formaldehyde standard consistent with the EPA standard in its "green building" certification and indoor air quality program and to specify formaldehyde-free building materials when constructing new or renovating existing Federal buildings.

GSA is directed to promote energy efficiency through the use of revolving doors and report on its program 120 days after enactment of this Act.

GSA is expected to undertake a stronger effort to promote the use of stairs in Federal buildings.

GSA is encouraged to consider deploying re-usable plastic crates widely due to their environmental benefits in order to maximize resource conservation.

The importance of the Ambassador Bridge continues to be recognized as a critical link to commerce between the United States and Canada. GSA is commended for leading the efforts of the Executive Branch in improving direct highway access to the Ambassador Bridge.

GSA shall conduct a study of the measurable benefits and challenges associated with green roofs in GSA's owned and leased inventory, using the National Capital Region as an example.

GSA should consider using historic preservation funding and other resources to ensure that the Custom House in New Orleans can be remodeled and used productively in a timely manner by Federal and non-profit tenants as well as the community.

GSA is urged to reconsider the impact of Federal per diem rates upon the larger recovery efforts of New Orleans and to take steps to maintain or increase the per diem rate for fiscal year 2010, if appropriate.

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON THE AVAILABILITY OF REVENUE

The bill provides resources from the Federal Buildings Fund in the aggregate of $8,427,771,000.

CONSTRUCTION AND ACQUISITION

The bill limits funds for construction to $746,317,000. The bill provides funds for the following projects:

Project Name	*Amount*
Denver Federal Center Remediation, Colorado	$10,472,000
DHS Consolidation and development of St. Elizabeths campus, District of Columbia	331,390,000
Federal Office Building 8, District of Columbia	15,000,000
FDA Consolidation, Montgomery County, Maryland	163,530,000
Portal Land Port of Entry, North Dakota	15,204,000
San Diego Courthouse, California	110,362,000
San Ysidro Land Port of Entry, California	58,910,000
St. Elizabeths West Campus Infrastructure, District of Columbia	8,249,000
St. Elizabeths West Campus Site Acquisition, District of Columbia	7,000,000
Tuscaloosa Federal Building, Alabama	25,000,000

GSA is directed to include, in its budget submission, a detailed five-year plan for Federal building construction projects, as well as a five-year plan for land port of entry projects.

GSA is directed to provide a report, within 120 days of enactment of this Act citing three examples for which section 412 authority could be an option.

Concerns remain about the transportation plans for the Department of Homeland Security (DHS) consolidation at the St. Elizabeths campus. GSA and DHS are expected to coordinate with local transportation agencies to minimize the impact on neighboring communities.

GSA is prohibited from using funds previously appropriated for the courthouse in Los Angeles for any other project. The GSA is

further prohibited from using any proceeds from the sale of the land for this project, if one were to occur, on any other project.

The United States Post Office and Federal Building in Danville, Virginia is an important component of the downtown Danville community. The GSA should make an effort to maintain the Federal Judiciary's presence in this building and to service the citizens of Danville.

GSA is also urged to request funding for the construction of a courthouse in Chattanooga, Tennessee and in Mobile, Alabama.

REPAIRS AND ALTERATIONS

The bill limits resources for repairs and alterations to $692,374,000. The bill provides funding for repairs and alterations of the following projects:

Project Name	*Amount*
Dirksen Courthouse, Chicago, Illinois	$152,825,000
Eisenhower Executive Office Building CBR, District of Columbia	14,700,000
Eisenhower Executive Office Building Phase III, District of Columbia	51,075,000
US Post Office and Courthouse, New Bern, North Carolina	10,640,000
West Wing Infrastructure Systems Replacement, District of Columbia	76,487,000

The bill also includes $36,647,000 for energy and water retrofit and conservation measures and $350,000,000 for basic repairs and alterations.

INSTALLMENT ACQUISITION PAYMENTS

The bill includes a limitation of $149,570,000, as requested by the President for installment acquisition payments.

RENTAL OF SPACE

The bill provides a limitation of $4,642,156,000 for payments of rental of space.

The House and Senate Committees on Appropriations continue to be concerned about the allocation of leased GSA office space in the Greater Washington, DC metropolitan area, specifically the lack of space awarded in Prince Georges County, Maryland.

BUILDING OPERATIONS

The bill includes a limitation of $2,197,354,000 for building operations.

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

The bill provides $54,578,000 for government-wide policy.

OPERATING EXPENSES

The bill provides $70,645,000 for operating expenses. This funding is intended to support 9 additional FTE for the Office of Emergency Response and Recovery. The funding level assumes a transfer of $18,828,000 to the Federal Citizen Services Fund beginning in fiscal year 2009.

OFFICE OF INSPECTOR GENERAL

The bill includes $54,000,000 for the Office of Inspector General (OIG) at GSA, which includes direct funding of $2,200,000 which was previously reimbursed to the OIG through internal GSA sources.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

(INCLUDING TRANSFER OF FUNDS)

The bill provides $2,934,000 for expenses associated with the allowances and office staff of former Presidents, which is $456,000 more than the fiscal year 2008 level in part to commence benefits for President George W. Bush.

PRESIDENTIAL TRANSITION EXPENSES

The bill includes $8,520,000 for the expenses associated with carrying out the Presidential transition.

FEDERAL CITIZEN SERVICES FUND

The bill includes $36,096,000 for the Federal Citizen Services Fund. This includes a transfer of $18,828,000 from the Operating Expenses account to consolidate GSA's citizen-centric services, beginning in fiscal year 2009.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

Section 510 authorizes the use of funds for the hire of motor vehicles.

Section 511 authorizes the transfer of funds within the Federal Buildings Fund to meet certain program requirements.

Section 512 requires that the request for courthouse construction must meet certain capital improvement plan standards.

Section 513 provides that no funds may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements or other service usually provided, to any agency which does not pay the requested rate.

Section 514 permits GSA to pay small claims made against the government.

Section 515 requires that the Administrator shall ensure that the delineated area of procurement for all lease agreements is identical to the delineated area included in the prospectus unless prior notice is given to the Committees in the form of an explanatory statement.

Section 516 authorizes an account title change from "Federal Consumer Information Center" fund to "Federal Citizen Services" fund.

Section 517 authorizes relief and disaster assistance organizations to use GSA procurement schedules.

Section 518 provides authority for the GSA Working Capital Fund.

HARRY S. TRUMAN SCHOLARSHIP FOUNDATION

SALARIES AND EXPENSES

The bill includes $500,000 for the Harry S Truman Scholarship Foundation Trust Fund. The bill also directs the Secretary of the Treasury to invest in par value special securities at the request of the Board of Trustees of the Foundation.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The bill includes $38,811,000 in direct appropriations and $2,579,000 from appropriate trust funds, for salaries and expenses of the Merit Systems Protection Board.

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

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

(INCLUDING TRANSFER OF FUNDS)

The bill provides $3,750,000 for the Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund. Up to 60 percent of these funds may be transferred, and $50,000 shall be used to conduct financial audits.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

The bill includes $2,100,000 for the Environmental Dispute Resolution Fund to remain available until expended.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

The bill includes $330,308,000 for operating expenses of the National Archives and Records Administration (NARA). The fiscal year 2008 Appropriations Act included funding for an increase in archivist staff, and these additional staff will continue to be funded in fiscal year 2009 within this appropriation. In addition, this bill includes $875,000 to provide a further increase in the number of archivist staff, in order to continue to reverse the staffing reductions that had occurred between fiscal year 2002 and fiscal year 2007. NARA is directed to report to the House and Senate Appropriations Committees, within 30 days of enactment of this Act, as to the specific steps it is taking to continue to restore NARA's archivist workforce levels.

Also included in the amount is $1,000,000 for NARA's new Office of Government Information Services. The Administration had proposed, in its fiscal year 2009 budget request, to fund this office at the Department of Justice. This bill funds the office at NARA, as authorized by the OPEN Government Act of 2007 (Public Law 110–175).

In addition, of the amount provided, $650,000, available until September 30, 2010, is directed to be used to complete the review of U.S. Government documents pertaining to the activities of the Nazis and the Japanese Imperial Government. These documents are being declassified pursuant to the Nazi War Crimes Disclosure Act of 1998 (Public Law 105–246) and the Japanese Imperial Government Disclosure Act of 2000 (Public Law 106–567). These laws directed that Government agencies ensure the declassification of files pertaining to the activities of the Nazis and the Japanese Imperial Government. In 2007, following the declassification and review of thousands of files containing newly-disclosed information about the Nazis and the Japanese Imperial Government, NARA issued a report summarizing the new historical insights gained as a result of the NARA-supervised review of these documents. However, a number of additional U.S. Army and CIA/OSS documents were discovered too late in the process to be included in NARA's 2007 report. This funding is directed to be used to report separately on these remaining documents. NARA is directed to report to the House and Senate Committees on Appropriations, within 90 days of enactment of this Act, with a proposed schedule for completing the review and historical analysis of these documents and releasing a supplemental report, to serve as a companion to NARA's 2007 report.

ELECTRONIC RECORDS ARCHIVES

The bill provides $67,008,000 for the Electronic Records Archives (ERA) project. The bill also retains the directive requiring NARA to submit, and for the Committees on Appropriations to approve, a GAO-reviewed spending plan for ERA prior to the obligation of funds.

Although there is some evidence of improvement in the ERA program, the Appropriations Committees continue to be concerned about the program, NARA's oversight of the program, and the reliability of the work of the ERA contractor, especially given the previous cost overrun, widespread replacement of contractor staff, and nine month delay in achievement of Initial Operating Capability. In order to overcome the schedule delays that occurred in 2007 and 2008, and to prepare NARA to receive the electronic records of the outgoing Administration in time for the January 20, 2009 change in Administrations, NARA and the contractor have had to develop a two-pronged development strategy, focusing on building a base ERA system, plus a second system devoted to receiving the Executive Office of the President electronic records of the outgoing Administration.

NARA is directed to provide quarterly ERA progress reports, beginning no later than 90 days after enactment of this Act, to both GAO and to the House and Senate Committees on Appropriations, and to immediately report to the Committees and to GAO any potential delays, cost overruns, or other problems associated with ERA development. As recommended by GAO, the quarterly progress reports should include summary measures of project performance against ERA cost and schedule estimates.

REPAIRS AND RESTORATION

The bill provides $50,711,000 for repairs and restoration. This amount includes: (1) $17,500,000 for necessary expenses related to the repair and renovation of the Franklin D. Roosevelt Presidential Library and Museum in Hyde Park, NY, which NARA has listed as its top capital improvement priority; (2) $22,000,000 to complete construction of an addition to the John F. Kennedy Presidential Library in Boston, MA; and (3) $2,000,000 to complete the repair and restoration of the plaza that surrounds the Lyndon Baines Johnson Presidential Library in Austin, TX.

The Appropriations Committees recognize that they have more than adequately provided funding for NARA's portion of the LBJ Presidential Library plaza project; therefore, the Library and the university are on notice not to return to the Committees for any further funding for this project.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION GRANTS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

The bill includes $11,250,000 for NARA's grant program. Of the amount provided, $2,000,000 is to be transferred to the operating expenses account.

ADMINISTRATIVE PROVISION—NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

The bill includes an administrative provision directing NARA to include in its annual budget submission each year a comprehensive capital needs assessment for its entire infrastructure of presidential libraries and records facilities. Funding should be included in each year's budget to address the highest priorities, including projects already underway.

NATIONAL CREDIT UNION ADMINISTRATION

CENTRAL LIQUIDITY FACILITY

The bill provides the National Credit Union Administration (NCUA)—Central Liquidity Facility (CLF) the ability to lend, during fiscal year 2009, up to the maximum level provided for by section 307(a)(4)(A) of the Federal Credit Union Act. This provision gives the NCUA flexibility to assist with credit unions' financial liquidity during the current economic downturn. The NCUA will be expected to keep the House and Senate Committees on Appropriations fully informed on the activities of the CLF.

The bill also provides a limitation of $1,250,000 for the administrative expenses of the CLF.

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

The bill provides $1,000,000 for the Community Development Revolving Loan Fund for technical assistance grants.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

The bill provides $13,000,000 for salaries and expenses of the Office of Government Ethics.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

The bill provides a general fund appropriation of $92,829,000 for salaries and expenses of the Office of Personnel Management (OPM). The amount includes, to remain available until expended, $5,851,000 for the Enterprise Human Resources Integration project and $1,351,000 for the Human Resources Line of Business project.

The bill also provides $118,082,000 for administrative expenses to be transferred from the appropriate trust funds. This amount includes $15,200,000, to remain available until expended, for retirement systems modernization, or the RetireEZ program. Work on RetireEZ's calculation engine was halted in 2008 due to contract performance issues. Getting this program back on track with appropriate management leadership, controls, and oversight, and with the goal of ensuring accurate and timely computation of annuities for all Federal retirees, is a high priority. The executive leadership of OPM must dedicate the highest level of support possible to ensure the success of the program. While the prompt implementation of this program is also important, the leadership is cautioned not to set an unworkable timetable as a goal to the detriment of system accuracy and performance. The Government Accountability Office should continue to assess the status of OPM's efforts toward developing and implementing RetireEZ, as well as evaluate the effectiveness of the agency's management for the modernization initiative. OPM should continue to provide the House and Senate Committees on Appropriations with quarterly reports on the implementation of RetireEZ. These reports should reflect a detailed, complete, and accurate assessment of the status of the program.

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

Sixty percent of the Federal workforce will be eligible to retire in the next 10 years, presenting an enormous challenge to the Federal Government and the delivery of services to the public. OPM is encouraged to develop approaches that agencies can use to attract the best and brightest talent; match employee skills and abilities with specific agency missions and goals; ensure that talented employees are engaged and empowered to use their talent; improve leadership development; and ensure high performance from the workforce.

OPM is urged to increase its efforts to encourage Federal agencies to reach out to diverse populations, including ethnic minorities, in their recruitment efforts. A study group relating to the employment of Hispanics in the Federal Government has been formed by

the Equal Employment Opportunity Commission and the Social Security Administration, with representation from other agencies. OPM should review the findings of this study group for possible approaches to improve Hispanic recruitment, retention, and advancement government-wide.

Federal agencies should also increase recruitment efforts within the United States territories. The territories are home to thousands of U.S. citizens who may not be fully aware of the employment opportunities that exist within the Federal Government. Some agencies have taken steps to recruit from the territories, but others have not yet. OPM should spearhead the effort to encourage individual agency human resource offices to take advantage of the talent pool that exists in the U.S. territories.

OPM has improved communication with Federal agencies about dependent care programs. Many of OPM's plans to improve communications on employee benefits should be ongoing activities. No later than 45 days after enactment of this Act, OPM shall report to the Committees on Appropriations timelines for activities, and the feasibility of whether some of these activities should be annual activities. Included in the report should be timelines relating to the expansion of the Open Season marketing campaign; targeting agencies with low enrollment; outreach to affinity groups; tuition assistance advertising; and OPM website improvements.

OPM, as the personnel agency for the Federal Government, should be committed to helping the Federal Government become the model employer Congress and the law mandate that it be, with regard to individuals with disabilities. Disability employment issues have been given inadequate attention at OPM over the past several years, resulting in a need for increased focus and action. This is particularly disappointing given that 60 percent of the Federal workforce will be eligible for retirement within 10 years and the increased hiring of disabled employees could help mitigate this retirement wave. OPM is directed to review outstanding disability concerns brought to OPM's attention, conduct outreach with disability groups about these concerns, take steps to improve matters, and advise the Committees on Appropriations as improvements are achieved.

OPM is directed to carry out the Intergovernmental Personnel Act Mobility Program with special attention provided to Federal agencies employing more than 2,000 nurses. OPM may develop guidelines that provide Federal agencies direction or guidance in using their authority under the Intergovernmental Personnel Act Mobility Program to provide financial or other assistance: (1) to Federal employees holding a degree in nursing to accept an assignment to teach in an accredited school of nursing or to obtain the training necessary to become a nurse faculty member in exchange for a commitment from the individual to serve an additional term of Federal service or a commitment from the school of nursing to take additional steps to increase its number of nursing students that will commit to Federal service upon graduation; and (2) to Federal employees who have served as a nurse in the Federal Government, are eligible for retirement, and are qualified to teach to expedite the transition of such individuals into nurse faculty positions. OPM is directed to report to the Committees on Appropria-

tions no later than 120 days after enactment of this Act on how the Intergovernmental Personnel Act Mobility Program is being used to alleviate the nursing shortage and on the demonstrable steps OPM has taken to encourage government-employed nurses to teach at accredited schools of nursing.

OPM is encouraged to report on employment for the blind, including the opinions of Federal employee labor organizations, by July 15, 2009.

Concerns have been raised with respect to wage pay for Federal employees who work within the New Orleans, Louisiana Appropriated Fund Federal Wage System (FWS) area. OPM has authority to waive the cap on such pay if it determines that an exception is necessary to ensure the recruitment or retention of qualified employees. Existing OPM regulations specify the procedures which should be followed by Federal agencies to request such a waiver. In view of the continuing effects caused by the aftermath of Hurricane Katrina in the New Orleans area, the Department of Defense (DoD), as the lead FWS employer in the region, is strongly urged to promptly submit a consolidated waiver request to OPM consistent with existing regulations, and OPM is likewise urged to act swiftly on any such request, to include promptly notifying the Committees on Appropriations of its determination. DoD is further urged to consult with OPM prior to making such a request to ensure that the approval process does not become overly bureaucratic or complicated by unnecessary paperwork, thus delaying the ability to promptly address recruitment and retention challenges in the New Orleans area.

Approximately 10,000 private sector employers, including more than half of the Fortune 500 companies, offer benefits to the domestic partners of their employees. OPM should consider taking steps to extend health care benefits to Federal employees' domestic partners.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

The bill provides $1,828,000 as a general fund appropriation for salaries and expenses of the Office of Inspector General. In addition, the bill provides $18,755,000 from OPM trust funds. Additional funding is provided to augment base resources and permit hiring of additional audit and investigative staff.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

The bill provides such sums as necessary for health benefits payments.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE

The bill provides such sums as necessary for life insurance payments.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

The bill provides such sums as necessary for retirement and disability payments.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

The bill provides $17,468,000 for salaries and expenses for the Office of Special Counsel.

POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The bill includes $14,043,000 for the Postal Regulatory Commission.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SALARIES AND EXPENSES

The bill provides $1,500,000 for salaries and expenses of the Privacy and Civil Liberties Oversight Board, to remain available for obligation until September 30, 2010. The Board has not yet been reconstituted as required by Public Law 110–53, and, therefore, the new entity's funding requirements have not been firmly established or justified. Once reconstituted, the Board should present the House and Senate Committees on Appropriations with a detailed budget plan as quickly as possible.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

The bill provides $943,000,000 for salaries and expenses of the Securities and Exchange Commission (SEC).

An increase of $37,000,000 over the fiscal year 2008 enacted level and $30,000,000 over the requested level is provided to support the SEC's performance-based pay system, as well as to enhance enforcement, capital market oversight, and investor protection activities, including investigations of accounting fraud, market manipulation, insider trading, and investment scams that target seniors and low-income communities. The SEC should also increase its efforts to improve oversight of investment banking institutions. Additional resources should also be provided to the Office of Investor Education and Advocacy to expand investor education and financial literacy activities.

With this significant increase in funding comes an increased responsibility on the part of the SEC to aggressively safeguard the investing public. Failures to properly investigate and take appropriate actions in fraud cases will not be tolerated. The SEC must be vigilant in its enforcement of securities laws.

Concerns exist that American investors may be unwittingly investing in companies with ties to countries that sponsor terrorism or are linked to human rights violations. A company's association

with sponsors of terrorism and human rights abuses, no matter how large or small, can have a materially adverse result on a public company's operations, financial condition, earnings, and stock prices, all of which can negatively affect the value of an investment. In order to protect American investors' savings and to disclose these business relationships to investors, an Office of Global Security Risk was established within the Division of Corporation Finance. The work of this Office should remain a high priority, and the SEC is directed to continue to submit quarterly reports to the House and Senate Committees on Appropriations on the Office's activities.

Small businesses have raised concerns with the burden that compliance with section 404 of the Sarbanes-Oxley Act of 2002 places on them. The SEC is studying the costs and benefits of section 404 compliance. The SEC shall keep the Committees on Appropriations informed of the progress of the study and the results of the study when completed.

The growth of unregulated hedge funds in recent years has impacted systemic risk in the financial markets and has raised investor protection concerns. The SEC is currently evaluating draft rules that address the issue of the qualifications of accredited investors in hedge funds. The SEC is encouraged to take action on these rules consistent with strong investor protections. The SEC is also urged to maintain the maximum possible effort in combating fraud that may be associated with hedge fund investing.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

The bill includes $22,000,000 for the Selective Service System, equal to the President's budget request and the fiscal year 2008 enacted level. The bill also includes language to allow the President to waive provisions of 31 U.S.C. 1341 when it is necessary for the interest of national defense.

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

The bill provides $386,896,000 for the salaries and expenses account of the Small Business Administration (SBA). An additional amount for initiatives related to small business development and entrepreneurship is provided under SBA administrative provisions.

Of the amounts provided under this heading, $224,608,000 is for operating expenses of the SBA. In addition, a total of $147,480,000 from other SBA accounts may be transferred to and merged with the salaries and expenses account, resulting in a total availability for operating expenses of $372,088,000. The additional amount consists of $138,480,000 from the Business Loans Program account and $9,000,000 (provided as part of Public Law 110–329) from the Disaster Loans Program account for the administrative expenses related to those accounts.

Non-Credit Programs.—No less than the following amounts shall be dedicated to these non-credit programs of the SBA:

[In thousands of dollars]

Veterans Programs	$1,200
7(j) Technical Assistance	2,380
Small Business Development Centers	110,000
SCORE	5,000
Women's Business Centers	13,750
Women's Business Council	775
Native American Outreach	1,033
Drug-free Workplace Program	1,000
Microloan Technical Assistance	20,000
PRIME	5,000
HUBZone	2,150
Total, non-credit programs	162,288

The SBA shall not reduce these noncredit programs to fund operating costs. In addition, the National Ombudsman; the Office of Advocacy, including support for the Advocacy Database; international trade programs; and the defense transition program should receive no less than the fiscal year 2008 level of funding.

The bill provides $1,200,000 for veterans programs to support additional grants to veterans business outreach centers. When determining the allocation of the additional funding, the SBA is encouraged to consider centers with significant experience in conducting outreach to veterans, including those previously receiving Federal funding.

Funds are included within operating expenses to support the modernization of SBA's loan management and accounting systems. Current systems, which are outdated and have limited capabilities, must be replaced with new systems that will enhance the management of SBA's $85,000,000,000 loan portfolio. However, there are significant risks inherent in such a relatively large acquisition. To mitigate risks, SBA should dedicate in-house staff to quality assurance and contractor oversight, as well as to provide for agency-wide management, coordination, and implementation of the new system. SBA should also continue to consult with other Federal agencies regarding best practices involving design, acquisition, and implementation of new systems and regarding contractor oversight. SBA shall submit a quarterly written report to the House and Senate Committees on Appropriations summarizing the agency's progress regarding the modernization effort, including milestones planned and achieved, and progress on cost and schedule.

Funds are also included, within the amount provided, for 504 loan guarantee program liquidation activities and for additional oversight of lenders participating in the 7(a) loan guarantee program. SBA should address the Inspector General's recommendations on the oversight of SBA Supervised Lenders, including the hiring of additional lender oversight staff as necessary.

Within the funds provided under this heading, SBA is directed to provide $300,000 to the Office of Advocacy to conduct the study on the impact of broadband speed and price on small businesses as directed under section 105 of Public Law 110–385.

The amount provided also includes $2,649,000 over the requested amount for the direct funding of SBA's Business Gateway e-gov initiative. Direct funding for the initiative within SBA will improve administrative efficiency by eliminating the need for as many as 80 funding transfers annually from 21 participating agencies. SBA

should budget for direct funding for this initiative within its fiscal year 2010 budget request.

The Committees on Appropriations are aware that there are certain rural areas that are underutilized business areas, but are excluded from HUBZone designation based on the current program authorization. SBA is encouraged to continue to examine ways to incorporate these areas into any future revisions of the Small Business Act.

The SBA is encouraged to consider options for donating, or offering at discounted prices, used equipment, including computers, for appropriate use by small businesses located in the United States. The SBA is directed to report to the House and Senate Committees on Appropriations within 270 days after enactment of this Act on potential plans for such donations.

SBA shall submit a report to the House and Senate Committees on Appropriations within 270 days of enactment of this Act on the Microloan program. The report shall include information regarding the number and dollar amount of lending and potential unmet need in the program. The report shall also address steps SBA has taken to implement recommendations of the 2003 report from the SBA Inspector General, particularly regarding the enforcement of reporting requirements in the Microloan program.

OFFICE OF INSPECTOR GENERAL

The bill provides $16,750,000 for the Office of Inspector General of the Small Business Administration.

The Inspector General is directed to continue routine analysis and reporting on SBA's modernization of its loan management and accounting systems, including acquisition, contractor oversight, implementation, and progress regarding budget and schedule.

SURETY BOND GUARANTEES REVOLVING FUND

The bill provides $2,000,000 for the Surety Bond Guarantees Revolving Fund.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

The bill provides $140,980,000 for the Business Loans Program Account. The amount includes $2,500,000 for subsidies for the Microloan direct loan program.

The bill also includes $138,480,000, within the total amount appropriated, for administrative expenses related to business loan programs. The amount provided for administrative expenses may be transferred to and merged with the appropriation for SBA salaries and expenses to cover the common overhead expenses associated with business loans.

The bill supports up to $17,500,000,000 for the 7(a) business loan program, up to $7,500,000,000 for the 504 certified development company program, up to $3,000,000,000 for Small Business Investment Company (SBIC) debentures, and up to $12,000,000,000 for the Secondary Market Guarantee Program.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

Section 520 of the bill allows transfers between appropriations accounts.

Section 521 requires that all loans issued in Alaska or North Dakota be administered by the Small Business Administration and not be sold during fiscal year 2009.

Section 522 prohibits the Small Business Administration from implementing a rule that would limit the use of sole-source contracts for women-owned small businesses.

Section 523 transfers $2,953,000 of previously appropriated funds to the Salaries and Expenses account of the Small Business Administration.

Section 524 makes a technical correction to Public Law 110–161.

Section 525 provides additional amounts for small business development and entrepreneurship initiatives, including programmatic and construction activities, to be awarded as follows:

Project Name	Amount
Adelante Development Center, Albuquerque, New Mexico	240,625
Adelante Service Expansion in Sandoval County	122,821
Advantage West Economic Development Group, Certified Entrepreneurial Community Program	196,514
African American Chamber of Commerce of Westchester and Rockland Counties, Entrepreneurial Assistance Program	196,514
AgriBusiness Development Corporation for the Hudson Valley Agribusiness Viability Program	245,643
Alamo Community College for a region energy futures park center	100,000
Alamo WorkSource Center Expansion	147,386
Alaska Manufacturing Extension Partnership, Inc., for a rural Alaska e-commerce training project, Anchorage, AK	285,000
Albuquerque Hispano Chamber of Commerce workforce training, Albuquerque, NM	232,750
Alcorn State University for a Systems Research Institute, Alcorn State, MS	570,000
Appalachian State University to study the effects of economic growth resulting from viticulture and agritourism in western North Carolina, Boone, NC	712,500
Arkansas State University-Newport for the Arkansas Commercial Driver Training Institute	245,643
Asian Pacific Islander Small Business Program	245,643
Asociacion De Provincias Dominicanas (ASOPRODOM) training programs	49,129
Association of Vermont Credit Unions, Student financial literacy, Burlington, VT	137,750
Baltimore City Public School System for the Allied Health Career Program	491,286
BARC/TEDCO Business Innovation Center	98,257
Baruch College/CUNY, The Field Center for Entrepreneurship	68,780
Baylor University workforce development and training	196,514
Beaver Street Enterprise Center, Jacksonville, FL	196,514
Becker College Nurse Training Initiative to address health care workforce shortages	165,072
Bedford-Stuyvesant YMCA Teen Entrepreneurship Program	98,257
Berkshire Enterprises Entrepreneurial Training	78,606
Bethany House, Employment training program for homeless women and for employers	125,474
Bevill State Community College for a business incubator	300,000
Blessings Ministries Community Development Corp	49,129
Boise State University for a research and economic development and entrepreneurial initiative	200,000
Bronx Council on the Arts for marketing of local business arts initiatives	49,134
Bronx Shepherds business training programs	73,693
Bucks County Manufacturing Career Development and Green Job Training Program	196,514
Buffalo Niagara Medical Campus Business Development	196,514
Business and infrastructure development, Mingo County Redevelopment Authority, Williamson, WV	3,325,000

Project Name	Amount
Business incubator, Arkansas Biosciences Institute, Arkansas State University	494,000
Business Resource Center and Business Development Training	196,514
California State University, Dominguez Hills, Online Certificate and Applied Studies Program Targeted to Veterans, Service Disabled Veterans, and Disabled Students	196,514
Capital City Development Corporation for a business development center	200,000
Carnegie Mellon University for the Buffalo Township Business Accelerator Program	196,514
Cayuga County Industrial Development Authority for a Manufacturing and Small Business Development Project	196,514
Cedarbridge small business incubator, Lakewood, NJ	232,750
Center for Economic Growth, Watervliet Innovation Center, NY	287,443
Central Florida Community College for the Heart of Florida Regional Economic Development Program	100,000
Charlotte Mecklenburg Housing Partnership to increase opportunities for small businesses	300,000
Chicanos Por La Causa for a business incubator	245,643
City of Alcoa, Tennessee, for the Pellissippi Research Center	670,000
City of Baton Rouge, Louisiana, for small business investment initiative technical assistance	271,563
City of Berkeley East Bay Green Jobs Project	147,386
City of Hagerstown, Maryland for a minority and women owned business program	100,000
City of Inglewood, CA, Grow Inglewood Small Business Development Program for technical assistance to small businesses	430,757
City of San Diego, CA, One-stop small business resource center	95,000
City of San Jose, CA for the Silicon Valley Small Business Assistance Portal	245,643
City of South Pasadena, CA, for downtown business district revitalization	294,772
City of Union, South Carolina, for a regional robotics training center	100,000
Cleary University for a micro business incubator	100,000
Clemson University for an advanced materials innovation center	100,000
Cochise County Community College Entrepreneurial Education and Development	49,129
Colorado Enterprise Fund for operating expenses and technical assistance to borrowers, Denver, CO	232,750
Colorado State University Sustainable Biofuels Development Center, Fort Collins, CO	237,500
Commission on the Future of the Latino Community in New York City to establish a small business and economic development commission	122,821
Community Links Hawaii for planning and development of Oahu Technology and Innovation Park, Oahu, HI	237,500

Project Name	Amount
Consortium for Worker Education Financial Education and Attainment Training	196,514
County of Essex, NJ, for Workshops on How to Succeed in Business in the Public Sector for Small, Women and Minority Business Enterprises	359,300
Cypress Hills Local Development Corporation, Cypress Hills Economic Revitalization Initiative	122,821
Delaware County Community College for a small business solutions center	300,000
Delta Foundation, Greenville, MS, for a Mississippi Delta business growth development program	245,643
Detroit Creative Business Accelerator	73,693
Detroit Economic Growth Corporation for Business retention and attraction	343,900
E^4 Entrepreneurship for immigrants, minorities, women, and people with disabilities in southwest King County, WA	95,000
East Providence Special Waterfront Development District Commission, small business green development, RI	234,746
Eastern CT Chamber of Commerce for Small Business Incubation	174,898
Eastern Washington University, Accelerating economic development in rural, underserved communities of NE Washington	190,000
Economic development assistance for Wells, NV	608,000
Economic Development for Central Oregon, Bend Venture Catalyst, Bend, OR	232,750
Economic Development Training Program, Camden, NJ	95,000
Economic Growth Connection of Westmoreland County, PA Procurement Assistance Program	147,386
Elizabeth City Aviation Research and Development Commerce Park, Phase II	196,514
EngenuitySC for the Commercialization and Entrepreneurial Training Project	294,772
Entrepreneurial Development Center business accelerator, Cedar Rapids, IA	332,500
Episcopal Housing Alliance Small Business Employment & Education Center	112,996
Esperanza Community Housing Corporation Mercado La Paloma	83,519
Experience Works Small Business Assistance Program	245,643
Fairfield Incubator for Entrepreneurs Commercial Kitchen Incubator	196,514
Fairplex Trade and Conference Center	300,000
First Community Development Corporation, Business Skills Development Program	98,257
First responder education initiative, Benedictine University, Lisle, IL	475,000
Florida Atlantic University for a Small Business Incubator Center	122,821
Florida Institute of Technology , Florida Advanced Combustion Center	232,750
Foundation for Appalachian Ohio, Rural Economic Development Program	196,514
Future of the Piedmont Foundation	200,000

Project Name	Amount
Gateway to Entrepreneurial Tomorrows, Inc., for the Low Income Entreprenerial Development Program	98,257
Grambling State University, Expanding Minority Entrepreneurship Regionally Across the Louisiana Delta [EMERALD] program	237,500
Grays Harbor sustainable industries research and development facility and incubator, Port of Grays Harbor, Aberdeen, WA	427,500
Greater Des Moines Partnership for the Central Iowa Business Innovation Zone	147,386
Greater Gardner CDC Training Collaborative	216,166
Greater North Louisiana Community Development Center	300,000
Greater Rockford Airport Authority for Manufacturing Research and Development/Education Center	300,000
Greater Toledo Arts Commission Creative Industry Development	122,821
H.O.G.A.R., Inc. for an economic and community development program for the elderly and special needs persons	98,257
Heart of Texas Workforce Development Center Financial Literacy Program	98,257
Henry County, Virginia, for small business expansion and development	800,000
Heritage Foundation Inc for a small business development assistance program	73,693
Hudson Alpha Institute for Biotechnology	245,643
Hunter College, Project for Return and Opportunity in Veterans Education (PROVE)	68,780
Illinois Institute of Technology for the Illinois Manufacturing Innovation Coalition	196,514
Illinois State University for an expanding exports program	100,000
Indiana State University Innovation Alliance Business Incubator & Accelerator	196,514
Indiana University for the Indiana Innovation Incubator	234,746
International Services Council of Alabama	100,000
International Trade Compliance in Agri-Business, Wichita, KS	214,225
Iowa Valley Community College for an education and training center	500,000
Ivy Tech Community College of Indiana, Northwest Region - Gary Campus - for a Center on Logistics, Distribution and Transportation	442,157
Jackie Joyner-Kersee Center for job training and placement services, East St. Louis, IL	294,500
Jackson State University for Lynch Street Corridor Redevelopment, Jackson, MS	570,000
Jacksonville State University in Alabama for remote campus and distance learning programs for small business	200,000
Jamaica Chamber of Commerce, Jamaica, NY, Jamaica Export Center	196,514
Job Training and Small Business Ownership Program	196,514
Johnstown Area Regional Industries (JARI) Incubator and Workforce Development	147,386
Kansas Bioscience Authority for the Kansas Small Business Biobased Polymer Initiative, Olathe, KS	539,363

Project Name	Amount
Kansas Farm Bureau for the Kansas Hometown Prosperity Alliance, Manhattan, KS	285,000
Kemper County, Mississippi, for an industrial park spec building	100,000
Kingsborough Community College for the South Brooklyn Maritime Center for vocational training	98,257
LaFuerza Unida Community Development Corporation, Technical Assistance	71,040
Laredo Community College Import/Export Program	196,514
Lock Haven University Small Business Development Center	50,000
Long Island Economic and Social Policy Institute (a division of Dowling College) for a Long Island Small Business Development Center	196,514
Louisville Central Community Centers, Expansion of Small Business Incubator	196,514
Lower Chattahoochee Regional Development Center for the Southwest Georgia Rural Small Business Development Initiative	73,693
Macomb County business accelerator, Macomb County, MI	385,000
Manufacturers Association of Central New York	150,000
Massachusetts Technology Collaborative Renewable Energy Economic Development Center, Boston, MA	247,000
MedTech Association, Inc. for a bioscience strategic development initiative in Upstate New York	175,000
Metropolitan Council on Jewish Poverty Career Services Programs	196,514
Miami-Dade Chamber of Commerce, Technical Assistance and Economic Development Center	196,514
Middle Country Library Foundation, Miller Business Resource Center	196,514
Mississippi Biotechnology Association for a Feasibility Study and Capacity Building, Jackson, MS	475,000
Mississippi State University for Convergence of Scientists and Entrepreneurs to Expedite Commercialization (SCEEC), Starkville, MS	570,000
Mississippi Technology Alliance for the Center for Innovation and Entrepreneurial Services, Jackson, MS	570,000
Missouri Western State University for the Biotechnology Mobile Workforce Development Center, St. Joseph, MO	950,000
Montana Department of Commerce, for technical assistance and operating expenses of the Native American and WIRED program	494,000
Montana State University's manufacturing extension center	100,000
Montana World Trade Center	300,000
Montgomery College for the Germantown Biotechnology Project	165,072
Montgomery County Action Council for the development of economic growth and the recruitment of small businesses, Independence, KS	475,000
Mount Hope Housing Company training programs	73,693
Mountain Association for Community Economic Development for the Energy Efficient Enterprises Initiative for Small Businesses	245,643

Project Name	Amount
Myrtle Beach International Trade & Convention Center, Myrtle Beach, SC	950,000
National Association of Development Organizations for a business development and entrepreneurial enhancement initiative	100,000
National Center for Aviation Training for Technical Education and Training, Wichita, KS	475,000
National Latino Data Center to provide business information to local businesses, researchers, and communities	49,129
Native Hawaiian Organizations Association, Entrepreneurial Development & Government Procurement Center, Honolulu, HI	285,000
Navajo Nation Department of Information Technology for Connect Navajo	122,821
Nebraska Community Foundation, HomeTown Competitiveness, Lincoln, NE	285,000
Neil D. Levin Graduate Institute, The Center for Competitive Response to Globalization	58,954
New Castle County Chamber of Commerce for an Emerging Enterprise Center, business incubator	499,000
New Hampshire Community Loan Fund for operating support for the Vested for Growth Program	196,514
New York Agency for Community Affairs for tax related technical assistance, training, and outreach for small businesses	196,514
North Brownsville Industrial Park, TX	196,514
North Carolina Biotechnology Center for the Entrepreneurship/Research and Development Training Initiative	294,772
North Dakota State College of Science, Nanotechnology Applied Science Laboratory	356,250
North Iowa Area Community College for regional economic development	100,000
Northampton Community College for an electrotechnology applications center	300,000
Northeast Entrepreneur Fund, Greenstone Group	245,643
Northeast Louisiana Business and Community Development Center	425,000
Northern Community Development Corporation, Northeast Kingdom (NEK) wireless LINC, VT	285,000
Northern Kentucky University's College of Informatics, Highland Heights, KY	1,900,000
Northwestern University, Kellogg School of Management Entrepreneurship Center nextONE program	196,514
Oakland African American Chamber of Commerce Foundation for the Economic Vitality of Minority Business Program	98,257
Oakland Campus of Wayne State University for an entrepreneurship center	225,000
Ohio Christian University Center for Logistics Management	566,210
Ohio University, Economic Development through Entrepreneurship in Appalachia [EDEA]	232,750
Oil Region Alliance	200,000
Operation New Hope in Florida	500,000

Project Name	Amount
Pacific Asian Consortium in Employment, San Gabriel Valley Business Development and Revolving Micro Loan Fund for counseling and advising services	196,514
Pecos Economic Development Corporation expansion	98,257
People for People Job Creation Initiative for Low Income Communities	245,643
Pima County Community College Entrepreneurial Education and Development	147,386
Pittsburgh Life Sciences Greenhouse for the Tech Belt Biosciences Initiative, Concept to Commercialization Model	234,746
~~Presbyterian Senior Services for economic and community development programs for the elderly~~	49,129
ReCycle North, Green-collar enterprise program, Burlington, VT	95,000
Research Foundation of SUNY, Downstate Advanced Biotechnology Incubator	98,257
Rhode Island Manufacturers Institute Competitiveness study	63,867
Rhode Island Rural Development Council and Farm Fresh ~~Rhode Island, for Rhode Island small business development~~	332,500
Richard Stockton College for an aviation research and technology park	100,000
Rio Hondo College, CA Environmental Education for Small Businesses	196,514
Rural Economic Area Partnership [REAP] Zones, Rugby, ND	237,500
Rural Enterprise Institute's Native American Rural Business and Resource Center at Eastern Oklahoma State College, Wilburton, OK	475,000
Safer Foundation for transitional employment placement, Chicago, IL	475,000
Saint Mary's College Program for Women's Entrepreneurship	245,643
Schuylkill Economic Development Corporation for the Highridge Business Park Phase II	165,072
Seguin Works, for SEGUINWORKS Business Renovation Project	165,072
SEKTDA for economic and small business development in Southern and Eastern Kentucky	700,000
Shawnee State University for an immersive technology and arts center	300,000
Small business program, Florida Department of Citrus	298,257
Small business trade assistance office, Prince George's County, MD	95,000
South Dakota State University, technology-based economic development	451,250
Southeast Missouri State University for entrepreneurship training and workforce development	500,000
Southern Illinois University for the Southern Illinois Research Park, Carbondale, IL	475,000
Southern University at Shreveport for a business development center	100,000
Southwestern Pennsylvania Advanced Robotics Business Accelerator, Pittsburgh, PA	665,000

Project Name	Amount
St. Leo Residence for Veterans for job training, Catholic Charities, Chicago, IL	475,000
Stark State College of Technology	1,451,000
Syracuse University for an entrepreneurial accelerator program	100,000
Technology Venture Center at Montana State University	100,000
The Bi-National Sustainability Laboratory, El Paso Border Technology Commercialization Facility (BTCF)	196,514
The Enterprise Center in Tennessee	700,000
The Solar Energy Consortium to promote entrepreneurship in the solar energy industry	393,029
Thomas More College for training programs in health care management	100,000
Thorpe Family Residence for economic and community development family residential services program	49,129
Town of Middletown, RI Aquidneck Island Corporate Park	117,909
Uhlich Children's Advantage Network Alumni Services Department for job training, placement and retention services to low/moderate-income young adults	294,772
United States Hispanic Chamber of Commerce, Small Business Procurement Development Initiative	196,514
United Way for Southeastern Michigan Ex-Offender Entrepreneurship Program	245,643
University of Alabama for entrepreneurial resource centers	100,000
University of Arkansas Technology Development Foundation for a research and technology park	100,000
University of Connecticut for the Avery Point Technology Center	292,329
University of Connecticut Health Center, Farmington Technology Incubation Center	311,397
University of Georgia Athens for Public Service and Outreach	49,129
University of Kansas for a center for trade and agribusiness	100,000
University of Kansas for Equipment for Pharmaceutical Small Business Development, Kansas City, KS	427,500
University of Kansas Hospital for Medical Faculty Small Business Development, Kansas City, KS	950,000
University of Maryland-Baltimore BioPark	427,500
University of Massachusetts Dartmouth, Advanced Technical and Manufacturing Center business incubator, Fall River, MA	247,000
University of Nebraska, Kearney for the Central Nebraska World Trade Center	100,000
University of Oregon for an integrative science complex	100,000
University of Southern Mississippi for Early Stage Entrepreneur Development, Hattiesburg, MS	570,000
University of Texas at San Antonio Mexico Center for economic development activities	98,257
University of Texas at San Antonio, Accelerating Technology Venture Entrepreneurship for Women and Minorities	98,257
University of the Pacific Business Forecasting Center	196,514
University of Toledo Renewable Energy Business Incubator Communication Infrastructure	122,821

Project Name	Amount
University of West Florida for a business continuity and risk management center	100,000
University of Wisconsin-Milwaukee, University-industry partnership to foster rapid development of businesses in water industries	285,000
University Technology Park, Illinois Institute of Technology, Chicago, IL	475,000
Urban League of Rochester for minority and women business development services	98,257
Valley Economic Development Center for a Women's Business Center	98,257
Verdugo Workforce Investment Board for assistance to Minority-Owned Businesses	98,257
Village of Olympia Fields for a South Suburban Coalition Economic Development Program	122,821
Virginia's Center for Innovative Technology, Mine safety technology and communication improvements, Herndon, VA	237,500
Washington Hancock Community Agency for a Microbusiness Assistance Program, Milbridge, ME	237,500
Wayne County, Michigan Aerotropolis Telecommunications Portal and Logistics Center	245,643
Wayne State University for the Law School's Small Business Clinic	167,676
Western Nevada Development District for small business job creation	300,000
William Factory Small Business Incubator	294,772
Women's Enterprise Development Center Small Business Training	63,867
World Trade Center Utah	385,000
Youngstown Warren Regional Chamber for the Salute to Success Program	245,643
YWCA Metropolitan Chicago for an Economic Empowerment Program	122,821

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

The bill includes $111,831,000 for payment to the Postal Service Fund, including $29,000,000 for repayment of revenue forgone and $82,831,000 for an advance appropriation for fiscal year 2010 to continue free mail for the blind and overseas voters.

The Postal Accountability and Enhancement Act of 2006 required the Postal Regulatory Commission (PRC) to submit a report to Congress in December of 2008 on universal postal service and the postal monopoly in the United States. The report will also include any recommended changes to universal service and the postal monopoly, and analyses of the costs and benefits of providing such services under current law. The U.S. Postal Service should keep Congress apprised of any actions the Postal Service plans to take on the PRC recommendations, including actions, if applicable, relating to five-day delivery service and its impact on fuel consumption.

The Postal Service should continue its efforts to upgrade postal operations and improve customer service in Chicago, and to assess service needs, reestablish postal facilities, improve mail delivery, and enhance product and service offerings to customers in New Orleans and other Louisiana communities.

The Postal Service should make every effort to maintain the U.S. Post Office in Danville, Virginia, and provide full postal services to the citizens of Danville.

The bill requires the Postal Service to keep the Appropriations Committees promptly and regularly informed on its mail treatment processes and to consult with the Committees on its future plans for securing mail irradiation services, including costs.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The bill includes $239,356,000 for salaries and expenses of the Office of Inspector General.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

The bill includes $48,463,000 for salaries and expenses of the United States Tax Court.

GENERAL PROVISIONS

The following sections describe general provisions for agencies covered by this Act, agencies government-wide, and the District of Columbia. The Financial Services and General Government Appropriations Act, 2008, included several general provisions that were made permanent by inclusion of language indicating futurity. As noted by the United States Government Accountability Office:

"A provision contained in an annual appropriation act is not to be construed to be permanent legislation unless the language used

therein or the nature of the provision makes it clear that Congress intended it to be permanent. The presumption can be overcome if the provision uses language indicating futurity or if the provision is of a general character bearing no relation to the object of the appropriation.

In analyzing a particular provision, the starting point in ascertaining Congress's intent is, as it must be, the language of the statute. The question to ask is whether the provision uses "words of futurity." The most common word of futurity is "hereafter" and provisions using this term have often been construed as permanent." (Principles of Federal Appropriations Law, Third Edition, Volume I, page 2–34)

Several provisions in the 2008 Act included the word "hereafter" as an indication of permanence. These provisions include sections 701 (concerning funds to pay travel for immediate families of employees serving abroad in cases of death or life threatening illness), 709 (concerning nominees disapproved by the Senate), 716 (concerning workplace discrimination and sexual harassment), and 737(b) and (c) (concerning E-Government). This statement reiterates that these provisions were made permanent.

TITLE VI

GENERAL PROVISIONS—THIS ACT

Section 601 prohibits pay and other expenses for non-Federal parties in regulatory or adjudicatory proceedings funded in this Act.

Section 602 prohibits obligations beyond the current fiscal year and prohibits transfers of funds unless expressly so provided herein.

Section 603 limits consulting service expenditures to contracts where such expenditures are a matter of public record, with exceptions.

Section 604 prohibits funds from being transferred to any department, agency, or instrumentality of the United States without expressed authority.

Section 605 prohibits the use of funds to engage in activities that would prohibit the enforcement of section 307 of the 1930 Tariff Act.

Section 606 prohibits funds from being expended unless the recipient agrees to comply with the Buy American Act.

Section 607 prohibits funding to a person or entity convicted of violating the Buy American Act.

Section 608 specifies reprogramming procedures for all departments, agencies, and offices funded under this Act unless otherwise specified elsewhere in this Act. Reprogramming requirements apply to transfers in excess of $5,000,000 or 10 percent, whichever is less. Agencies are expected to follow the reprogramming procedures even if a reprogramming falls below the $5,000,000 or 10 percent threshold if such reprogramming would significantly change an agency's funding requirements in future years, or if programs or projects specifically cited in this explanatory statement are affected.

Section 609 provides that not to exceed 50 percent of unobligated balances from salaries and expenses may remain available for certain purposes.

Section 610 provides that no funds may be used by the Executive Office of the President to request any official background investigation from the Federal Bureau of Investigation unless the person has given consent or there are national security circumstances.

Section 611 requires that cost accounting standards not apply to a contract under the Federal Employees Health Benefits Program.

Section 612 permits the Office of Personnel Management to accept funds regarding the nonforeign area cost of living allowances.

Section 613 prohibits the expenditure of funds for abortions under the Federal Employees Health Benefits Program.

Section 614 provides an exemption from section 613 if the life of the mother is in danger or the pregnancy is a result of an act of rape or incest.

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

Section 616 makes technical corrections to section 5112 of title 31, relating to the design of the quarter dollar.

Section 617 prohibits the acceptance by any regulatory agency or commission funded by this Act, or by their officers or employees, of payment or reimbursement for travel, subsistence, or related expenses from any person or entity (or their representative) that engages in activities regulated by such agency or commission.

Section 618 amends section 7472 of title 26, United States Code, relating to life insurance premiums for United States Tax Court judges.

Section 619 provides authority for the Public Company Accounting Oversight Board (PCAOB) to obligate funds for a scholarship program. PCAOB is urged to give consideration to supporting scholarships opportunities to students from populations, such as ethnic minorities and women, that have been historically underrepresented in the accounting profession.

Section 620 directs the Secretary of the Treasury to promulgate regulations allowing, by general license, travel to, from, or within Cuba related to the marketing and sale of agricultural and medical goods.

Section 621 prohibits funds from being used to administer, implement, or enforce the amendments made to the Code of Federal Regulations, published in the Federal Register on June 16, 2004, relating to travel to visit relatives in Cuba.

Section 622 prohibits funds from being used to enforce the regulations, published in the Federal Register on February 25, 2005, regarding the sales of food and medicine to Cuba.

Section 623 provides authorization for appropriations to the Christopher Columbus Fellowship Foundation.

Section 624 prohibits in fiscal year 2009 and each fiscal year thereafter the use of funds for a proposed rule relating to the determination that real estate brokerage is a financial activity.

Section 625 amends Section 102(a)(3)(B) of the Help America Vote Act of 2002 by changing a date relating to state expenditure of funds.

Section 626 directs the Federal Trade Commission to conduct a rulemaking under the Administrative Procedures Act with respect to mortgage loans.

TITLE VII

GENERAL PROVISIONS—GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

Section 701 requires all agencies have a written policy for ensuring a drug free workplace.

Section 702 sets specific limits on the cost of passenger vehicles with exceptions for police, heavy duty, electric hybrid and clean fuels vehicles.

Section 703 makes appropriations available for quarters/cost of living allowances.

Section 704 prohibits the government from employing non-US citizens (with exceptions) whose posts are in the continental United States.

Section 705 ensures that appropriations made available to any department or agency for space, services and rental charges shall also be available for payment to the GSA.

Section 706 allows the use of receipts from the sale of materials for acquisition, waste reduction and prevention, environmental management programs and other Federal employee programs as appropriate.

Section 707 allows funds for administrative expenses to also be available for rent in the District of Columbia, services under 5 U.S.C. 3109, and the objects specified under this head.

Section 708 prohibits funds for interagency financing boards (with exception), commissions, counsels, committees or similar groups without prior approval to receive multi-agency funding.

Section 709 precludes funds for regulations which have been disapproved by joint resolution.

Section 710 sets ceilings on pay rates for certain Federal employees for fiscal year 2009.

Section 711 limits the amount of funds that can be used for redecoration of offices under certain circumstances to $5,000, unless advance notice is transmitted to the Committees on Appropriations.

Section 712 allows for interagency funding of national security and emergency preparedness telecommunications initiatives.

Section 713 requires agencies to certify that a Schedule C appointment was not created solely or primarily to detail the employee to the White House.

Section 714 prohibits the payment of any employee who prohibits, threatens, prevents or otherwise penalizes another employee from communicating with Congress.

Section 715 prohibits Federal employee training not directly related to the performance of official duties.

Section 716 prevents funds from being used to implement or enforce non-disclosure agreement policies unless certain provisions are included.

Section 717 prohibits executive branch agencies from using funds for propaganda or publicity purposes in support or defeat of legislative initiatives.

Section 718 prohibits any Federal agency from disclosing an employee's home address to any labor organization, absent employee authorization or court order.

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

Section 720 prohibits the use of funds for propaganda and publicity purposes not authorized by Congress.

Section 721 directs agency employees to use official time in an honest effort to perform official duties.

Section 722 authorizes the use of funds to finance an appropriate share of the Federal Accounting Standards Advisory Board administrative costs.

Section 723 authorizes the transfer of funds to GSA to finance various government-wide boards and commissions.

Section 724 permits breastfeeding in a Federal building or on Federal property if the woman and child are authorized to be there.

Section 725 permits interagency funding of the National Science and Technology Council and requires OMB to provide a report on the budget and resources of the National Science and Technology Council.

Section 726 requires that the Federal forms that are used in distributing Federal funds must indicate the agency providing the funds, the domestic catalogue information, and the amount provided.

Section 727 prohibits the use of funds to monitor personal information relating to the use of Federal Internet sites to collect, review, or create any aggregate list that includes personally identifiable information relating to access to or use of any Federal Internet site of such agency.

Section 728 requires health plans participating in the Federal Employees Health Benefits Program to provide contraceptive coverage and provides exemptions to certain religious plans.

Section 729 recognizes the U.S. Anti-Doping Agency as the official anti-doping agency for Olympic, Pan American and Paralympic sport in the United States.

Section 730 allows funds for official travel to be used by departments and agencies, if consistent with OMB and Budget Circular A–126, to participate in the fractional aircraft ownership pilot program.

Section 731 prohibits funds for implementation of OPM regulations limiting detailees to the Legislative Branch or implementing limitations on the Coast Guard Congressional Fellowship Program.

Section 732 restricts the use of funds for Federal law enforcement training facilities with an exception for the Federal Law Enforcement Training Center.

Section 733 prohibits funds for E-Government initiatives sponsored by OMB prior to 15 days following submission of a report to the Committees on Appropriations and receipt of Committee approval to transfer funds. The section also prohibits funds for new

E-Government initiatives without the explicit approval of the Committees.

Section 734 provides authority to transfer funds between agencies to ensure the uninterrupted, continuous operation of the Midway Atoll Airfield.

Section 735 amends section 739(a)(1) of the Financial Services and General Government Appropriations Act, 2008, relating to public-private competitions.

Section 736 amends section 739 of the Financial Services and General Government Appropriations Act, 2008, relating to guidelines on insourcing new and contracted out functions.

Section 737 prohibits funds to begin or announce a study or public-private competition regarding conversion to contractor performance pursuant to OMB Circular A–76.

Section 738 extends the adjustment in the rates of basic pay set by Public Law 110–329 to civilian employees in the Department of Defense who are represented by a labor organization.

Section 739 prohibits executive branch agencies from creating prepackaged news stories that are broadcast or distributed in the United States unless the story includes a clear notification within the text or audio of that news story that the prepackaged news story was prepared or funded by that executive branch agency.

Section 740 prohibits funds from being used on contravention of the Privacy Act or associated regulations.

Section 741 requires agencies to evaluate the creditworthiness of an individual before issuing a government travel charge card and prohibits agencies from issuing a government travel charge card to individuals who have an unsatisfactory credit history.

Section 742 requires OMB to submit a crosscut budget report on Great Lakes restoration activities not later than 45 days after the submission of the budget of the President to Congress.

Section 743 prohibits funds in this or any other Act to be used for Federal contracts with expatriated entities.

Section 744 requires each agency to establish, on the homepage of its website, a link to the website of its Inspector General, and requires each Office of Inspector General to post public reports and audits within one day of release, allows an individual to request automatic receipt of information relating to any public report or audit, and establishes and maintains a link for individuals to anonymously report waste, fraud and abuse.

Section 745 prohibits agencies from using funds to implement regulations changing the competitive areas under reductions-in-force for Federal employees.

Section 746 prohibits funds from being used to implement the Regulatory Policy Officer provisions contained in Executive Order 13422.

Section 747 requires OMB to submit a status report on the pilot program to develop and implement an inventory to track the cost and size of service contracts.

Section 748 makes permanent Executive Order 13423 relating to Federal environmental, energy, and transportation management. After consulting with the Committees on Appropriations, the Steering Committee on Strengthening Federal Environmental, Energy, and Transportation Management and the Office of the Federal En-

vironmental Executive are to report on protocols to measure, and successes in avoiding and reducing, annual greenhouse gas net emissions, to the Committees on Appropriations by June 1, 2009 and every year thereafter.

Section 749 permanently prohibits funds to pay the salary of an individual for a position in an acting capacity after the second submission of a nomination for that individual to that position has been withdrawn or returned to the President.

Section 750 clarifies references to "this Act".

Section 751 provides for nonreduction in pay for Federal employees while serving in the uniformed services or National Guard.

Section 752 requires each agency to submit a report to OMB stating the total size of its workforce, differentiated by number of civilian, military, and contract workers, and requires OMB to submit to the Committees on Appropriations a comprehensive statement delineating the workforce data.

TITLE VIII

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

Section 801 specifies that appropriations are made for particular purposes and shall be considered the maximum for those purposes.

Section 802 authorizes that appropriations are available for travel and dues of organizations.

Section 803 allows for the use of local funds for making refunds or paying judgments against the District of Columbia government.

Section 804 prohibits Federal funds from being used for propaganda designed to support or defeat legislation before the Congress, but allows the District of Columbia to use local funds to lobby on any matter.

Section 805 provides reprogramming and transfer authorities.

Section 806 provides that appropriations under the Act shall be applied to objects for which the appropriation was made.

Section 807 prohibits the use of Federal funds to implement the District of Columbia's Health Care Benefits Act of 1992.

Section 808 makes permanent a provision which allows the Mayor to accept, obligate and expend Federal, private and other grants received by the District of Columbia not reflected in the amounts appropriated in this Act.

Section 809 prohibits Federal funds in the Act to be used for the expenses of the Shadow Senator or U.S. Representative.

Section 810 provides the parameters for which certain District of Columbia employees may use a vehicle meant for official duties to travel to and from work.

Section 811 prohibits the use of Federal funds for a petition or civil action which seeks to require voting rights for the District of Columbia in Congress.

Section 812 prohibits Federal funds to be used for needle distribution, allowing the District of Columbia to utilize local funds for this purpose.

Section 813 concerns a "conscience clause" on legislation that pertains to contraceptive coverage by health insurance plans.

Section 814 lifts the cap on funds that can be used to pay the fees of an attorney in a suit brought against the District of Columbia under the Individuals with Disabilities Act.

Section 815 requires an annual report on crime, access to substance abuse treatment, management of parolees, education, rat abatement and indicators of child well-being.

Section 816 makes permanent the provision which allows local appropriations to be increased by no more than $100,000,000 from unexpended general funds for certain purposes.

Section 817 makes permanent the provision pertaining to the spending of "Other-Type Funds" under certain conditions.

Section 818 makes permanent the provision which allows the Chief Financial Officer to conduct short-term borrowing.

Section 819 prohibits the use of funds in the Act to enact or carry out any law that legalizes or reduces the penalty for the use of controlled substances.

Section 820 prohibits the use of funds in the Act for abortion services.

Section 821 allows for the transfer of operating funds to enterprise and capital funds.

Section 822 authorizes a pay increase for District of Columbia Public Defenders.

Section 823 modifies an Act related to the control of wharf property and certain public spaces in the District of Columbia.

Section 824 specifies that references to this Act in this title or title IV are treated as referring only to the provisions of this title or title IV.

DISCLOSURE OF EARMARKS AND CONGRESSIONALLY DIRECTED SPENDING ITEMS

Following is a list of congressional earmarks and congressionally directed spending items (as defined in clause 9 of rule XXI of the Rules of the House of Representatives and rule XLIV of the Standing Rules of the Senate, respectively) included in the bill or this explanatory statement, along with the name of each Senator, House Member, Delegate, or Resident Commissioner who submitted a request to the Committee of jurisdiction for each item so identified. Reference in the following table to "The President" is a reference to President Bush. Neither the bill nor the explanatory statement contains any limited tax benefits or limited tariff benefits as defined in the applicable House and Senate rules.

FINANCIAL SERVICES AND GENERAL GOVERNMENT

Account	Project	Amount	House	Senate
SBA	Adelante Development Center, Albuquerque, New Mexico	$240,625	Pearce, Wilson (NM)	Domenici, Bingaman
SBA	Adelante Service Expansion in Sandoval County	$122,821	Udall (NM)	
SBA	Advantage West Economic Development Group, Certified Entrepreneurial Community Program	$196,514	Shuler	
SBA	African American Chamber of Commerce of Westchester and Rockland Counties, Entrepreneurial Assistance Program	$196,514	Engel	
SBA	AgriBusiness Development Corporation for the Hudson Valley Agribusiness Viability Program	$245,643	Hall (NY)	
SBA	Alamo Community College for a region energy futures park center	$100,000	Smith (TX)	
SBA	Alamo WorkSource Center Expansion	$147,386	Rodriguez	
SBA	Alaska Manufacturing Extension Partnership, Inc., for a rural Alaska e-commerce training project, Anchorage, AK	$285,000		Murkowski
SBA	Albuquerque Hispano Chamber of Commerce workforce training, Albuquerque, NM	$232,750		Bingaman
SBA	Alcorn State University for a Systems Research Institute, Alcorn State, MS	$570,000		Cochran
SBA	Appalachian State University to study the effects of economic growth resulting from viticulture and agritourism in western North Carolina, Boone, NC	$712,500		Dole
SBA	Arkansas State University-Newport for the Arkansas Commercial Driver Training Institute	$245,643	Berry	
SBA	Asian Pacific Islander Small Business Program	$245,643	Roybal-Allard	
SBA	Asociacion De Provincias Dominicanas (ASOPRODOM) training programs	$49,129	Serrano	
SBA	Association of Vermont Credit Unions, Student financial literacy, Burlington, VT	$137,750		Sanders
SBA	Baltimore City Public School System for the Allied Health Career Program	$491,286	Ruppersberger	
SBA	BARC/TEDCO Business Innovation Center	$98,257	Hoyer	

SBA	Baruch College/CUNY, The Field Center for Entrepreneurship	$68,780	Maloney	Schumer
SBA	Baylor University workforce development and training	$196,514	Edwards (TX)	
SBA	Beaver Street Enterprise Center, Jacksonville, FL	$196,514	Brown (FL)	Martinez
SBA	Becker College Nurse Training Initiative to address health care workforce shortages	$165,072	McGovern	
SBA	Bedford-Stuyvesant YMCA Teen Entrepreneurship Program	$98,257	Towns	
SBA	Berkshire Enterprises Entrepreneurial Training	$78,606	Olver	
SBA	Bethany House, Employment training program for homeless women and for employers	$125,474	McCarthy (NY)	
SBA	Bevill State Community College for a business incubator	$300,000	Aderholt	
SBA	Blessings Ministries Community Development Corp	$49,129	Bishop (GA)	
SBA	Boise State University for a research and economic development and entrepreneurial initiative	$200,000	Simpson	Crapo, Craig
SBA	Bronx Council on the Arts for marketing of local business arts initiatives	$49,134	Serrano	
SBA	Bronx Shepherds business training programs	$73,693	Serrano	
SBA	Bucks County Manufacturing Career Development and Green Job Training Program	$196,514	Murphy (PA)	
SBA	Buffalo Niagara Medical Campus Business Development	$196,514	Higgins	
SBA	Business and infrastructure development, Mingo County Redevelopment Authority, Williamson, WV	$3,325,000		Byrd
SBA	Business incubator, Arkansas Biosciences Institute, Arkansas State University	$494,000	Berry	Lincoln, Pryor
SBA	Business Resource Center and Business Development Training	$196,514	Hastings (FL), Wasserman Schultz	
SBA	California State University, Dominguez Hills, Online Certificate and Applied Studies Program Targeted to Veterans, Service Disabled Veterans, and Disabled Students	$196,514	Richardson	
SBA	Capital City Development Corporation for a business development center	$200,000	Simpson	Crapo

FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued

Account	Project	Amount	House	Senate
SBA	Carnegie Mellon University for the Buffalo Township Business Accelerator Program	$196,514	Altmire	
SBA	Cayuga County Industrial Development Authority for a Manufacturing and Small Business Development Project	$196,514	Arcuri	
SBA	Cedarbridge small business incubator, Lakewood, NJ	$232,750	Smith (NJ)	Lautenberg, Menendez
SBA	Center for Economic Growth, Watervliet Innovation Center, NY	$287,443	Gillibrand, McNulty	Schumer
SBA	Central Florida Community College for the Heart of Florida Regional Economic Development Program	$100,000	Stearns	
SBA	Charlotte Mecklenburg Housing Partnership to increase opportunities for small businesses	$300,000	Hayes	
SBA	Chicanos Por La Causa for a business incubator	$245,643	Pastor	
SBA	City of Alcoa, Tennessee, for the Pellissippi Research Center	$670,000	Duncan	Alexander, Corker
SBA	City of Baton Rouge, Louisiana, for small business investment initiative technical assistance	$271,563	Alexander, Cazayoux	Landrieu, Vitter
SBA	City of Berkeley East Bay Green Jobs Project	$147,386	Lee	
SBA	City of Hagerstown, Maryland for a minority and women owned business program	$100,000	Bartlett	Cardin
SBA	City of Inglewood, CA, Grow Inglewood Small Business Development Program for technical assistance to small businesses	$430,757	Waters	Boxer, Feinstein
SBA	City of San Diego, CA, One-stop small business resource center	$95,000	Davis (CA)	Boxer
SBA	City of San Jose, CA for the Silicon Valley Small Business Assistance Portal	$245,643	Honda	
SBA	City of South Pasadena, CA, for downtown business district revitalization	$294,772	Schiff	
SBA	City of Union, South Carolina, for a regional robotics training center	$100,000	Inglis	
SBA	Cleary University for a micro business incubator	$100,000	Rogers, Mike (MI)	Levin, Stabenow

SBA	Clemson University for an advanced materials innovation center	$100,000	Barrett	Graham
SBA	Cochise County Community College Entrepreneurial Education and Development	$49,129	Giffords	
SBA	Colorado Enterprise Fund for operating expenses and technical assistance to borrowers, Denver, CO	$232,750		Salazar
SBA	Colorado State University Sustainable Biofuels Development Center, Fort Collins, CO	$237,500	Perlmutter	Allard, Salazar
SBA	Commission on the Future of the Latino Community in New York City to establish a small business and economic development commission	$122,821	Velázquez	
SBA	Community Links Hawaii for planning and development of Oahu Technology and Innovation Park, Oahu, HI	$237,500		Inouye, Akaka
SBA	Consortium for Worker Education Financial Education and Attainment Training	$196,514	Nadler, Crowley	Schumer
SBA	County of Essex, NJ, for Workshops on How to Succeed in Business in the Public Sector for Small, Women and Minority Business Enterprises	$359,300	Rothman, Pascrell, Sires	Lautenberg, Menendez
SBA	Cypress Hills Local Development Corporation, Cypress Hills Economic Revitalization Initiative	$122,821	Velázquez	
SBA	Delaware County Community College for a small business solutions center	$300,000	Gerlach, Sestak	Casey
SBA	Delta Foundation, Greenville, MS, for a Mississippi Delta business growth development program	$245,643	Thompson (MS)	
SBA	Detroit Creative Business Accelerator	$73,693	Kilpatrick, Conyers	Levin, Stabenow
SBA	Detroit Economic Growth Corporation for Business retention and attraction	$343,900	Kilpatrick	Levin, Stabenow
SBA	E^4 Entrepreneurship for immigrants, minorities, women, and people with disabilities in southwest King County, WA	$95,000		Cantwell
SBA	East Providence Special Waterfront Development District Commission, small business green development, RI	$234,746	Kennedy	Reed, Whitehouse
SBA	Eastern CT Chamber of Commerce for Small Business Incubation	$174,898	Courtney	Dodd
SBA	Eastern Washington University, Accelerating economic development in rural, underserved communities of NE Washington	$190,000		Murray
SBA	Economic development assistance for Wells, NV	$608,000		Reid
SBA	Economic Development for Central Oregon, Bend Venture Catalyst, Bend, OR	$232,750		Wyden

FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued

Account	Project	Amount	House	Senate
SBA	Economic Development Training Program, Camden, NJ	$95,000		Lautenberg, Menendez
SBA	Economic Growth Connection of Westmoreland County, PA Procurement Assistance Program	$147,386	Murtha	
SBA	Elizabeth City Aviation Research and Development Commerce Park, Phase II	$196,514	Butterfield	
SBA	Engenuity SC for the Commercialization and Entrepreneurial Training Project	$294,772	Clyburn	
SBA	Entrepreneurial Development Center business accelerator, Cedar Rapids, IA	$332,500	Loebsack	Harkin
SBA	Episcopal Housing Alliance Small Business Employment & Education Center	$112,996	Becerra	
SBA	Esperanza Community Housing Corporation Mercado La Paloma	$83,519	Becerra	
SBA	Experience Works Small Business Assistance Program	$245,643	Skelton	
SBA	Fairfield Incubator for Entrepreneurs Commercial Kitchen Incubator	$196,514	Davis (AL)	
SBA	Fairplex Trade and Conference Center	$300,000	Dreier, Napolitano	
SBA	First Community Development Corporation, Business Skills Development Program	$98,257	Waters	
SBA	First responder education initiative, Benedictine University, Lisle, IL	$475,000		Durbin
SBA	Florida Atlantic University for a Small Business Incubator Center	$122,821	Wasserman Schultz, Klein, Wexler	
SBA	Florida Institute of Technology, Florida Advanced Combustion Center	$232,750		Nelson (FL)
SBA	Foundation for Appalachian Ohio, Rural Economic Development Program	$196,514	Space	Brown, Voinovich
SBA	Future of the Piedmont Foundation	$200,000	Goode	
SBA	Gateway to Entrepreneurial Tomorrows, Inc., for the Low Income Entreprenerial Development Program	$98,257	Hinchey	

SBA	Grambling State University, Expanding Minority Entrepreneurship Regionally Across the Louisiana Delta [EMERALD] program	$237,500		Landrieu
SBA	Grays Harbor sustainable industries research and development facility and incubator, Port of Grays Harbor, Aberdeen, WA	$427,500		Cantwell, Murray
SBA	Greater Des Moines Partnership for the Central Iowa Business Innovation Zone	$147,386	Boswell	Harkin, Grassley
SBA	Greater Gardner CDC Training Collaborative	$216,166	Olver	
SBA	Greater North Louisiana Community Development Center	$300,000	Alexander	
SBA	Greater Rockford Airport Authority for Manufacturing Research and Development/Education Center	$300,000	Manzullo	
SBA	Greater Toledo Arts Commission Creative Industry Development	$122,821	Kaptur	
SBA	H.O.G.A.R., Inc. for an economic and community development program for the elderly and special needs persons	$98,257	Serrano	
SBA	Heart of Texas Workforce Development Center Financial Literacy Program	$98,257	Edwards (TX)	
SBA	Henry County, Virginia, for small business expansion and development	$800,000	Goode	
SBA	Heritage Foundation Inc for a small business development assistance program	$73,693	Bishop (GA)	
SBA	Hudson Alpha Institute for Biotechnology	$245,643	Cramer	
SBA	Hunter College, Project for Return and Opportunity in Veterans Education (PROVE)	$68,780	Maloney	Schumer
SBA	Illinois Institute of Technology for the Illinois Manufacturing Innovation Coalition	$196,514	Bean	
SBA	Illinois State University for an expanding exports program	$100,000	Weller	
SBA	Indiana State University Innovation Alliance Business Incubator & Accelerator	$196,514	Ellsworth	Bayh, Lugar
SBA	Indiana University for the Indiana Innovation Incubator	$234,746	Hill	Bayh, Lugar
SBA	International Services Council of Alabama	$100,000	Aderholt, Cramer	
SBA	International Trade Compliance in Agri-Business, Wichita, KS	$214,225	Moore (KS)	Brownback
SBA	Iowa Valley Community College for an education and training center	$500,000	Latham	

FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued

Account	Project	Amount	House	Senate
SBA	Ivy Tech Community College of Indiana, Northwest Region - Gary Campus - for a Center on Logistics, Distribution and Transportation	$442,157	Visclosky	
SBA	Jackie Joyner-Kersee Center for job training and placement services, East St. Louis, IL	$294,500		Durbin
SBA	Jackson State University for Lynch Street Corridor Redevelopment, Jackson, MS	$570,000		Cochran, Wicker
SBA	Jacksonville State University in Alabama for remote campus and distance learning programs for small business	$200,000	Aderholt; Rogers, Mike (AL)	
SBA	Jamaica Chamber of Commerce, Jamaica, NY, Jamaica Export Center	$196,514	Meeks	
SBA	Job Training and Small Business Ownership Program	$196,514	Carson	
SBA	Johnstown Area Regional Industries (JARI) Incubator and Workforce Development	$147,386	Murtha	
SBA	Kansas Bioscience Authority for the Kansas Small Business Biobased Polymer Initiative, Olathe, KS	$539,363		Brownback
SBA	Kansas Farm Bureau for the Kansas Hometown Prosperity Alliance, Manhattan, KS	$285,000		Brownback
SBA	Kemper County, Mississippi, for an industrial park spec building	$100,000	Pickering	
SBA	Kingsborough Community College for the South Brooklyn Maritime Center for vocational training	$98,257	Weiner	Schumer
SBA	LaFuerza Unida Community Development Corporation, Technical Assistance	$71,040	McCarthy (NY)	
SBA	Laredo Community College Import/Export Program	$196,514	Cuellar	
SBA	Lock Haven University Small Business Development Center	$50,000	Peterson (PA)	
SBA	Long Island Economic and Social Policy Institute (a division of Dowling College) for a Long Island Small Business Development Center	$196,514	Israel	
SBA	Louisville Central Community Centers, Expansion of Small Business Incubator	$196,514	Yarmuth	

SBA	Lower Chattahoochee Regional Development Center for the Southwest Georgia Rural Small Business Development Initiative	$73,693	Bishop (GA)	
SBA	Macomb County business accelerator, Macomb County, MI	$385,000	Levin, Miller (MI)	Levin, Stabenow
SBA	Manufacturers Association of Central New York	$150,000	Walsh	
SBA	Massachusetts Technology Collaborative Renewable Energy Economic Development Center, Boston, MA	$247,000		Kennedy, Kerry
SBA	MedTech Association, Inc. for a bioscience strategic development initiative in Upstate New York	$175,000	Walsh	Schumer
SBA	Metropolitan Council on Jewish Poverty Career Services Programs	$196,514	Clarke, Towns, Weiner	Schumer
SBA	Miami-Dade Chamber of Commerce, Technical Assistance and Economic Development Center	$196,514	Meek	
SBA	Middle Country Library Foundation, Miller Business Resource Center	$196,514	Bishop (NY)	
SBA	Mississippi Biotechnology Association for a Feasibility Study and Capacity Building, Jackson, MS	$475,000		Cochran
SBA	Mississippi State University for Convergence of Scientists and Entrepreneurs to Expedite Commercialization (SCEEC), Starkville, MS	$570,000		Cochran, Wicker
SBA	Mississippi Technology Alliance for the Center for Innovation and Entrepreneurial Services, Jackson, MS	$570,000		Cochran, Wicker
SBA	Missouri Western State University for the Biotechnology Mobile Workforce Development Center, St. Joseph, MO	$950,000		Bond
SBA	Montana Department of Commerce, for technical assistance and operating expenses of the Native American and WIRED program	$494,000		Baucus, Tester
SBA	Montana State University's manufacturing extension center	$100,000	Rehberg	Tester
SBA	Montana World Trade Center	$300,000	Rehberg	
SBA	Montgomery College for the Germantown Biotechnology Project	$165,072	Van Hollen	
SBA	Montgomery County Action Council for the development of economic growth and the recruitment of small businesses, Independence, KS	$475,000		Roberts
SBA	Mount Hope Housing Company training programs	$73,693	Serrano	

FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued

Account	Project	Amount	House	Senate
SBA	Mountain Association for Community Economic Development for the Energy Efficient Enterprises Initiative for Small Businesses	$245,643	Chandler	
SBA	Myrtle Beach International Trade & Convention Center, Myrtle Beach, SC	$950,000		Graham
SBA	National Association of Development Organizations for a business development and entrepreneurial enhancement initiative	$100,000	Walsh	
SBA	National Center for Aviation Training for Technical Education and Training, Wichita, KS	$475,000		Brownback
SBA	National Latino Data Center to provide business information to local businesses, researchers, and communities	$49,129	Serrano	
SBA	Native Hawaiian Organizations Association, Entrepreneurial Development & Government Procurement Center, Honolulu, HI	$285,000		Inouye, Akaka
SBA	Navajo Nation Department of Information Technology for Connect Navajo	$122,821	Udall (NM)	
SBA	Nebraska Community Foundation, HomeTown Competitiveness, Lincoln, NE	$285,000		Nelson (NE)
SBA	Neil D. Levin Graduate Institute, The Center for Competitive Response to Globalization	$58,954	Maloney	Schumer
SBA	New Castle County Chamber of Commerce for an Emerging Enterprise Center, business incubator	$499,000	Castle	Biden, Carper
SBA	New Hampshire Community Loan Fund for operating support for the Vested for Growth Program	$196,514	Hodes	
SBA	New York Agency for Community Affairs for tax related technical assistance, training, and outreach for small businesses	$196,514	Crowley	
SBA	North Brownsville Industrial Park, TX	$196,514	Ortiz	
SBA	North Carolina Biotechnology Center for the Entrepreneurship/Research and Development Training Initiative	$294,772	Price (NC), Miller (NC)	
SBA	North Dakota State College of Science, Nanotechnology Applied Science Laboratory	$356,250	Pomeroy	Conrad, Dorgan
SBA	North Iowa Area Community College for regional economic development	$100,000	Latham	
SBA	Northampton Community College for an electrotechnology applications center	$300,000	Dent, Kanjorski	Casey

SBA	Northeast Entrepreneur Fund, Greenstone Group	$245,643	Oberstar	
SBA	Northeast Louisiana Business and Community Development Center	$425,000	Alexander	Landrieu
SBA	Northern Community Development Corporation, Northeast Kingdom (NEK) wireless LINC, VT	$285,000		Leahy
SBA	Northern Kentucky University's College of Informatics, Highland Heights, KY	$1,900,000	Davis (KY)	McConnell
SBA	Northwestern University, Kellogg School of Management Entrepreneurship Center nextONE program	$196,514	Davis (IL)	
SBA	Oakland African American Chamber of Commerce Foundation for the Economic Vitality of Minority Business Program	$98,257	Lee	
SBA	Oakland Campus of Wayne State University for an entrepreneurship center	$225,000	Knollenberg	
SBA	Ohio Christian University Center for Logistics Management	$566,210	Hobson	Voinovich
SBA	Ohio University, Economic Development through Entrepreneurship in Appalachia [EDEA]	$232,750	Wilson (OH), Space	Brown, Voinovich
SBA	Oil Region Alliance	$200,000	Peterson (PA)	
SBA	Operation New Hope in Florida	$500,000	Crenshaw	
SBA	Pacific Asian Consortium in Employment, San Gabriel Valley Business Development and Revolving Micro Loan Fund for counseling and advising services	$196,514	Solis	
SBA	Pecos Economic Development Corporation expansion	$98,257	Rodriguez	
SBA	People for People Job Creation Initiative for Low Income Communities	$245,643	Brady (PA)	Casey
SBA	Pima County Community College Entrepreneurial Education and Development	$147,386	Giffords	
SBA	Pittsburgh Life Sciences Greenhouse for the Tech Belt Biosciences Initiative, Concept to Commercialization Model	$234,746	Doyle, Altmire	Casey, Specter
SBA	Presbyterian Senior Services for economic and community development programs for the elderly	$49,129	Serrano	
SBA	ReCycle North, Green-collar enterprise program, Burlington, VT	$95,000		Sanders
SBA	Research Foundation of SUNY, Downstate Advanced Biotechnology Incubator	$98,257	Clarke	
SBA	Rhode Island Manufacturers Institute Competitiveness study	$63,867	Kennedy, Langevin	Reed, Whitehouse

FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued

Account	Project	Amount	House	Senate
SBA	Rhode Island Rural Development Council and Farm Fresh Rhode Island, for Rhode Island small business development	$332,500		Reed, Whitehouse
SBA	Richard Stockton College for an aviation research and technology park	$100,000	LoBiondo	
SBA	Rio Hondo College, CA Environmental Education for Small Businesses	$196,514	Sánchez, Linda (CA)	Boxer
SBA	Rural Economic Area Partnership [REAP] Zones, Rugby, ND	$237,500		Conrad, Dorgan
SBA	Rural Enterprise Institute's Native American Rural Business and Resource Center at Eastern Oklahoma State College, Wilburton, OK	$475,000		Inhofe
SBA	Safer Foundation for transitional employment placement, Chicago, IL	$475,000	Davis (IL)	Durbin
SBA	Saint Mary's College Program for Women's Entrepreneurship	$245,643	Donnelly	Lugar
SBA	Schuylkill Economic Development Corporation for the Highridge Business Park Phase II	$165,072	Holden	
SBA	Seguin Works, for SEGUINWORKS Business Renovation Project	$165,072	Lipinski	
SBA	SEKTDA for economic and small business development in Southern and Eastern Kentucky	$700,000	Rogers (KY)	
SBA	Shawnee State University for an immersive technology and arts center	$300,000	Schmidt	
SBA	Small business program, Florida Department of Citrus	$298,257	Boyd, Putnam	Martinez
SBA	Small business trade assistance office, Prince George's County, MD	$95,000		Cardin
SBA	South Dakota State University, technology-based economic development	$451,250	Herseth Sandlin	Johnson, Thune
SBA	Southeast Missouri State University for entrepreneurship training and workforce development	$500,000	Emerson	
SBA	Southern Illinois University for the Southern Illinois Research Park, Carbondale, IL	$475,000		Durbin
SBA	Southern University at Shreveport for a business development center	$100,000	McCrery	

SBA	Southwestern Pennsylvania Advanced Robotics Business Accelerator, Pittsburgh, PA	$665,000		Specter, Casey
SBA	St. Leo Residence for Veterans for job training, Catholic Charities, Chicago, IL	$475,000		Durbin
SBA	Stark State College of Technology	$1,451,000	Regula	
SBA	Syracuse University for an entrepreneurial accelerator program	$100,000	Walsh	
SBA	Technology Venture Center at Montana State University	$100,000	Rehberg	Baucus, Tester
SBA	The Bi-National Sustainability Laboratory, El Paso Border Technology Commercialization Facility (BTCF)	$196,514	Reyes	
SBA	The Enterprise Center in Tennessee	$700,000	Wamp	
SBA	The Solar Energy Consortium to promote entrepreneurship in the solar energy industry	$393,029	Hinchey	
SBA	Thomas More College for training programs in health care management	$100,000	Davis (KY)	
SBA	Thorpe Family Residence for economic and community development family residential services program	$49,129	Serrano	
SBA	Town of Middletown, RI Aquidneck Island Corporate Park	$117,909	Kennedy	Reed, Whitehouse
SBA	Uhlich Children's Advantage Network Alumni Services Department for job training, placement and retention services to low/moderate-income young adults	$294,772	Emanuel, Davis (IL)	
SBA	United States Hispanic Chamber of Commerce, Small Business Procurement Development Initiative	$196,514	Baca	
SBA	United Way for Southeastern Michigan Ex-Offender Entrepreneurship Program	$245,643	Knollenberg, Conyers, Dingell	Levin, Stabenow
SBA	University of Alabama for entrepreneurial resource centers	$100,000	Bachus	
SBA	University of Arkansas Technology Development Foundation for a research and technology park	$100,000	Boozman	Lincoln, Pryor
SBA	University of Connecticut for the Avery Point Technology Center	$292,329	DeLauro, Courtney	Dodd, Lieberman
SBA	University of Connecticut Health Center, Farmington Technology Incubation Center	$311,397	Murphy (CT)	Dodd, Lieberman
SBA	University of Georgia Athens for Public Service and Outreach	$49,129	Bishop (GA)	

FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued

Account	Project	Amount	House	Senate
SBA	University of Kansas for a center for trade and agribusiness	$100,000	Moran (KS)	
SBA	University of Kansas for Equipment for Pharmaceutical Small Business Development, Kansas City, KS	$427,500		Brownback
SBA	University of Kansas Hospital for Medical Faculty Small Business Development, Kansas City, KS	$950,000		Brownback
SBA	University of Maryland-Baltimore BioPark	$427,500	Ruppersberger, Cummings, Sarbanes	Mikulski, Cardin
SBA	University of Massachusetts Dartmouth, Advanced Technical and Manufacturing Center business incubator, Fall River, MA	$247,000		Kennedy, Kerry
SBA	University of Nebraska, Kearney for the Central Nebraska World Trade Center	$100,000	Smith (NE)	Nelson (NE), Hagel
SBA	University of Oregon for an integrative science complex	$100,000	DeFazio, Hooley, Walden, Wu	Wyden
SBA	University of Southern Mississippi for Early Stage Entrepreneur Development, Hattiesburg, MS	$570,000		Cochran, Wicker
SBA	University of Texas at San Antonio Mexico Center for economic development activities	$98,257	Gonzalez	
SBA	University of Texas at San Antonio, Accelerating Technology Venture Entrepreneurship for Women and Minorities	$98,257	Gonzalez	
SBA	University of the Pacific Business Forecasting Center	$196,514	McNerney	
SBA	University of Toledo Renewable Energy Business Incubator Communication Infrastructure	$122,821	Kaptur	Brown, Voinovich
SBA	University of West Florida for a business continuity and risk management center	$100,000	Miller (FL)	Martinez
SBA	University of Wisconsin-Milwaukee, University-industry partnership to foster rapid development of businesses in water industries	$285,000	Moore (WI)	Kohl
SBA	University Technology Park, Illinois Institute of Technology, Chicago, IL	$475,000	Rush	Durbin
SBA	Urban League of Rochester for minority and women business development services	$98,257	Slaughter	

SBA	Valley Economic Development Center for a Women's Business Center	$98,257	Schiff	
SBA	Verdugo Workforce Investment Board for assistance to Minority-Owned Businesses	$98,257	Schiff	
SBA	Village of Olympia Fields for a South Suburban Coalition Economic Development Program	$122,821	Jackson	
SBA	Virginia's Center for Innovative Technology, Mine safety technology and communication improvements, Herndon, VA	$237,500		Webb, Warner
SBA	Washington Hancock Community Agency for a Microbusiness Assistance Program, Milbridge, ME	$237,500	Michaud	Collins, Snowe
SBA	Wayne County, Michigan Aerotropolis Telecommunications Portal and Logistics Center	$245,643	Dingell	Levin, Stabenow
SBA	Wayne State University for the Law School's Small Business Clinic	$167,676	Kilpatrick	Levin, Stabenow
SBA	Western Nevada Development District for small business job creation	$300,000	Heller	
SBA	William Factory Small Business Incubator	$294,772	Dicks	
SBA	Women's Enterprise Development Center Small Business Training	$63,867	Lowey	
SBA	World Trade Center Utah	$385,000	Bishop (UT)	Bennett
SBA	Youngstown Warren Regional Chamber for the Salute to Success Program	$245,643	Ryan (OH), Wilson (OH)	
SBA	YWCA Metropolitan Chicago for an Economic Empowerment Program	$122,821	Jackson	
DC	I Have A Dream Foundation of Washington DC, Brent Dream Class of 2006	$82,536	Holmes Norton	
DC	Boys and Girls Club of Greater Washington for Project Learn	$100,000	Moran (VA), Davis (VA)	
DC	Capital Area Food Bank Facility Construction	$196,514	Hoyer, Moran (VA), Holmes Norton	
DC	Children's National Medical Center, pediatric surgical center renovations, Washington, DC	$2,850,000	Moran (VA), Van Hollen	Cochran
DC	DC Campaign for Literacy Education (CYCLE)	$82,536	Holmes Norton	
DC	Educational Advancement Alliance for the DC Student Support Services Project	$245,643	Fattah	
DC	Everybody Wins!	$225,000	LaHood	

FINANCIAL SERVICES AND GENERAL GOVERNMENT—Continued

Account	Project	Amount	House	Senate
DC	Excel- Automotive Workforce Development Training Program	$294,772	Knollenberg, Hoyer	
DC	Georgetown Metro Connection	$98,257	Moran (VA)	
DC	LifeSTARTS Youth & Family Services, the Capital Area Asset Building Corporation, and the National Center for Fathering to administer Marriage Development Accounts in the District of Columbia	$2,137,500		Brownback
DC	National Children's Alliance	$245,643	Cramer	
DC	Safe Kids Worldwide, Inc., Child Safety Initiative	$368,464	Wasserman Schultz	
DC	The Perry School for an Economic Empowerment Program	$98,257	Moran (VA)	
GSA	Denver Federal Center Remediation	$10,472,000	The President	The President
GSA	Dirksen Courthouse, Chicago, Illinois	$152,825,000	The President	The President
GSA	District of Columbia, DHS Consolidation and development of St. Elizabeths Campus	$331,390,000	The President	The President
GSA	District of Columbia, St. Elizabeths West Campus Infrastructure	$8,249,000	The President	The President
GSA	District of Columbia, St. Elizabeths West Campus Site Acquisition	$7,000,000	The President	The President
GSA	Eisenhower Executive Office Building CBR, Washington DC	$14,700,000	The President	The President
GSA	Eisenhower Executive Office Building Phase III, Washington DC	$51,075,000	The President	The President
GSA	FDA Consolidation, Montgomery County, Maryland	$163,530,000	The President, Hoyer, Edwards (MD), Van Hollen	The President, Mikulski, Cardin
GSA	Portal Land Port of Entry, North Dakota	$15,204,000	The President	The President
GSA	San Diego Courthouse, California	$110,362,000	The President, Davis (CA), Filner, Hunter, Issa	The President, Feinstein, Boxer

GSA	San Ysidro Land Port of Entry, California	$58,910,000	The President, Filner	The President, Feinstein
GSA	Tuscaloosa Federal Building, Alabama	$25,000,000		Shelby
GSA	US Post Office and Courthouse, New Bern, North Carolina	$10,640,000	The President	The President, Dole
GSA	West Wing Infrastructure Systems Replacement	$76,487,000	The President	The President
NARA	FDR Presidential Library and Museum Renovation	$17,500,000	Gillibrand	Reid, Schumer
NARA	JFK Presidential Library	$22,000,000	Markey, Lynch	Kerry
NARA	LBJ Presidential Library	$2,000,000		Hutchison
ONDCP	National Alliance for Model State Drug Laws	$1,250,000	Rogers (KY)	Durbin
ONDCP	National Drug Court Institute	$1,250,000		Durbin

The following items represent technical corrections to earmarks enacted in a previous appropriations Act (Public Law 110–161). No additional funds are provided for these earmarks.

FINANCIAL SERVICES AND GENERAL GOVERNMENT

Account	Project	Amount	House	Senate
SBA	The Mingo County Redevelopment Authority	N/A		Byrd
SBA	Alabama Small Business Institute of Commerce, Rainbow City, AL	N/A		Shelby

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	This Bill	This Bill vs. Enacted	This Bill vs. Request
TITLE I - DEPARTMENT OF THE TREASURY					
Departmental Offices					
Salaries and expenses	248,360	273,895	278,870	+30,510	+4,975
Executive direction	(10,840)	(21,592)	(21,619)	(+10,779)	(+27)
General Counsel	(9,909)	---	---	(-9,909)	---
Economic policies and programs	(44,242)	(45,853)	(45,910)	(+1,668)	(+57)
Financial policies and programs	(29,464)	(34,735)	(38,039)	(+8,575)	(+1,304)
Terrorism and Financial Intelligence	(58,775)	(61,712)	(62,098)	(+5,323)	(+386)
Treasury-wide management	(18,505)	(19,009)	(21,600)	(+3,095)	(+2,591)
Administration	(78,625)	(90,994)	(91,804)	(+12,979)	(+810)
non-print admin subtotal	248,360	273,895	278,870	+30,510	+4,975
Department-wide systems and capital investments programs	18,710	26,975	26,975	+8,265	---
Office of Inspector General	18,450	19,356	26,125	+7,675	+6,769
Treasury Inspector General for Tax Administration	140,533	145,736	146,083	+5,550	+347
Air transportation stabilization program account	-3,800	---	---	+3,600	---
Financial Crimes Enforcement Network	85,844	91,335	91,465	+5,621	+130
Treasury forfeiture fund (rescission)	---	-30,000	-30,000	-30,000	---
Subtotal, Departmental Offices	508,297	527,297	539,518	+31,221	+12,221
Financial Management Service	234,423	239,344	239,785	+5,362	+441
Emergency appropriations (P.L. 110-185)	64,175	---	---	-64,175	---
Alcohol and Tobacco Tax and Trade Bureau:					
Salaries and expenses	93,515	96,900	99,065	+5,550	+2,165
Bureau of the Public Debt	172,871	177,054	177,352	+4,481	+298
Community development financial institutions fund program account	94,000	28,620	107,000	+13,000	+78,380
Payment of government losses in shipment	1,000	2,000	2,000	+1,000	---
Total, Department of the Treasury, non-IRS	1,188,281	1,071,215	1,164,720	-3,561	+93,505
Internal Revenue Service					
Taxpayer services	2,150,000	2,150,000	2,293,000	+143,000	+143,000
Emergency appropriations (P.L. 110-185)	50,720	---	---	-50,720	---
Enforcement	4,780,000	5,117,267	5,117,267	+337,267	---
Operations support	3,680,059	3,856,172	3,867,011	+186,952	+10,839
Emergency appropriations (P.L. 110-185)	151,415	---	---	-151,415	---
Business systems modernization	267,090	222,664	229,914	-37,176	+7,250
Health Insurance Tax Credit Administration	15,235	15,408	15,406	+171	---
Total, Internal Revenue Service	11,094,519	11,361,509	11,522,598	+428,079	+161,089
Total, title I, Department of the Treasury	12,282,800	12,432,724	12,687,318	+424,518	+254,594
Appropriations	(11,996,490)	(12,482,724)	(12,717,318)	(+720,828)	(+254,594)
(Mandatory)	(1,000)	(2,000)	(2,000)	(+1,000)	---
(Discretionary)	(11,995,490)	(12,460,724)	(12,715,318)	(+719,828)	(+254,594)
Emergency appropriations	(266,310)	---	---	(-266,310)	---
Rescissions	---	(-30,000)	(-30,000)	(-30,000)	---
TITLE II - EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT					
The White House					
Salaries and expenses	---	190,078	---	---	-190,078
Compensation of the President	---	450	---	---	-450
Total, Salaries and expenses	---	190,528	---	---	-190,528
Compensation of the President and the White House Office:					
Compensation of the President	450	---	450	---	+450
Salaries and expenses	51,658	---	53,899	+2,243	+53,899
Executive Residence at the White House:					
Operating expenses	12,814	---	13,363	+549	+13,363
White House repair and restoration	1,800	---	1,600	---	+1,600
Council of Economic Advisers	4,118	---	4,118	---	+4,118
Office of Policy Development	3,482	---	3,550	+68	+3,550
National Security Council	8,640	---	9,029	+389	+9,029
Office of Administration	91,745	---	101,333	+9,588	+101,333
Total, The White House	174,505	190,528	187,342	+12,837	-3,186

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	This Bill	This Bill vs. Enacted	This Bill vs. Request
Office of Management and Budget	78,000	72,800	87,972	+9,972	+15,172
Office of National Drug Control Policy					
Salaries and expenses	26,402	23,697	27,200	+798	+3,503
Counterdrug Technology Assessment Center	1,000	5,000	3,000	+2,000	-2,000
High intensity drug trafficking areas program	230,000	200,000	234,000	+4,000	+34,000
Other Federal drug control programs	164,300	189,685	174,700	+10,400	-14,985
Total, Office of National Drug Control Policy	421,702	418,382	438,900	+17,198	+20,518
Unanticipated needs	1,000	1,000	1,000	---	---
Presidential transition administrative support	---	8,000	8,000	+8,000	---
Special Assistance to the President and Official Residence of the Vice President:					
Salaries and expenses	4,432	4,496	4,496	+64	---
Operating expenses	320	323	323	+3	---
Total, title II, Executive Office of the President and Funds Appropriated to the President	679,959	695,529	728,033	+48,074	+32,504
Appropriations	(679,959)	(695,529)	(728,033)	(+48,074)	(+32,504)
(Mandatory)	(450)	(450)	(450)	---	---
(Discretionary)	(679,509)	(695,079)	(727,583)	(+48,074)	(+32,504)
TITLE III - THE JUDICIARY					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices	2,149	2,119	2,119	-30	---
Other salaries and expenses	64,377	67,658	67,658	+3,281	---
Subtotal	66,526	69,777	69,777	+3,251	---
Care of the building and grounds	12,201	18,447	18,447	+6,246	---
Total, Supreme Court of the United States	78,727	88,224	88,224	+9,497	---
United States Court of Appeals for the Federal circuit					
Salaries and expenses:					
Salaries of judges	2,431	2,356	2,356	-75	---
Other salaries and expenses	24,641	30,001	28,028	+3,387	-1,973
Total, US Court of Appeals for the Fed Circuit	27,072	32,357	30,384	+3,312	-1,973
United States Court of International Trade					
Salaries and expenses:					
Salaries of judges	1,765	1,696	1,696	-69	---
Other salaries and expenses	14,867	17,926	17,909	+3,042	-17
Total, US Court of International Trade	16,632	19,622	19,605	+2,973	-17
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges	332,434	323,911	323,911	-8,523	---
Judges COLA	5,000	6,000	6,000	+1,000	---
Other salaries and expenses	4,267,328	4,633,180	4,471,458	+204,130	-161,722
Other salaries and expenses (emergency)	14,500	---	---	-14,500	---
Subtotal, Salaries and expenses	4,619,262	4,963,091	4,801,369	+182,107	-161,722
Vaccine Injury Compensation Trust Fund	4,099	4,253	4,253	+154	---
Defender services	835,801	911,408	849,400	+13,799	-62,008
Defender services (emergency)	10,500	---	---	-10,500	---
Fees of jurors and commissioners	63,081	62,206	62,206	-875	---
Court security	410,000	439,915	428,858	+18,858	-11,057
Total, Courts of Appeals, District Courts, and Other Judicial Services	5,942,543	6,380,873	6,146,086	+203,543	-234,787
Administrative Office of the United States Courts					
Salaries and expenses	78,036	81,959	79,049	+3,013	-2,910
Federal Judicial Center					
Salaries and expenses	24,187	25,759	25,725	+1,538	-34

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	This Bill	This Bill vs. Enacted	This Bill vs. Request
Judicial Retirement Funds					
Payment to judiciary trust funds	65,400	76,140	76,140	+10,740	---
United States Sentencing Commission					
Salaries and expenses	15,477	16,257	16,225	+748	-32
Total, title III, the Judiciary	6,246,074	6,721,191	6,481,438	+235,364	-239,753
Appropriations	(6,221,074)	(6,721,191)	(6,481,438)	(+260,364)	(-239,753)
(Mandatory)	(404,179)	(406,222)	(406,222)	(+2,043)	---
(Discretionary)	(5,816,895)	(6,314,969)	(6,075,216)	(+258,321)	(-239,753)
Emergency appropriations	(25,000)	---	---	(-25,000)	---
TITLE IV - DISTRICT OF COLUMBIA					
FEDERAL FUNDS					
Federal payment for Resident Tuition Support	33,000	35,100	35,100	+2,100	---
Federal payment for Emergency Planning and Security Costs in the District of Columbia	3,352	15,000	39,177	+35,825	+24,177
Federal payment to the District of Columbia Courts	223,920	223,920	248,409	+24,489	+24,489
Defender Services in District of Columbia Courts	47,975	47,975	52,475	+4,500	+4,500
Federal payment to the Court Services and Offender Supervision Agency for the District of Columbia	190,343	202,490	203,490	+13,147	+1,000
Federal payment to the District of Columbia Public Defender Service	32,710	35,659	35,659	+2,949	---
Federal payment to the District of Columbia Water and Sewer Authority	8,000	14,000	16,000	+8,000	+2,000
Federal payment to the Criminal Justice Coordinating Council	1,300	1,774	1,774	+474	---
Federal payment to the Office of the Chief Financial Officer of the District of Columbia	5,453	---	4,888	-565	+4,888
Federal payment for School Improvement	40,800	54,000	54,000	+13,200	---
Federal payment to jump start public school reform	---	20,000	20,000	+20,000	---
Federal payment for consolidated laboratory facility	5,000	5,000	21,000	+16,000	+16,000
Federal payment for Central Library/branch locations	9,000	7,000	7,000	-2,000	---
Federal payment to reimburse the FBI	4,000	5,000	---	-4,000	-5,000
Federal payment to the Executive Office of the Mayor	5,000	---	3,388	-1,612	+3,388
Total, Title IV, District of Columbia	609,853	666,918	742,360	+132,507	+75,442
TITLE V - OTHER INDEPENDENT AGENCIES					
Administrative Conference of the United States	---	---	1,500	+1,500	+1,500
Christopher Columbus Fellowship Foundation	600	---	1,000	+400	+1,000
Commodity Futures Trading Commission	111,266	130,000	146,000	+34,734	+16,000
Consumer Product Safety Commission	80,000	80,000	105,404	+25,404	+25,404
Election Assistance Commission					
Salaries and expenses	16,530	16,679	17,959	+1,429	+1,280
Election reform programs	115,000	---	106,000	-9,000	+106,000
Election data collection grants	10,000	---	---	-10,000	---
Total, Election Assistance Commission	141,530	16,679	123,959	-17,571	+107,280
Federal Communications Commission					
Salaries and expenses	313,000	338,875	341,875	+28,875	+3,000
Transfer from USF for OIG audits (by transfer)	(21,480)	(25,480)	(25,480)	(+4,000)	---
Offsetting fee collections - current year	-312,000	-337,875	-341,875	-29,875	-4,000
Direct appropriation	1,000	1,000	---	-1,000	-1,000
Federal Deposit Insurance Corporation: Office of Inspector General (by transfer)	(26,848)	(27,495)	(27,495)	(+647)	---
Federal Election Commission	59,224	63,618	63,618	+4,394	---
Federal Labor Relations Authority	23,641	22,674	22,674	-967	---
Federal Trade Commission					
Salaries and expenses	243,864	256,200	259,200	+15,336	+3,000
Offsetting fee collections - current year	-139,000	-168,000	-168,000	-29,000	---
Offsetting fee collections, telephone database	-23,000	-19,300	-21,000	+2,000	-1,700
Direct appropriation	81,864	68,900	70,200	-11,664	+1,300

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	This Bill	This Bill vs. Enacted	This Bill vs. Request
General Services Administration					
Federal Buildings Fund					
Appropriations	(83,964)	(525,000)	(651,198)	(+567,234)	(+126,198)
Limitations on availability of revenue:					
Construction and acquisition of facilities	306,448	620,119	748,317	+439,869	+126,198
Construction (emergency)	225,000	---	---	-225,000	---
Emergency appropriations (P.L. 110-329)	182,000	---	---	-182,000	---
Subtotal	713,448	620,119	748,317	+32,869	+128,198
Repairs and alterations	722,181	692,374	692,374	-29,787	---
Installment acquisition payments	155,781	149,570	149,570	-6,211	---
Rental of space	4,315,534	4,692,156	4,642,156	+326,622	-50,000
Building operations	2,105,490	2,223,354	2,197,354	+91,864	-26,000
Subtotal, Limitations on availability of revenue	8,012,414	8,377,573	8,427,771	+415,357	+50,198
Repayment of debt	50,804	58,865	56,885	+6,061	---
Rental income to fund	-7,916,272	-8,134,239	-8,134,239	-217,967	---
Total, Federal Buildings Fund	146,946	300,199	350,397	+203,451	+50,198
Government-wide policy	52,891	56,578	54,578	+1,687	-2,000
Operating expenses	85,870	71,811	70,645	-15,225	-1,188
Office of Inspector General	48,382	54,000	54,000	+5,618	---
Electronic Government Fund	3,000	5,000	---	-3,000	-5,000
Allowances and Office Staff for Former Presidents	2,478	2,934	2,934	+456	---
Expenses, Presidential transition	---	8,520	8,520	+8,520	---
Federal Citizen Information Center Fund	17,328	36,558	36,096	+18,768	-462
Total, General Services Administration	356,895	535,600	577,170	+220,275	+41,570
Harry S Truman Scholarship Foundation	---	---	500	+500	+500
Merit Systems Protection Board					
Salaries and expenses	37,507	38,811	38,811	+1,304	---
Limitation on administrative expenses	2,579	2,579	2,579	---	---
Total, Merit Systems Protection Board	40,086	41,390	41,390	+1,304	---
Morris K. Udall Foundation					
Morris K. Udall Trust Fund	3,750	100	3,750	---	+3,850
Environmental Dispute Resolution Fund	2,000	850	2,100	+100	+1,250
Total, Morris K. Udall Foundation	5,750	950	5,850	+100	+4,900
National Archives and Records Administration					
Operating expenses	315,000	327,783	330,308	+15,308	+2,525
Reduction of debt	-10,896	-11,842	-11,842	-946	---
Electronic records archive	58,028	67,008	67,008	+8,980	---
Repairs and restoration	28,605	9,211	50,711	+22,106	+41,500
National Historical Publications and Records Commission: Grants program	9,500	---	11,250	+1,750	+11,250
Total, National Archives and Records Admin	400,237	392,160	447,435	+47,198	+55,275
National Credit Union Administration					
Central liquidity facility:					
(Limitation on direct loans)	(1,500,000)	(1,500,000)	---	(-1,500,000)	(-1,500,000)
(Limitation on admin expenses, corporate funds)	(329)	(334)	(1,250)	(+921)	(+916)
Community development credit union revolving loan fund	975	1,000	1,000	+25	---
Office of Government Ethics	11,750	13,000	13,000	+1,250	---
Office of Personnel Management					
Salaries and expenses	101,765	92,829	92,829	-8,936	---
Limitation on administrative expenses	123,901	118,082	118,082	-5,819	---
Office of Inspector General	1,519	1,538	1,828	+309	+290
Limitation on administrative expenses	17,081	16,462	18,755	+1,674	+2,293

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	This Bill	This Bill vs. Enacted	This Bill vs. Request
Govt Payment for Annuitants, Employees Health Benefits	8,884,000	9,533,000	9,533,000	+649,000	---
Govt Payment for Annuitants, Employee Life Insurance..	41,000	46,000	46,000	+5,000	---
Payment to Civil Svc Retirement and Disability Fund...	11,941,000	10,550,000	10,550,000	-1,391,000	---
Total, Office of Personnel Management.....	21,110,266	20,357,911	20,360,494	-749,772	+2,583
Office of Special Counsel.....	17,468	17,468	17,468	---	---
Postal Regulatory Commission.....	---	14,043	14,043	+14,043	---
Privacy and Civil Liberties Oversight Board.....	2,000	2,000	1,500	-500	-500
Securities and Exchange Commission					
Salaries and expenses.....	906,000	913,000	943,000	+37,000	+30,000
Prior year unobligated balances.....	-63,262	-42,000	-48,644	+14,618	-6,644
Direct appropriation.....	842,738	871,000	894,356	+51,618	+23,356
Selective Service System.....	22,000	22,000	22,000	---	---
Small Business Administration					
Salaries and expenses.....	344,123	328,159	386,896	+42,773	+58,737
Emergency appropriations (P.L. 110-329).....	10,000	---	---	-10,000	---
Subtotal.....	354,123	328,159	386,896	+32,773	+58,737
Office of Inspector General.....	15,000	15,500	16,750	+1,750	+1,250
Emergency appropriations (P.L. 110-329).....	3,000	---	---	-3,000	---
Subtotal.....	18,000	15,500	16,750	-1,250	+1,250
Surety bond guarantees revolving fund.....	3,000	2,000	2,000	-1,000	---
Business Loans Program Account:					
Direct loans subsidy.....	2,000	---	2,500	+500	+2,500
Guaranteed loans subsidy.....	---	---	---	---	---
Administrative expenses.....	135,414	138,480	138,480	+3,066	---
Total, Business loans program account.....	137,414	138,480	140,980	+3,566	+2,500
Disaster Loans Program Account:					
Direct loans subsidy.....	---	14,301	---	---	-14,301
Emergency appropriations (P.L. 110-329).....	498,000	---	---	-498,000	---
Subtotal.....	498,000	14,301	---	-498,000	-14,301
Administrative expenses.....	---	160,068	---	---	-160,068
Emergency appropriations (P.L. 110-329).....	288,000	---	---	-288,000	---
Subtotal.....	288,000	160,068	---	-288,000	-160,068
Total, Disaster loans program account.....	786,000	174,369	---	-786,000	-174,369
Sec. 525. Salaries and expenses.....	69,451	---	65,654	-3,797	+65,654
Total, Small Business Administration.....	1,367,988	658,508	612,280	-755,708	-46,228
United States Postal Service					
Payment to the Postal Service Fund.....	29,000	---	29,000	---	+29,000
Advance appropriations.....	88,864	82,831	82,831	-6,033	---
Total, Payment to the Postal Service Fund.....	117,864	82,831	111,831	-6,033	+29,000
Office of Inspector General.....	---	239,356	239,356	+239,356	---
Total, United States Postal Service.....	117,864	322,187	351,187	+233,323	+29,000
United States Tax Court.....	45,328	48,463	48,463	+3,137	---
Total, title V, Independent Agencies.....	24,840,468	23,680,551	23,942,491	-897,977	+261,940
Appropriations.....	(23,545,604)	(23,597,720)	(23,859,660)	(+314,056)	(+261,940)
(Mandatory).....	(20,866,000)	(20,129,000)	(20,129,000)	(-737,000)	---
(Discretionary).....	(2,679,604)	(3,468,720)	(3,730,660)	(+1,051,056)	(+261,940)
Emergency appropriations.....	(1,206,000)	---	---	(-1,206,000)	---
Advances.....	(88,864)	(82,831)	(82,831)	(-6,033)	---
(by transfer).....	(48,328)	(52,975)	(52,975)	(+4,647)	---

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2009
(Amounts in thousands)

	FY 2008 Enacted	FY 2009 Request	This Bill	This Bill vs. Enacted	This Bill vs. Request
Grand total	44,639,154	44,196,913	44,581,640	-57,514	+384,727
Appropriations	(43,052,980)	(44,144,082)	(44,528,809)	(+1,475,829)	(+384,727)
Emergency appropriations	(1,497,310)	---	---	(-1,497,310)	---
Advances	(88,864)	(82,831)	(82,831)	(-6,033)	---
(by transfer)	(48,328)	(52,975)	(52,975)	(+4,647)	---
Discretionary total	20,710,266	22,337,274	22,697,000	+1,986,734	+359,726