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SENATE

{ REPORT  
111-43

FINANCIAL SERVICES AND GENERAL GOVERNMENT  
APPROPRIATIONS BILL, 2010

JULY 9, 2009.—Ordered to be printed

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

**REPORT**

[To accompany S. 1432]

The Committee on Appropriations reports the bill (S. 1432) making appropriations for financial services and general government for the fiscal year ending September 30, 2010, and for other purposes, reports favorably thereon and recommends that the bill do pass.

*Amounts of new budget (obligational) authority for fiscal year 2010*

Total of bill as reported to the Senate .....	\$46,479,193,000
Amount of 2009 appropriations <sup>1</sup> .....	51,470,576,000
Amount of 2010 budget estimate .....	46,439,230,000
Bill as recommended to Senate compared to—	
2009 appropriations .....	– 4,991,383,000
2010 budget estimate .....	+ 39,963,000

<sup>1</sup> Includes \$6,858,000,000 in emergency appropriations appropriated in Public Law 111-5, the American Recovery and Reinvestment Act of 2009, and \$30,936,000 in emergency appropriations appropriated in Public Law 111-32, the Supplemental Appropriations Act, 2009.

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## OVERVIEW AND SUMMARY OF THE BILL

Fiscal year 2010 marks the third year for the Financial Services and General Government appropriations bill. The bill provides funding for the Department of the Treasury, including the Internal Revenue Service; the Executive Office of the President; the Judiciary; the District of Columbia; and more than two dozen independent Federal agencies.

The Committee recommends \$46,479,193,000 in discretionary and mandatory appropriations. This represents a decrease of \$4,991,383,000 over the fiscal year 2009 enacted level, and an increase of \$39,963,000 over the budget request. Of the total, \$24,400,000,000 is provided in discretionary appropriations, \$13,463,000 above the budget request of \$24,386,537,000. Mandatory appropriations total \$22,079,193,000.

The Committee-recommended bill is consistent with the allocation for the Financial Services and General Government appropriations bill. The Committee has made difficult but necessary decisions to craft a bill that is within strict fiscal limitations.

### PROJECT FUNDING

Agency	Items in Senate bill at President's request	Congressionally directed spending in Senate bill
Department of the Treasury .....		\$3,150,000
District of Columbia .....		1,000,000
General Services Administration .....	\$680,913,000	222,900,000
National Archives and Records Administration .....	17,500,000	
Office of National Drug Control Policy .....	2,250,000	
Small Business Administration .....		27,726,750
Total .....	700,663,000	254,776,750
Combined Total Project Funding in bill .....	955,439,750	

The Small Business Administration account includes congressionally directed spending totaling \$27,726,750 for 103 projects. The President did not request any specific projects. The Committee includes one congressionally directed spending item for the District of Columbia and one for the Department of the Treasury. Within the funds provided for the General Services Administration, the President requested \$680,913,000, of which \$511,137,000 is for construction of designated Federal buildings and \$169,776,000 is for repair of designated Federal buildings. The Committee includes \$222,900,000 for three Federal building construction projects not included in the President's request but requested by the judiciary. Within the National Archives and Records Administration, the President requested \$17,500,000 for repair of the FDR Presidential Library. The Committee includes funding for two drug programs

within the Office of National Drug Control Policy that were requested by the President.

#### PROGRAM, PROJECT, AND ACTIVITY

During fiscal year 2010, for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Public Law 99–177), as amended, with respect to appropriations contained in the accompanying bill, the terms “program, project, and activity” [PPA] shall mean any item for which a dollar amount is contained in appropriations acts (including joint resolutions providing continuing appropriations) or accompanying reports of the House and Senate Committees on Appropriations, or accompanying conference reports and joint explanatory statements of the committee of conference.

#### REPROGRAMMING GUIDELINES

The Committee includes a provision (sec. 608) establishing the authority of agencies to reprogram funds and the limitation 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: (1) creates a new program; (2) eliminates a program, project, or activity [PPA]; (3) increases funds or personnel for any PPA for which funds have been denied or restricted by the Congress; (4) proposes to redirect funds that were directed in such reports for a specific activity to a different purpose; (5) augments an existing PPA in excess of \$5,000,000 or 10 percent, whichever is less; (6) reduces an existing PPA by \$5,000,000 or 10 percent, whichever is less; or (7) creates, reorganizes, or restructures offices different from the congressional budget justifications or the table at the end of the Committee report, whichever is more detailed.

The Committee retains the requirement that each agency submit an operating plan to the House and Senate Committees on Appropriations not later than 60 days after enactment of this act to establish 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 PPA. The report must also identify items of special congressional interest.

The Committee expects the agencies and bureaus to submit reprogramming requests in a timely manner and to 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.

The Committee expects each agency to manage its programs and activities within the amounts appropriated by Congress. The Committee reminds agencies that reprogramming requests should be submitted only in the case of an unforeseeable emergency or a situation that could not have been anticipated when formulating the

budget request for the current fiscal year. Further, the Committee notes that when a Department or agency submits a reprogramming or transfer request to the Committees on Appropriations and does not receive identical responses from the House and the Senate, it is the responsibility of the Department to reconcile the House and the Senate differences before proceeding, and if reconciliation is not possible, to consider the request to reprogram funds unapproved.

#### RELATIONSHIP WITH BUDGET OFFICES

Through the years, the Committee has channeled most of its inquiries and requests for information and assistance through the budget offices of the various departments, agencies, offices, and commissions. The Committee has often pointed to the natural affinity and relationship between the budget offices and the Committee which makes such a relationship workable. The Committee reiterates its longstanding position that while the Committee reserves the right to call upon any office or officer in the departments, agencies, and commissions, the primary conjunction between the Committee and these entities must be through the budget offices. To help ensure the Committee's ability to perform its responsibilities, the Committee insists on having direct, unobstructed, and timely access to the budget offices and expects to be able to receive forthright and complete responses from those offices and their employees.

#### CONGRESSIONAL BUDGET JUSTIFICATIONS

Budget justifications are prepared not for the use of the agency, but instead are the primary tool used by the House and Senate Committees on Appropriations to evaluate the resource requirements and fiscal needs of agencies. The Committee is aware that the format and presentation of budget materials is largely left to the agency within presentation objectives set forth by OMB. In fact, OMB Circular A-11, part 6 specifically states that the "agency should consult with your congressional committees beforehand to ensure their awareness of your plans to modify the format of agency budget documents." The Committee expects all the budget justifications to adhere to this directive and provide the data needed to make appropriate and meaningful funding decisions.

The Committee directs that justifications submitted with the fiscal year 2011 budget requests by agencies funded under this act must contain the customary level of detailed data and explanatory statements to support the appropriations requests at the level of detail contained in the funding table included at the end of the report. Among other items, agencies shall provide a detailed discussion of proposed new initiatives, proposed changes in the agency's financial plan from prior year enactment, and detailed data on all programs and comprehensive information on any office or agency restructurings. At a minimum, each agency must also provide adequate justification for funding and staffing changes for each individual office and materials that compare programs, projects, and activities that are proposed for fiscal year 2011 to the fiscal year 2010 enacted level.

The Committee is aware that the analytical materials required for review by the Committee are unique to each agency in this act. Therefore, the Committee expects that each agency will coordinate with the House and Senate Committees on Appropriations in advance on its planned presentation for its budget justification materials in support of the fiscal year 2011 budget request.

TITLE I  
DEPARTMENT OF THE TREASURY  
DEPARTMENTAL OFFICES  
SALARIES AND EXPENSES  
(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2009 .....	\$278,870,000
Budget estimate, 2010 .....	302,388,000
Committee recommendation .....	305,712,000

PROGRAM DESCRIPTION

The Departmental Offices consist of the Office of the Secretary and Deputy Secretary, the Office of International Affairs, the Office of Domestic Finance, the Office of Terrorism and Financial Intelligence, the Office of Tax Policy, the Office of Economic Policy, the Office of the General Counsel, the Office of Legislative Affairs, the Office of Public Affairs, the Office of the Treasurer, and the Office of Management. The Secretary of the Treasury has the primary role in formulating and managing the domestic and international tax and financial policies of the Federal Government. The Secretary's responsibilities funded by the Salaries and Expenses appropriation include: recommending and implementing United States domestic and international economic and tax policy; formulating fiscal policy; governing the fiscal operations of the Government; executing the Nation's financial sanction policies; disrupting and dismantling terrorist financial infrastructure; protecting the United States and international financial system from terrorist financing, money laundering, and other financial crimes; managing the public debt; managing international development policy; representing the United States on international monetary, trade and investment issues; overseeing Department of the Treasury overseas operations; and directing the administrative operations of the Department of the Treasury. The majority of the Salaries and Expenses appropriation provides resources for policy formulation and implementation in the areas of domestic and international finance, terrorist financing and financial crimes, tax, economic, trade, financial operations and general fiscal policy. This appropriation also provides resources to support the Secretary, policy components, and departmental administrative policies in financial and personnel management, procurement operations, and information systems and telecommunications.

COMMITTEE RECOMMENDATION

The Committee recommends \$305,712,000 for the Salaries and Expenses appropriation of the Departmental Offices account of the

Department of the Treasury for fiscal year 2010. This amount is \$3,324,000 above the budget request and \$26,842,000 above the fiscal year 2009 enacted level. Within the funds provided under this account, the Committee has provided \$3,000,000 for information technology modernization; \$200,000 for official reception and representation expenses; \$258,000 for unforeseen emergencies; and \$6,787,000 for the Treasury-wide financial statement audits and other Treasury office and bureau audits.

The following table compares the fiscal year 2009 enacted level to the fiscal year 2010 budget estimate and the Committee's recommendation for each office:

[In thousands of dollars]

	Fiscal year 2009 enacted	Fiscal year 2010 budget estimate	Committee recommendation
Executive direction (including General counsel) .....	21,619	22,383	22,383
Economic policies and programs .....	45,910	44,749	47,249
Financial policies and programs .....	36,039	47,580	48,580
Terrorism and financial intelligence .....	62,098	64,611	64,611
Treasury-wide management and programs .....	21,600	22,779	22,779
Administration .....	91,604	100,286	100,110
Total, Departmental offices .....	278,870	302,388	305,712

The Committee recommends the following increases to the budget request:

*National Academy of Sciences Study (Economic Policies and Programs): +\$1,000,000.*—The Committee recommends \$1,000,000 for the Department to transfer to the National Academy of Sciences for a study on the long-term economic effects of the aging population in the United States. This demographic shift will impact the Nation's economic and financial state, affecting individuals, Government programs, such as Social Security and Medicare, and many economic and business sectors, including private mechanisms supporting retirees. The study will provide a basis for identifying potential policy recommendations for addressing the impacts of this demographic change.

*National Academy of Sciences Study (Economic Policies and Programs): +\$1,500,000.*—The Committee recommends \$1,500,000 for the Department to transfer to the National Academy of Sciences for a carbon audit of the Tax Code, as authorized by section 117 of the Energy Improvement and Extension Act of 2008 (Public Law 110–343). The carbon audit shall consist of a comprehensive review of the Internal Revenue Code to identify the tax provisions with the largest effects on carbon and other greenhouse emissions and to estimate the magnitude of those effects.

*Office of Financial Education (Financial Policies and Programs): +\$1,000,000.*—The Committee recommends an increase of \$1,000,000 above the budget request for the Office of Financial Education. The Office of Financial Education administers the National Financial Literacy Challenge and develops strategies to combat predatory lending. The Office of Financial Education also coordinates the efforts of the Financial Literacy and Education Commission, a group chaired by the Secretary of the Treasury and composed of representatives from 20 Federal departments, agencies, and commissions. The Commission works to improve financial lit-

eracy and education for people throughout the United States. The recommended increase shall be utilized to enhance financial education efforts, including to support the revision of the national strategy on financial literacy and the development of measurable goals and objectives for the Financial Literacy and Education Commission.

The Committee has approved the following significant program increases in accordance with the budget request:

*Domestic Finance Staffing (Financial Policies and Programs):* +\$8,731,000/ +26 FTE.—In order to meet current and future economic challenges, Treasury must maintain a vast expertise in complex finance and government fields. This funding increase is recommended to support additional staff in the Office of Domestic Finance. New staff shall be assigned to teams supporting economic research and modeling related to housing finance, small business and consumer issues, and capital markets.

*Tax Policy Staffing (Financial Policies and Programs):* +\$4,863,000/ +15 FTE.—To ensure Treasury possesses capabilities to support rigorous analysis and implementation of revenue policy, the Committee recommends funding for 15 additional tax specialists in Treasury's Office of Tax Policy. These new tax specialists shall apply tax expertise in each of the following key areas: (1) the financial crisis; (2) the financial stimulus plan; (3) climate change; and (4) healthcare reform.

*Afghanistan Threat Finance Cell and International Dues (Terrorism and Financial Intelligence):* +\$790,000/ +1 FTE.—Resources are recommended to support designated Treasury staff for the Afghanistan Threat Finance Cell and annual dues to international anti-money laundering organizations.

*Management Staffing (Treasury-wide Management and Programs, Administration):* +\$3,000,000/ +13 FTE.—As the Department takes on broader and more complex financial and fiscal issues, policymakers and advisors will require more support for their work to meet these needs. This recommended funding increase shall support new staff in the areas of human capital, information technology, and procurement policy.

*Treasury Foreign Intelligence Network [TFIN] (Administration):* +\$1,200,000/ +0 FTE.—Recommended funding will provide ongoing Operations and Maintenance (O&M) support for the TFIN system, including program management, O&M managed services provider contractor support, telecommunications and circuit costs, hardware and software maintenance, and technology refresh.

The Committee makes the following findings:

*Management of the Financial Crisis.*—In response to the financial crisis, Treasury's role in the management of the Federal Government's financial policies has expanded tremendously. In September 2008, Treasury exercised new authority under the Housing and Economic Recovery Act of 2008 (Public Law 110-289), taking responsibility on behalf of taxpayers for billions of dollars previously managed by the Government-sponsored housing entities Fannie Mae and Freddie Mac. In October 2008, Congress authorized the Emergency Economic Stabilization Act of 2008 (Public Law 110-343, known commonly as the Troubled Assets Relief Program, or TARP), providing Treasury with the authority to utilize

\$700,000,000,000 in taxpayer funds to implement a systemic, comprehensive plan to stabilize financial markets. Treasury continues to develop policies, strategies, and recommendations to overhaul the current financial system in order to prevent future financial and economic crises.

The Committee appreciates the Department's efforts to stabilize the economy during such uncertain economic and financial conditions. The Committee notes that the Treasury Office of Inspector General has identified the management of the Treasury's new authorities related to distressed financial markets as a major management challenge facing the Department. Under these programs, the Department has an unprecedented role in managing billions in taxpayer dollars. The Committee directs the Department to ensure that these programs are administered soundly and efficiently in order to minimize risks to the taxpayer. The Committee also directs management to maintain focus on the Treasury's other critical missions—including terrorism and financial intelligence and assistance to community development financial institutions—in addition to management of new policies and programs related to stabilizing the economy.

The Committee is concerned with certain aspects of the Department's implementation of the TARP program. Since the program was authorized, TARP has evolved into 12 separate programs aimed at addressing different stress points in the market and at rebuilding a basic lending capability for domestic markets. The complexity of this program has created a communications challenge. In March 2009, the Government Accountability Office [GAO] reported that TARP is very poorly understood by Congress and the public. The Committee directs the Department to develop a more effective strategy for communicating with Congress, the public, and other stakeholders in accordance with GAO recommendations. The Committee also directs the Department to pursue more detailed reporting from financial entities receiving TARP funds in order to ensure maximum transparency of the program.

*Foreclosure Crisis.*—The Committee continues to be concerned that the Department's strategies to reduce mortgage foreclosures and keep American families in their homes rely exclusively on voluntary actions of mortgage servicers. The Committee urges the Department to expand its efforts to address the foreclosure crisis beyond the scope of current voluntary programs and to keep the Committee promptly and regularly apprised of such efforts. The Committee directs the Department to provide a monthly report to the Committee on Appropriations on the number and value of foreclosures prevented to date under Treasury programs, including the number of foreclosures prevented by servicer and by the foreclosure mitigation strategy employed (principal reduction, principal forbearance, interest rate reduction, interest rate freeze, term extension, penalties reduction, overdue amount capitalization, short sale, deed-in-lieu, and other strategies).

*Economic Sanctions and Divestments.*—The Committee recommendation includes \$64,611,000 for Terrorism and Financial Intelligence programs. With these funds, the Department will continue to issue and enforce economic and trade sanctions consistent with national security and foreign policy goals. These sanctions are

a key tool for asserting U.S. policy toward countries and entities under sanction. The Committee directs the Department to fully implement all sanctions and divestment measures, particularly those applicable to North Korea, Burma, Iran, Sudan, and Zimbabwe. The Committee directs the Department to promptly notify the Committee of any resource constraints that adversely impact the implementation of any sanctions program.

*Management of Capital Investments and Information Security.*—The Treasury Office of Inspector General continues to cite the Department's management of capital investments and information security as top management challenges. Treasury is currently planning and managing several capital investments, including the transition to a new telecommunications contract; the implementation of enhanced information security requirements; repair and renovation of the Treasury Annex; and a modernization of systems supporting the implementation of the Bank Secrecy Act. The Committee recognizes efforts the Department has made to emphasize capital investment management Department-wide. The Committee directs the Department to continue improving the management of 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 Committee directs the Office of the Chief Information Officer to ensure that adequate resources are devoted both to projects in the capital phase and to proper maintenance and modernization of existing systems.

*Illegal Garnishments of Federal Benefits.*—The Committee is concerned that payments of Federal benefits, including social security income, veterans' benefits, and supplemental security income, are at risk for illegal garnishment by third-party collectors. While paper checks are protected, most benefits today are electronically deposited into bank accounts and are at risk of being frozen and garnished. Section 207 of the Social Security Act (42 U.S.C. 407) prohibits this practice and the Department is currently in the process of developing rules and guidance to end this practice for direct deposits of Federal benefits. The Committee directs the Department to provide a written report to the Committee on Appropriations within 15 days of enactment on the progress of creating guidelines to protect these wages.

*Agricultural Sales to Cuba.*—The Committee is aware that the Department of the Treasury is continuing to require the sellers of agricultural goods and products to Cuba to receive cash payments in advance of shipping the goods rather than in advance of delivering the goods. This policy impedes U.S. sales since it increases the cost of doing business. The Committee has added a provision to the bill that stipulates that during fiscal year 2010 the term "payment of cash in advance" shall be interpreted as payment before the transfer of title to, and control of, the exported items to the Cuban purchaser. The Committee urges the Department of the Treasury to use its rulemaking authority to permanently amend the Cuban Assets Control Regulations and remove impediments to United States agricultural sales to Cuba.

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

Appropriations, 2009 .....	\$26,975,000
Budget estimate, 2010 .....	9,544,000
Committee recommendation .....	9,544,000

PROGRAM DESCRIPTION

The 1997 Treasury and General Government Appropriations Act established this account, which is authorized to be used by or on behalf of Treasury bureaus at the Secretary's discretion to modernize business processes and increase efficiency through technology investments, as well as other activities that involve more than one Treasury bureau or Treasury's interface with other Government agencies.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$9,544,000 for Department-wide systems and capital investments programs [DSCIP]. This amount is equal to the budget request and \$17,431,000 below the fiscal year 2009 enacted level.

The following table compares the Committee recommendation with the budget request and the fiscal year 2009 enacted levels.

DSCIP Initiative	Fiscal year 2009 enacted	Fiscal year 2010 budget estimate	Committee recommendation
E-Government Initiatives .....	\$2,057,000	.....	.....
Enterprise Content Management .....	6,000,000	.....	.....
Treasury Secure Data Network .....	4,400,000	.....	.....
Cyber Security—Information Security .....	3,000,000	\$3,000,000	\$3,000,000
Annex Repair and Renovation .....	11,518,000	4,544,000	4,544,000
Treasury Foreign Intelligence Network .....	.....	2,000,000	2,000,000
<b>Total .....</b>	<b>26,975,000</b>	<b>9,544,000</b>	<b>9,544,000</b>

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriations, 2009 .....	\$26,125,000
Budget estimate, 2010 .....	26,700,000
Committee recommendation .....	29,700,000

PROGRAM DESCRIPTION

As a result of the 1988 amendments to the Inspector General [IG] Act, the Secretary of the Treasury established the Office of Inspector General [OIG] in 1989.

The OIG conducts and supervises audits, evaluations, and investigations designed to: (1) promote economy, efficiency, and effectiveness and prevent fraud, waste, and abuse in departmental programs and operations; and (2) keep the Secretary and Congress fully and currently informed of problems and deficiencies in the administration of departmental programs and operations. The audit function provides program audit, contract audit, and financial statement audit services. Contract audits provide professional advice to agency contracting officials on accounting and financial matters relative to negotiation, award, administration, repricing, and

settlement of contracts. Program audits review and audit all facets of agency operations. Financial statement audits assess whether financial statements fairly present the agency's financial condition and results of operations, the adequacy of accounting controls, and compliance with laws and regulations. These audits contribute significantly to improved financial management by helping Treasury managers identify improvements needed in their accounting and internal control systems. The evaluations function reviews program performance and issues critical to the mission of the Department. The investigative function provides for the detection and investigation of improper and illegal activities involving programs, personnel, and operations.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$29,700,000 for salaries and expenses of the Office of Inspector General. This amount is an increase of \$3,000,000 over the budget request and \$3,575,000 above the fiscal year 2009 enacted level. Additional funds are provided to support the increased workload resulting from required reviews of certain bank failures.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

Appropriations, 2009 <sup>1</sup> .....	\$153,083,000
Budget estimate, 2010 .....	149,000,000
Committee recommendation .....	152,000,000

<sup>1</sup> Includes \$7,000,000 provided in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

PROGRAM DESCRIPTION

The Treasury Inspector General for Tax Administration [TIGTA] was established by the IRS Restructuring and Reform Act of 1998 (Public Law 105-206). TIGTA was created to provide independent audit and investigative services necessary to improve the quality and credibility of oversight of the Internal Revenue Service [IRS]. Funding was first appropriated for this account in the fiscal year 2000 Treasury and General Government Appropriations Act (Public Law 106-58).

TIGTA conducts audits, investigations, and evaluations to assess the operations and programs of the IRS and related entities, the IRS Oversight Board and the Office of Chief Counsel to (1) promote the economic, efficient and effective administration of the Nation's tax laws and to detect and deter fraud and abuse in IRS programs and operations; and (2) recommend actions to resolve fraud and other serious problems, abuses, and deficiencies in these programs and operations, and keep the Secretary and Congress fully and currently informed of these issues and the progress made in resolving them. TIGTA reviews existing and proposed legislation and regulations relating to the programs and operations of the IRS and related entities and makes recommendations concerning the impact of such legislation and regulations on the economy and efficiency in the administration of programs and operations of the IRS and related entities. The audit function provides program audit, limited

contract audit, and financial audit services. Program audits review and audit all facets of the IRS and related entities in an effort to improve IRS systems and operations, while ensuring fair and equitable treatment of taxpayers. Contract audits focus on invoices/vouchers submitted to the IRS to determine whether charges are valid and to identify erroneous and improper payments. The investigative function provides for the detection and investigation of improper and illegal activities involving IRS programs and operations and protects the IRS and related entities against external attempts to corrupt or threaten the administration of the tax laws.

January 2009 marked the 10-year anniversary of TIGTA's stand-up as an independent organization. Over the past decade, TIGTA has issued more than 1,600 final audit reports and made more than 4,000 recommendations to improve tax administration, on 3,500 of which the IRS has taken action; identified more than \$25,000,000,000 in funds that could have been put to better use and \$192,000,000 in questioned costs; processed more than 91,684 complaints; and opened 44,373 investigations, successfully closing more than 99 percent of such cases.

#### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$152,000,000 for the Treasury Inspector General for Tax Administration. This amount is a decrease of \$1,083,000 below the fiscal year 2009 enacted level which included \$7,000,000 in emergency funds under the American Recovery and Reinvestment Act (Public Law 111-5) and an increase of \$3,000,000 above the budget request. The Committee appreciates the challenge TIGTA faces in adapting its oversight activities to address increasingly complex and high-risk issues associated with IRS operations, including detection and investigation of fraud and electronic crime, review of procurement activities, and safeguarding of taxpayer privacy. In recognition of the resource demands, the Committee provides an additional \$3,000,000 above the budget request to support TIGTA's work.

The Committee commends TIGTA for its ongoing review of the IRS's business systems modernization program and other information technology projects. The Committee also acknowledges the critical importance of the priorities TIGTA has identified for fiscal year 2010, including adapting to the IRS's continuously evolving operations and mitigating intensified risks associated with modernization, security, addressing the tax gap, and human capital challenges facing the IRS. In addition, TIGTA plays a pivotal role in responding to threats and attacks against IRS employees, property, and sensitive information. The Committee shares TIGTA's ongoing concern that the IRS is developing and launching its modernized systems without adequately contemplating the security implications. The Committee urges continued TIGTA oversight of tax gap issues, including data reliability, tax law enforcement, and taxpayer assistance, to ensure that the IRS enhances voluntary compliance by balancing taxpayer services and enforcement without jeopardizing taxpayer rights.

FINANCIAL CRIMES ENFORCEMENT NETWORK  
SALARIES AND EXPENSES

Appropriations, 2009 .....	\$91,465,000
Budget estimate, 2010 .....	102,760,000
Committee recommendation .....	104,260,000

PROGRAM DESCRIPTION

The Financial Crimes Enforcement Network [FinCEN], a bureau within the Treasury Department’s Office of Terrorism and Financial Intelligence, is the largest overt collector of financial intelligence in the United States. FinCEN’s mission is to safeguard the financial system from the abuses of financial crime, including terrorist financing, money laundering, and other illicit activity. FinCEN accomplishes its mission by administering the Bank Secrecy Act, a collection of statutes that form the Nation’s anti-money laundering/counter-terrorist financing regulatory regime. As the delegated administrator of the Bank Secrecy Act, FinCEN is responsible for the development and implementation of regulations, rules, and guidance issued under the Bank Secrecy Act. FinCEN also oversees the work of eight Federal agencies that have been delegated responsibility to examine various sectors of the financial industry for compliance with the Bank Secrecy Act’s requirements. FinCEN is responsible for collecting, maintaining, and disseminating the information reported by financial institutions under the Bank Secrecy Act through a Government-wide access service. FinCEN is the United States’ Financial Intelligence Unit [FIU] and a founding member of the Egmont Group of Financial Intelligence Units. As the United States’ FIU, FinCEN routinely shares information and cooperates with other FIUs around the world to address the global problems of terrorist financing, money laundering, and other illicit activity.

COMMITTEE RECOMMENDATION

The Committee recommends \$104,260,000 for the Financial Crimes Enforcement Network [FinCEN]. This amount is \$12,795,000 above the fiscal year 2009 enacted level and \$1,500,000 above the budget request.

The Committee recommends the following program increases for fiscal year 2010:

*Information Technology Modernization: +\$10,000,000/+1 FTE.*—The Committee recommends an increase of \$10,000,000 above the fiscal year 2009 enacted level to support FinCEN’s efforts to modernize the technical environment for implementation of the Bank Secrecy Act [BSA] in accordance with the budget request. The modernization will re-engineer the BSA data architecture, update antiquated infrastructure required to support data capture and dissemination, implement innovative web services and enhanced electronic filing, and provide enhanced analytical tools.

The Committee is pleased that FinCEN has requested funding to begin a comprehensive modernization of the main information technology infrastructure supporting BSA implementation. This system is used by banks, Federal law enforcement, state and local law enforcement, and other Federal intelligence agencies to report, gath-

er, and analyze data to identify money laundering, terrorist financing, tax evasion, and vulnerabilities in the financial industry. The current infrastructure is outdated and limits the capabilities of these users, which ultimately limits the capability of the Treasury and its partners to pursue money laundering, terrorist financing, and tax evasion.

The Committee notes that FinCEN's most recent attempt to modernize BSA infrastructure, BSA Direct Retrieval and Sharing, ultimately failed, costing the taxpayers over \$14,000,000. The Committee is pleased with the steps FinCEN has taken to strengthen its acquisition and project management competencies and directs the agency to continue to pursue employee education and training efforts in this area, including training on proper budget execution practices. The Committee also directs FinCEN to place a top priority on contractor oversight and on involving its wide variety of stakeholders in the development of the modernized system. FinCEN is directed to submit a semiannual report to the Committee on Appropriations summarizing the agency's progress regarding the modernization effort, including milestones planned and achieved, progress on cost and schedule, management of contractor oversight, strategies to involve stakeholders, and acquisition management efforts.

The Committee also directs FinCEN to focus efforts on improving the completeness and reliability of BSA data in accordance with recommendations by the Treasury Inspector General and the Government Accountability Office. The Committee notes that while a new BSA infrastructure will improve the capabilities of processing and analyzing BSA data, the accuracy, reliability, and timeliness of the data itself will ultimately determine the effectiveness of the system and related processes.

*Strengthen Global Anti-money Laundering Efforts: +\$1,500,000.*—The Committee recommends an increase of \$1,500,000 above the budget request for FinCEN to improve collaboration with other Financial Intelligence Units around the world regarding international anti-money laundering and terrorist financing and for FinCEN to help other Financial Intelligence Units around the world to build and strengthen investigative and analytical capabilities. The Committee notes that while system and data improvements will enhance the capabilities of domestic efforts, communicating and collaborating effectively with global partners is also a critical component of combating terrorist financing and money laundering both domestically and abroad.

#### TREASURY FORFEITURE FUND

##### (RESCISSION)

The Committee recommends a rescission of \$50,000,000 of unobligated balances in the Treasury Forfeiture Fund.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

Appropriations, 2009 .....	\$239,785,000
Budget estimate, 2010 .....	244,132,000
Committee recommendation .....	244,132,000

PROGRAM DESCRIPTION

In 1940, the Department of the Treasury established the Fiscal Service, which consisted of the Bureau of Accounts, the Bureau of the Public Debt, and the Office of the Treasurer. A 1974 reorganization of the Fiscal Service created the Bureau of Government Financial Operations, which was formed from a merger of the Bureau of Accounts and most functions of the Office of the Treasurer. In 1984, the Bureau of Government Financial Operations was renamed the Financial Management Service [FMS].

FMS implements payment policy and procedures for Federal agencies, issues and distributes payments, promotes the use of electronics in the payment process, and assists agencies in converting payments from paper checks to electronic funds transfer [EFT]. FMS provides debt collection operational services to client agencies, implements collections policy, regulations, standards, and procedures for the Federal Government, and assists agencies in converting collections from paper to electronic media.

FMS provides financial accounting, reporting, and financing services to the Federal Government and the Government's agents who participate in the payments and collections process by generating a series of daily, monthly, quarterly, and annual Government-wide reports. FMS also works directly with agencies to help reconcile reporting differences.

COMMITTEE RECOMMENDATION

The Committee recommends \$244,132,000 for salaries and expenses for FMS. This amount is the same as the budget request and \$4,347,000 above the fiscal year 2009 enacted level.

Hundreds of Federal agencies accept credit and debit cards as payment for goods and services provided by the Federal Government. FMS provides a centralized card acquiring service for the majority of these agencies. The Committee is concerned that the Federal Government may be paying excessive interchange and other fees on these transactions and that rules issued by the card networks may work against the best interests of the taxpayer. GAO reported that credit card interchange fees and merchant discount fees cost the Federal Government over \$400,000,000 in fiscal year 2007 (GAO-08-558). GAO found that Federal entities have often been unable to effectively negotiate changes in the rates and fees they are charged. The Committee directs FMS to report to the Committee on Appropriations within 180 days of enactment on the potential cost savings and other benefits to the Federal Government if FMS were able to effectively negotiate (1) changes in the rates and fees assessed by card networks and (2) modifications to the rules and regulations of the card networks which restrict the Federal Government's ability to determine the types of card pay-

ments it accepts and the methods by which its transactions are processed.

#### ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

##### SALARIES AND EXPENSES

Appropriations, 2009 .....	\$99,065,000
Budget estimate, 2010 .....	105,000,000
Committee recommendation .....	103,000,000

##### PROGRAM DESCRIPTION

The Homeland Security Act created the Alcohol and Tobacco Tax and Trade Bureau [TTB] within the Department of the Treasury and charged TTB with collecting revenue and protecting the public.

TTB enforces certain Federal laws and regulations relating to alcohol and tobacco. TTB works directly and in cooperation with others to maintain a sound revenue management and collection system that continues to reduce the regulatory burden, improve service, collect the revenue due, and prevent tax evasion and other criminal conduct. TTB is also responsible for preventing consumer deception, ensuring that regulated products comply with Federal commodity, safety, and distribution requirements, and providing customer service.

##### COMMITTEE RECOMMENDATION

The Committee recommends \$103,000,000 for TTB for fiscal year 2009. This amount is a decrease of \$2,000,000 to the budget request and an increase of \$3,935,000 over the fiscal year 2009 enacted level. The Committee does not recommend assessing fees on producers, distributors, and retailers of alcohol in order to offset TTB's operating costs, as proposed in the budget. The recommended funding level for TTB is decreased by the cost assumed in the budget for implementing the proposed collections.

#### UNITED STATES MINT

##### UNITED STATES MINT PUBLIC ENTERPRISE FUND

##### PROGRAM DESCRIPTION

The United States Mint manufactures coins, sells numismatic and investment products, and provides for security and asset protection. Public Law 104-52 established the U.S. Mint Public Enterprise Fund (the Fund). The Fund encompasses the previous Salaries and Expenses, Coinage Profit Fund, Coinage Metal Fund, and the Numismatic Public Enterprise Fund. The Mint submits annual audited business-type financial statements to the Secretary of the Treasury and to Congress in support of the operations of the revolving fund.

The operations of the Mint are divided into two major activities: Manufacturing and sales (including circulating coinage and numismatic and investment products); and protection. The Mint is credited with receipts from its circulating coinage operations, equal to the full cost of producing and distributing coins that are put into circulation, including depreciation of the Mint's plant and equip-

ment on the basis of current replacement value. Those receipts pay for the costs of the Mint's operations, which include the costs of production and distribution. The difference between the face value of the coins and these costs is a profit, which is deposited as seigniorage to the general fund. In fiscal year 2008, the Mint transferred \$750,000,000 to the general fund. Any seigniorage used to finance the Mint's capital acquisitions is recorded as budget authority in the year that funds are obligated for this purpose and as receipts over the life of the asset.

COMMITTEE RECOMMENDATION

The Committee recommends a spending level of \$26,700,000 for circulating coinage and protective service capital investments for the Mint. This amount is a decrease of \$15,450,000 below the fiscal year 2009 enacted level and is equal to the budget request.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

Appropriations, 2009 .....	\$177,352,000
Budget estimate, 2010 .....	182,244,000
Committee recommendation .....	182,244,000

PROGRAM DESCRIPTION

The Public Debt Service was formed in 1919 with the appointment of the first Commissioner of the Public Debt. The Public Debt Service took general charge of debt operations including debt accounting and securities issue and retirement, which had been conducted by several independent divisions within the Treasury. Acting under the authorization of the Reorganization Act of 1939, the President created the Bureau of the Public Debt, which was established as part of the Fiscal Service in the Department of the Treasury effective June 30, 1940 (31 U.S.C. 306). In 1993, the Savings Bonds Division, a separate organization, was made part of the Bureau.

This appropriation provides funds for the conduct of all public debt operations and the promotion of the sale of U.S. savings-type securities.

COMMITTEE RECOMMENDATION

The Committee recommends \$182,244,000 for the Bureau of the Public Debt for fiscal year 2010. This amount is an increase of \$4,892,000 above the fiscal year 2009 enacted level and is equal to the budget request.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

Appropriations, 2009 <sup>1</sup> .....	\$207,000,000
Budget estimate, 2010 .....	243,600,000
Committee recommendation .....	246,750,000

<sup>1</sup>Includes \$100,000,000 provided in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

## PROGRAM DESCRIPTION

The Community Development Financial Institutions Fund makes investments in the form of grants, loans, equity investments, deposits, and technical assistance grants to new and existing community development financial institutions [CDFIs] through the CDFI program. CDFIs include community development banks, credit unions, venture capital funds, revolving loan funds, and microloan funds, among others. Recipient institutions engage in lending and investment for affordable housing, small business, and community development within underserved communities. The CDFI Fund administers the Bank Enterprise Award [BEA] Program, which provides a financial incentive to insured depository institutions to undertake community development financing activities. The CDFI Fund also administers the New Markets Tax Credit Program, a program that provides an incentive to investors in the form of a tax credit, which is expected to stimulate private community and economic development activities.

## COMMITTEE RECOMMENDATION

The Committee recommends \$166,750,000 for the CDFI Fund, which is \$40,250,000 below the fiscal year 2009 enacted level, which included funding provided in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), and \$3,150,000 above the budget request.

The Committee recommends a set-aside of \$12,000,000 for grants, loans, and technical assistance and training programs to benefit Native American, Alaskan Natives, and Native Hawaiian communities in the coordination of development strategies, increased access to equity investments, and loans for development activities.

Of funding recommended for the CDFI Fund, \$3,150,000 is provided for a pilot program to be conducted in Hawaii for financial education and pre-home ownership counseling as authorized in section 1132(d) of division A of the Housing and Economic Recovery Act of 2008 (Public Law 110-289). The National Low Income Housing Coalition ranked Hawaii as the most expensive State for housing. As credit has become more difficult to obtain, working families in Hawaii need assistance to better prepare for purchasing a home. Services in the pilot program will include credit counseling, assisting with savings planning, and educating potential home buyers about mortgage products and available programs supporting home ownership.

The Committee understands that many CDFIs are experiencing difficulty obtaining non-Federal funding due to the economic downturn. The Committee recommends continuing the temporary waiver of matching fund requirements for CDFI programs so that CDFIs can continue to invest in and assist underserved communities during the economic crisis. The Committee intends to reinstate matching fund requirements when capital markets return to normal function.

In addition to funding recommended for the CDFI Fund, \$80,000,000 is recommended for the Capital Magnet Fund as requested in the budget. Funding was not provided for the Capital

Magnet Fund in fiscal year 2009. The Capital Magnet Fund is authorized in the Housing and Economic Recovery Act of 2008 (Public Law 110–289). Under that act, the Government-sponsored entities Fannie Mae and Freddie Mac are required to contribute funding to the Capital Magnet Fund in order to support affordable housing projects. In November 2008, the Federal Housing Finance Agency directed Fannie Mae and Freddie Mac to suspend their contributions until further notice, temporarily leaving the Capital Magnet Fund without a funding stream. The recommendation of \$80,000,000 temporarily funds the Capital Magnet Fund in lieu of contributions from Fannie Mae and Freddie Mac and provides for a temporary change in the leverage expectations for grants made under the program during fiscal year 2010. The Committee intends the funding to provide start-up capital for the Capital Magnet Fund and fully expects that the Capital Magnet Fund will operate without additional appropriations in the future when Fannie Mae and Freddie Mac resume the required contributions.

BUREAU OF ENGRAVING AND PRINTING  
PROGRAM DESCRIPTION

The Bureau of Engraving and Printing [BEP] has been the sole manufacturer of U.S. paper currency for almost 150 years. The origin of the BEP is traced to an act of Congress passed on February 25, 1862, 12 Stat. 345, authorizing the Secretary of the Treasury to issue a new currency—United States notes. While this law was the cornerstone authority for the operations of the engraving and printing division of the Treasury for many years, it was not until an Act of June 20, 1874, 18 Stat. 100, that the Congress first referred to this division as the “Bureau of Engraving and Printing.” The Bureau’s status as a distinct bureau within the Department of the Treasury was solidified by section 1 of the Act of June 4, 1897, 30 Stat. 18, which placed all of the business of the BEP under the immediate control of a director, subject to the direction of the Secretary of the Treasury. The 1897 law is now codified in 31 U.S.C. 303.

The BEP designs, manufactures, and supplies Federal Reserve notes and other security documents issued by the Federal Government.

The operations of the BEP are currently financed by means of a revolving fund established in accordance with the provisions of Public Law 656, August 4, 1950 (31 U.S.C. 181), which requires the BEP to be reimbursed by customer agencies for all costs of manufacturing products and services performed. The BEP is also authorized to assess amounts to acquire capital equipment and provide for working capital needs.

No direct appropriation is required to cover the activities of the BEP.

INTERNAL REVENUE SERVICE  
PROGRAM DESCRIPTION

The Internal Revenue Service [IRS] administers the Nation’s tax laws and collects the revenue that funds over 96 percent of the

Federal Government's operations and public services. The IRS's mission is to provide taxpayers with quality service by helping them understand and meet their tax responsibilities and by applying the tax law with integrity and fairness to all. The IRS focuses its enforcement programs toward increasing voluntary tax compliance by deterring taxpayers inclined to evade their tax obligations while vigorously pursuing those who violate the law. Each year, IRS employees deal directly with more American taxpayers than any other institution, public or private.

During fiscal year 2008, the IRS collected more than \$2,300,000,000,000 in revenue, net of refunds, and processed more than 250 million tax returns. More than 101.5 million returns, including 58 percent of individual returns were filed electronically. Also, in fiscal year 2008, the IRS customer assistance call centers answered 40.4 million assistor telephone calls and 52 million automated calls. There were nearly 7 million contacts at the 401 taxpayer assistance centers, and over 347 million visits to the IRS website, an increase of 61 percent over fiscal year 2007. In addition to serving taxpayers during the regular filing season, the IRS delivered \$94,300,000,000 in economic stimulus payments to 116.2 million taxpayers. An important focus for the IRS in recent years has been to undertake a major modernization of its systems, including expanding its Internet services, and business operations to better serve taxpayers and enforce the law.

#### COMMITTEE RECOMMENDATION

The Committee recommends \$12,152,445,000 for the Internal Revenue Service for fiscal year 2010. This is an increase of \$549,847,000 above the fiscal year 2009 enacted level and \$26,445,000 above the budget request. The Committee supports the requested additional funding, and expects the IRS to devote these resources to reducing the tax gap by investing in a strong compliance program and initiatives to address international tax evasion, as well as needed upgrades to IRS information technology systems to streamline tax administration, protect taxpayer information, and replace aging infrastructure.

*Tax Gap.*—The vast majority of Americans pay their fair share of taxes, yet there is still a “tax gap.” The tax gap is the difference between what taxpayers are supposed to pay and what they actually do pay. In its update of the results of a 3-year study, the IRS found that for tax year 2001, about 84 percent of owed taxes were paid voluntarily and timely. However, a significant number of taxpayers do not comply with the Tax Code resulting in an estimated gross tax gap of \$345,000,000,000. The IRS estimates that after enforcement and other late payments are factored into the gross tax gap, the net tax gap is about \$290,000,000,000. The most current estimate of the tax gap remains largely unchanged from the IRS's initial update conducted in 2006, and has remained relatively stable for the past three decades based on previous IRS studies. The accuracy of the tax gap, however, is uncertain given the use of outdated and incomplete information and questionable methodology. Some experts, including the GAO and TIGTA, believe that the tax gap may actually be higher than estimated by the IRS. The Committee strongly believes that the IRS can and must reduce the tax

gap if the IRS is given additional resources and is able to improve its operational capabilities (most notably through the Business Systems Modernization program).

To reduce the tax gap, experts recommend a number of approaches. These include: improving information reporting, improving taxpayer services, increasing research on noncompliance, improving the partnership between the IRS and the tax administration community, and leveraging technology to improve IRS's systems. The Committee supports all of these approaches in combination.

The Committee acknowledges the Department of the Treasury and the IRS's August 2007 publication, "Reducing the Tax Gap: A Report on Improving Voluntary Compliance." The Committee shares the concern that the steps outlined in that report are preliminary, and that absent a better understanding of the current sources of noncompliance, efforts to improve compliance may be hampered, misdirected, and difficult to measure. To gain meaningful insights into taxpayer behavior, the Committee strongly supports the work of the National Research Program.

*Operating Plan and Notification.*—In addition to the normal operating plan requirements detailed in the introduction in this report, the Committee directs the IRS to include 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 Committee also directs the IRS to obtain and include comments of the IRS Oversight Board as part of its operating plan submission to the Committee. Further, the IRS should promptly notify the Committee and the IRS Oversight Board of any substantial changes to these plans.

The Committee remains concerned about any efforts to reduce specific taxpayer services, including face-to-face services. Therefore, the Committee directs that if the IRS proposes reductions in 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 study, that there is an effective and viable service alternative available.

*IRS Staffing Plans.*—The Committee continues to support adequate staffing levels for effective tax administration and supports the staffing plans for the IRS facilities in the communities of Martinsburg and Beckley, West Virginia. Therefore, the Committee urges the IRS, within the constraints of the fiscal year 2010 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 Committee directs the IRS to provide an annual report to the Committee on its efforts to protect and increase staffing levels at the Martinsburg and Beckley IRS facilities.

*Taxpayer Services in Alaska and Hawaii.*—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 Taxpayer Advocate Service Center in each of these States is fully staffed and capable of resolving taxpayer problems of the most complex nature. The Committee directs the IRS to continue to staff each Taxpayer Advocate Service 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.

#### TAXPAYER SERVICES

Appropriations, 2009 .....	\$2,293,000,000
Budget estimate, 2010 .....	2,269,830,000
Committee recommendation .....	2,275,830,000

#### PROGRAM DESCRIPTION

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

#### COMMITTEE RECOMMENDATION

The Committee recommends \$2,275,830,000 for Taxpayer Services, which is \$17,170,000 below the fiscal year 2009 enacted level, and \$6,000,000 above the budget request. The Committee notes that Congress provided direct funding to the Secretary of the Treasury for IRS implementation of the tax provisions of the American Recovery and Reinvestment Act (Public Law 111-5) and that those funds are not reflected in the “Taxpayer Services” account. Bill language is included providing not less than \$6,100,000 for the tax counseling for the elderly program, not less than \$9,500,000 for low-income taxpayer clinic grants, not less than \$12,000,000, to be available for 2 years, for a community volunteer income tax assistance matching grant program for tax return preparation assistance and \$205,954,000 for the Taxpayer Advocate Service.

The Committee strongly believes that “Service + Enforcement = Compliance” and that, as outlined in the IRS Strategic Plan 2009–2013, the IRS must improve service to make voluntary compliance easier.

*Taxpayer Assistance Blueprint.*—In response to the Committee’s directive in the fiscal year 2006 Treasury Appropriations Act, the IRS, in consultation with the IRS Oversight Board and the National Taxpayer Advocate, developed a “Taxpayer Assistance Blueprint” to institute a 5-year strategic plan for taxpayer services. The Committee expects the IRS, the IRS Oversight Board, and the National Taxpayer Advocate to work collaboratively to make the Taxpayer Assistance Blueprint an integral and guiding component of delivering services. The Committee supports ongoing efforts to conduct research on taxpayer needs and taxpayer service performance.

The Committee directs the IRS, the IRS Oversight Board, and the National Taxpayer Advocate to submit to Congress annual updates to the Taxpayer Assistance Blueprint identifying any changes to its strategic plan for taxpayer service, including the results of any new research and relevant findings, and any open issues requiring additional research.

*E-Filing.*—The Committee is heartened by the IRS’s improved performance in increasing the number of tax filers who submit their returns electronically and without additional cost. Electronic filing benefits taxpayers and promotes effective tax administration because it decreases processing errors, expedites processing and payment of refunds, and allows the IRS to efficiently maintain up-to-date records. A total of 89.6 million individual tax returns were filed electronically during the 2008 filing season, representing more than 63 percent of all returns. The Committee directs the IRS, in consultation with stakeholders, including the National Taxpayer Advocate, to implement a strategy to achieve an 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 as well as any impediments or circumstances that affect taxpayers inclinations toward electronic filing.

The Committee believes that the IRS will deliver better taxpayer service, achieve improved compliance, and reduce the tax gap if taxpayer behavior is better understood and applied research is integrated into the development of taxpayer service and enforcement initiatives. Toward that end, the Committee supports the work of the National Taxpayer Advocate and the IRS Office of Research to examine factors that influence taxpayer compliance behavior, including how and the extent to which various factors influence such behavior, and how the establishment of a cognitive learning and applied research laboratory might facilitate continued evaluation.

*EITC.*—The Committee is concerned that 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 Committee directs the IRS, 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.

*Community Volunteer Income Tax Assistance.*—The Volunteer Income Tax Assistance [VITA] program is an important aspect of IRS efforts to provide income tax preparation assistance programs for low-income taxpayers. The Committee provides that, within funds provided, \$12,000,000 shall be available for 2 years for exclusive use as part of continuing a matching grant program established and administered by the IRS, in consultation with the Taxpayer Advocate Service, for not for profit organizations which provide volunteer income tax return preparation services for lower income individual taxpayers.

This program shall provide direct funds to enable VITA programs to extend services to underserved populations and hardest-to-reach areas, both urban and nonurban, as well as to increase the capacity to file returns electronically, heighten quality control, enhance

training of volunteers, and significantly improve the accuracy rate of returns prepared by VITA sites. The Committee reinforces its expectation that the IRS should employ an equitable selection methodology which takes into account geographic diversity, and include an evaluation component to measure the overall effectiveness of the program and the results achieved.

The IRS is not permitted to treat any in-kind contributions from the IRS as counting toward the \$12,000,000 appropriation nor shall the IRS reduce any current contributions toward tax return preparation services.

In addition, the Committee notes that 1 in 5 adults living in the United States have a disability, and that over 22 million families nationwide have a member with a disability. Only 21 percent of taxpayers with disabilities have annual incomes over \$40,000, and working-age adults with disabilities are 3 times more likely than their nondisabled peers to live at or below the poverty line. Prior research has identified persons with disabilities as a major underserved market segment for receiving support from national low-income tax assistance programs, asset building coalitions, and the private sector financial services.

The Committee understands that only a small number of the grants awarded thus far within the VITA Community Matching Grant Assistance program have focused on reaching taxpayers with disabilities as the primary target subpopulation. The Committee strongly urges the IRS to make every effort to expand the quantity and funding level of VITA grants focused on serving persons with disabilities proportional to the growing disability population requiring tax assistance.

The Committee understands that entities that are currently increasing their outreach efforts to better serve the needs of the disability population have experienced difficulty in applying for Federal grant assistance due to a lack of resources at the local level needed to complete the application. The Committee urges the IRS to allow national coalitions responsible for the coordination of local community partnerships focused specifically on the expanded provision of tax services for individuals with disabilities to compete in future VITA community matching grant processes.

*Charitable Exempt Organizations.*—The Committee is encouraged by recent IRS actions to invest greater resources in activities that educate charitable exempt organizations about their obligations under the Tax Code, helping to increase voluntary compliance and strengthen charities' ability to improve lives and communities. The Committee anticipates that the IRS will utilize the increased resources in this appropriation to continue to expand outreach to and education of charitable organizations, particularly in light of significant changes to tax-exempt laws in the Pension Protection Act and other statutes.

*IRS Free File Program.*—The Free File Program allows taxpayers meeting certain income requirements to electronically prepare and file their income tax returns free of charge. The IRS administers the Program as a partnership with the Free File Alliance, a consortium of tax software companies. The Committee has had longstanding concern that eligible taxpayers are not taking full advantage of this program. The Committee expects the IRS to place a

high priority on improving marketing and administration of the program as outlined by TIGTA. The IRS should promote public awareness of the availability of this program among those who can most benefit from its free services, particularly lower income, disadvantaged, the working poor and other underserved populations.

ENFORCEMENT

Appropriations, 2009 .....	\$5,117,267,000
Budget estimate, 2010 .....	5,504,000,000
Committee recommendation .....	5,504,000,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends the budget request level of \$5,504,000,000 for enforcement activities for fiscal year 2010. This amount is \$386,733,000 above the fiscal year 2009 enacted level and the same as the budget request. Bill language is included to transfer not less than \$59,206,000 to the Interagency Crime and Drug Enforcement [ICDE] program and to transfer up to \$10,000,000 from the Enforcement account to the Operations Support account to support the ICDE program.

The Committee fully supports the IRS's proposed use of the funding increase to promote compliance with U.S. international tax provisions and to address the tax gap attributable to international transactions. The Committee is cognizant of the trends in the international tax arena, specifically that (1) the number of multinational enterprises increased by twentyfold from 3,000 in 1990 to well over 63,000 in 2007, (2) the number of filings containing international features has increased by 87 percent in the brief span of 2002 to 2007, (3) technology has eased the ability of small- to mid-sized businesses to complete globally, and (4) low-tax and no-tax jurisdiction countries are home to 58 percent of the foreign profits of U.S. multinational corporations.

It is against that backdrop that the IRS will, with the increased resources supporting 784 additional FTE, be equipped to launch a robust package of 6 enforcement initiatives. These include improving identification and coverage of international issues and increased issue specialization to address complex international transactions; increasing coverage of smaller international businesses and individuals; increasing reporting compliance of domestic taxpayers with offshore activity by doubling the number of criminal investigation attachés in foreign ports of duty; furthering national law enforcement and counterterrorism objectives; expanding IRS's international presence in the tax-exempt and government sectors, in-

cluding discovery and investigation of offshore tax shelters used by pension plans; and increasing compliance efforts, through more rigorous automated matching and reconciliation of documents regarding foreign person's U.S.-sourced income.

The IRS has projected a substantial return on investment to be realized over the next 3 years from these initiatives. The Committee shares the concerns outlined by the Government Accountability Office [GAO] that the IRS needs to be prepared to monitor, document, and report on the extent to which the projected revenue forecasts actually yield the intended results. The Committee strongly believes that evaluating what occurs as a result of these targeted investments would be a helpful indicator of success and useful in making future spending decisions and resource allocation plans. The Committee directs the IRS to provide the Committees on Appropriations with detailed information about the actual costs, revenues, and return on investment after the first and successive years of the implementation of the new enforcement initiatives.

*National Research Program.*—As noted previously, the Committee strongly supports the work of the National Research Program [NRP] to increase understanding of the tax gap. While the IRS's NRP has done a commendable job in updating the tax gap estimates, significant challenges remain in obtaining complete and timely data and in developing reliable methods for interpreting the data. The IRS and others have expressed concerns with the certainty of the overall tax gap estimate in part because some aspects of the estimate rely on data from the 1970s and 1980s and in other areas, no estimates are available. The Committee agrees with GAO, TIGTA, the National Taxpayer Advocate, and the IRS Oversight Board, which have all recommended greater and more frequent data collection and studies of the tax gap including the portion of the tax gap attributable to international transactions.

*Leveraging Preparer Community.*—The Committee believes that 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 help guide IRS's allocation of resources. The Committee is encouraged by the IRS's focused efforts to study and identify how to better leverage the tax preparer community to increase taxpayer compliance. With over 80 percent of taxpayers using either a tax return preparer or third-party software to complete their returns, it is paramount that the IRS ensure that the professionals who assist taxpayers adhere to uniform and high ethical standards of conduct.

*Misclassification of Contractors.*—The Committee continues to be highly concerned with the misclassification of workers as independent contractors, who file using IRS Form 1099. Many of these workers should be correctly classified as employees and should file using W-2 forms. This misclassification leads to the underreporting and underpayment of employment and payroll taxes by employers and individuals, which accounts for a substantial portion of the gross tax gap. Therefore, the Committee strongly urges the IRS to provide increased tax enforcement in industries where misclassification of employees is widespread.

*Global Tax Administration Issues.*—The bill includes \$126,500 as a 1-year payment to support the IRS's role as host in the United

States for the annual meeting of the Leeds Castle Group during 2010. In 2006, the IRS and the tax administrations of nine other countries agreed to the establishment of the so-called “Leeds Castle Group”. Under this arrangement, the commissioners of the revenue bodies of Australia, Canada, China, France, Germany, India, Japan, South Korea, the United Kingdom, and the United States agreed to meet regularly to consider and discuss issues of global and national tax administration in their respective countries, particularly mutual compliance challenges.

#### OPERATIONS SUPPORT

Appropriations, 2009 .....	\$3,867,011,000
Budget estimate, 2010 .....	4,082,984,000
Committee recommendation .....	4,082,984,000

#### PROGRAM DESCRIPTION

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

#### COMMITTEE RECOMMENDATION

The Committee recommends \$4,082,984,000 for Operations Support for fiscal year 2010. This amount is \$215,973,000 above the fiscal year 2009 enacted level and the same as the budget request. Bill language is included allowing up to \$75,000,000 of these funds to remain available until September 30, 2011, for information technology support and not to exceed \$1,000,000 to remain available until September 30, 2012, for research; not less than \$2,000,000 for the Internal Revenue Oversight Board; and \$25,000 for official reception and representation expenses.

*Information Technology [IT] Management and Oversight.*—The IRS has made significant strides in improving the management and oversight of its business systems modernization [BSM] program. The IRS needs to vigilantly address major systemic problems with its non-BSM portfolio of information technology projects. TIGTA has identified problems in several areas of IT management and oversight including, but not limited to, such areas as classification of investment projects, oversight and governance structure, risk management, contingency planning, and contractor performance and accountability.

The Committee expects the IRS to monitor its entire non-BSM IT portfolio (regardless of tier classification) and make any changes as necessary to ensure that each project has (1) been properly classified for investment decision and management purposes, (2) the appropriate governance structure in place (such as an executive steering committee), (3) a risk management plan, (4) a contingency plan

in case of breakdowns or failures in scheduled deliverables, (5) adequate provisions in the contracts to ensure penalties and repayment to the agency if performance is not met, (6) adequate contractor staffing and management in place to fulfill the contract terms and deliverables, and (7) been certified by the head of the relevant IRS business unit that the project is deemed necessary for its operations and meets its requirements.

BUSINESS SYSTEMS MODERNIZATION

Appropriations, 2009 .....	\$229,914,000
Budget estimate, 2010 .....	253,674,000
Committee recommendation .....	274,119,000

PROGRAM DESCRIPTION

The Business Systems Modernization account provides resources for revamping business practices and acquiring new technology. The IRS has undertaken a multi-year, multi-billion dollar effort to migrate from its antiquated legacy system to bring the IRS tax administration system to a level of public and private sector best practices. The IRS is using a formal methodology to prioritize, approve, fund, and evaluate its portfolio of business systems modernization investments. This methodology is designed to enforce a documented, repeatable, and measurable process for managing investments throughout their life cycle. The process is reviewed by the Government Accountability Office on a regular basis as part of the submission requirements for expenditure plans to the House and Senate Committees on Appropriations. The expenditure plan approval process prior to the use of appropriated funds continues for fiscal year 2010.

COMMITTEE RECOMMENDATION

The Committee recommends \$274,119,000 for Business Systems Modernization [BSM] for fiscal year 2010. This amount is \$44,205,000 above the fiscal year 2009 enacted level and \$20,445,000 above the budget request. The Committee continues to believe that BSM is the IRS's highest management and administrative priority. As one of the Federal Government's largest, most visible, and sensitive modernization efforts, managing the risks inherent in BSM will require vigilant management attention for several years. To the IRS's credit, the program has made steady progress over the past few years. The replacement of the aging, vintage 1969 individual master file with the new customer account data engine [CADE] will permit daily, rather than weekly, updating of individual tax accounts. With CADE as its centerpiece, systems modernization by the IRS promotes enhanced customer service, more expeditious refund processing, and better administration of the tax system.

The Committee believes that the amount requested in the budget for the BSM account is inadequate. The Committee recommends an additional \$20,445,000 to augment the IRS's continued investment in developing the CADE, the database that will ultimately be the central repository of tax account information for all individual taxpayers. The Committee notes that the IRS recently shifted its strategy for CADE, to focus on completion of the core taxpayer ac-

count database. This approach will allow the IRS to accelerate data conversion to the new database while also addressing security, financial material weaknesses, and long-term architectural planning concerns. It is expected that once completed, the core database will improve the overall functionality of existing modernization systems, as well as improve overall customer service to taxpayers.

The Committee shares the concern of the IRS Oversight Board about the particularly acute needs of the CADE project, which go far beyond what was requested in fiscal year 2010 and will certainly grow in fiscal year 2011. The Committee believes it is essential to accelerate the pace of progress and allow the IRS to achieve key milestones in the immediate future fiscal years. The Committee strongly urges that future funding requests take into account the critical need to make progress on deployment of a daily Individual Master File capability and the CADE relational database.

HEALTH INSURANCE TAX CREDIT ADMINISTRATION

Appropriations, 2009 <sup>1</sup> .....	\$95,406,000
Budget estimate, 2010 .....	15,512,000
Committee recommendation .....	15,512,000

<sup>1</sup> Includes \$80,000,000 provided in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

PROGRAM DESCRIPTION

This appropriation provides operating funds to administer the advance payment feature of a refundable trade adjustment assistance health insurance tax credit program to assist dislocated workers with their health insurance premiums. The tax credit program was enacted by the Trade Act of 2002 (Public Law 107-210) and became effective in August 2003.

COMMITTEE RECOMMENDATION

The Committee recommendation provides \$15,512,000 for the Health Insurance Tax Credit Administration in fiscal year 2010. This amount is \$79,894,000 below the fiscal year 2009 enacted level and the same as the budget request. Under the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), \$80,000,000 was provided to HITCA to implement the health insurance tax credit under the TAA Health Coverage Improvement Act of 2009.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

The Committee has included six administrative provisions carried in prior appropriations acts as follows:

Section 101 continues a provision allowing the IRS to transfer up to 5 percent of any appropriation made available to the Agency in fiscal year 2010 to any other IRS account, with the exception of the Enforcement account, which is limited to 3 percent. The IRS is directed to follow the Committee’s reprogramming procedures outlined earlier in this report.

Section 102 continues a provision maintaining a training program in taxpayers’ rights and cross-cultural relations.

Section 103 continues a provision requiring the IRS to institute and enforce policies and procedures, which will safeguard the confidentiality of taxpayer information.

Section 104 continues a provision directing that funds shall be available for improved facilities and increased staffing to support a 1-800 help line service for taxpayers.

Section 105 continues, but modifies, a provision designating not less than \$7,100,000,000 for enhanced tax enforcement to address the Federal tax gap and an additional \$890,000,000 for the Internal Revenue Service for enhanced tax enforcement activities. This provision is consistent with section 401(c)(2)(B) of the concurrent resolution on the budget for fiscal year 2010 (S. Con. Res. 13; House Report 111-089).

Section 106 continues a provision that prohibits the use of funds in this act to enter into, renew, extend, administer, implement, enforce, provide oversight of, or make any payment related to any qualified tax collection contract.

#### ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

The Committee includes 11 administrative provisions carried over from prior appropriations acts. The administrative provisions are as follows:

Section 107 authorizes certain basic services within the Treasury Department in fiscal year 2010, including purchase of uniforms; maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; and contracts with the Department of State for health and medical services to employees and their dependents serving in foreign countries.

Section 108 authorizes transfers, up to 2 percent, between Departmental Offices, Office of Inspector General, Financial Management Service, Alcohol and Tobacco Tax and Trade Bureau, Financial Crimes Enforcement Network, and the Bureau of the Public Debt appropriations under certain circumstances.

Section 109 authorizes transfers, up to 2 percent, between the Internal Revenue Service and the Treasury Inspector General for Tax Administration under certain circumstances.

Section 110 requires that the purchase of law enforcement vehicles be consistent with departmental vehicle management principles.

Section 111 prohibits the Department of the Treasury and the Bureau of Engraving and Printing from redesigning the \$1 Federal Reserve Note.

Section 112 authorizes the Secretary of the Treasury to transfer funds from Salaries and Expenses, Financial Management Service, to the Debt Collection Fund as necessary to cover the costs of debt collection. Such amounts shall be reimbursed to the Salaries and Expenses account from debt collections received in the Debt Collection Fund.

Section 113 extends for 1 year the authority to conduct a personnel management demonstration project.

Section 114 requires prior approval for the construction and operation of a museum by the United States Mint.

Section 115 prohibits the merger of the United States Mint and the Bureau of Engraving and Printing without prior approval of the committees of jurisdiction.

Section 116 authorizes the Department's intelligence activities.

Section 117 permits the Bureau of Engraving and printing to use \$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

Appropriations, 2009 .....	\$450,000
Budget estimate, 2010 .....	450,000
Committee recommendation .....	450,000

PROGRAM DESCRIPTION

This account provides for the compensation of the President, including an expense allowance as authorized by 3 U.S.C. 102.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$450,000 for compensation of the President, including an expense allowance of \$50,000. This is the same as the fiscal year 2009 enacted level and the same as the budget estimate. The expense account is for official use as authorized by title 3, United States Code and is not considered taxable to the President. The bill specifies that any unused amount shall revert to the Treasury consistent with 31 U.S.C. 1552.

THE WHITE HOUSE

SALARIES AND EXPENSES

Appropriations, 2009 <sup>1</sup> .....	\$53,899,000
Budget estimate, 2010 .....	59,319,000
Committee recommendation .....	59,319,000

<sup>1</sup> Amount does not include funding of the Office of Policy Development which was funded as a separate appropriation in fiscal year 2009.

PROGRAM DESCRIPTION

The “Salaries and Expenses” account of The White House (previously titled “The White House Office”) provides staff assistance and administrative services for the direct support of the President. The office also serves as the President’s representative before the media. In accordance with 3 U.S.C. 105, the office also supports and assists the activities of the spouse of the President.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$59,319,000 for The White House, Salaries and Expenses. The recommendation is \$5,420,000 more than the fiscal year 2009 enacted level and is equal to the budget request.

The budget requests that funding for the Office of Policy Development be included in funds appropriated under this heading. The Office of Policy Development supports the National Economic Council and the Domestic Policy Council in carrying out their responsibilities to advise and assist the President in the formulation, coordination, and implementation of economic and domestic policy. The Office of Policy Development also provides support for other domestic policy development and implementation activities as directed by the President. The Committee agrees with the proposed consolidation and includes funding for the Office of Policy Development within the amounts recommended under this heading.

Of the total funding, the Committee recommends \$1,400,000 for the Office of National AIDS Policy. The Committee directs the administration to coordinate a Government-wide effort to develop and implement a domestic AIDS strategy, including the development of targets for improved prevention and treatment outcomes.

The Committee expects officials employed in whole or in part by the Executive Office of the President, and designated by the President to coordinate policy agendas across executive departments and agencies, to keep Congress fully and currently informed of such activities.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

Appropriations, 2009 .....	\$13,363,000
Budget estimate, 2010 .....	13,838,000
Committee recommendation .....	13,838,000

PROGRAM DESCRIPTION

These funds provide for the care, maintenance, repair, alteration, refurbishing, improvement, air-conditioning, heating, and lighting of the White House and the official and ceremonial functions of the President.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$13,838,000 for the Executive Residence at the White House. The Committee recommendation is \$475,000 more than the fiscal year 2009 enacted level and is equal to the budget request. The accompanying bill also continues certain restrictions on reimbursable expenses for use of the Executive Residence.

WHITE HOUSE REPAIR AND RESTORATION

Appropriations, 2009 .....	\$1,600,000
Budget estimate, 2010 .....	2,500,000
Committee recommendation .....	2,500,000

PROGRAM DESCRIPTION

This account funds the repair, alteration, and improvement of the Executive Residence at the White House. A separate account was established in fiscal year 1996 to program and track expenditures for the capital improvement projects at the Executive Residence at the White House.

## COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$2,500,000 for White House Repair and Restoration, equal to the budget request and \$900,000 above the fiscal year 2009 enacted level.

## COUNCIL OF ECONOMIC ADVISERS

## SALARIES AND EXPENSES

Appropriations, 2009 .....	\$4,118,000
Budget estimate, 2010 .....	4,200,000
Committee recommendation .....	4,200,000

## PROGRAM DESCRIPTION

The Council of Economic Advisers analyzes the national economy and its various segments, advises the President on economic developments, recommends policies for economic growth and stability, appraises economic programs and policies of the Federal Government, and assists in the preparation of the annual Economic Report of the President to Congress.

## COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$4,200,000 for salaries and expenses of the Council of Economic Advisers. This amount is equal to the budget request and is \$82,000 above the fiscal year 2009 enacted level.

## OFFICE OF POLICY DEVELOPMENT

## SALARIES AND EXPENSES

Appropriations, 2009 .....	\$3,550,000
Budget estimate, 2010 .....	
Committee recommendation .....	

The budget requests that funding for the Office of Policy Development be included in funds appropriated for The White House, Salaries and Expenses. The Committee agrees with the proposed consolidation and recommends funding for the Office of Policy Development within funds recommended for The White House, Salaries and Expenses for fiscal year 2010.

## NATIONAL SECURITY COUNCIL

## SALARIES AND EXPENSES

Appropriations, 2009 .....	<sup>1</sup> \$11,965,000
Budget estimate, 2010 .....	12,231,000
Committee recommendation .....	12,231,000

<sup>1</sup>Includes \$2,936,000 provided in the Supplemental Appropriations Act, 2009 (Public Law 111-32).

## PROGRAM DESCRIPTION

The National Security Council advises the President in integrating domestic, foreign, and military policies related to national security.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$12,231,000 for the salaries and expenses of the National Security Council. This amount is equal to the budget request and \$266,000 more than the fiscal year 2009 enacted level, which included amounts provided in the Supplemental Appropriations act, 2009 (Public Law 111–32).

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

Appropriations, 2009 .....	\$101,333,000
Budget estimate, 2010 .....	115,280,000
Committee recommendation .....	115,280,000

PROGRAM DESCRIPTION

The Office of Administration’s mission is to provide high-quality, cost-effective administrative services to the Executive Office of the President. These services, defined by Executive Order 12028 of 1977, include financial, personnel, library and records services, information management systems support, and general office services.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$115,280,000 for the Office of Administration for fiscal year 2010, an increase of \$13,947,000 above the fiscal year 2009 enacted level and equal to the budget request.

The Committee has included space rental costs for the Office of Management and Budget [OMB] and the Office of National Drug Control Policy [ONDCP] in this account as the budget requests.

The Committee’s recommendation includes \$16,768,000 to stabilize and modernize the information technology infrastructure within the Executive Office of the President. The Committee notes that the funding provided for this purpose for fiscal year 2010 is an increase of \$4,863,000 over the fiscal year 2009 enacted funding. This increase supports a major initiative that will refresh the aging information technology infrastructure, strengthen disaster recovery capabilities, and expand the capabilities of the Executive Office of the President to electronically communicate with citizens and provide information to the public. The Committee supports the Office of Administration’s plans to use funds first to stabilize and secure the existing infrastructure.

The Committee directs the Office of Administration to place a top priority on the implementation of comprehensive policies and procedures for the preservation of all records, including electronic records such as e-mails, videos, and social networking communication, consistent with the requirements of the Presidential Records Act, the Federal Records Act, and other pertinent laws. The Office of Administration shall 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 Committee looks forward to receiving the previously requested report on this matter. The

Committee expects the Office of Administration to keep the Committee fully apprised of funding needs related to record preservation.

#### OFFICE OF MANAGEMENT AND BUDGET

##### SALARIES AND EXPENSES

Appropriations, 2009 .....	\$87,972,000
Budget estimate, 2010 .....	92,687,000
Committee recommendation .....	92,687,000

##### PROGRAM DESCRIPTION

The Office of Management and Budget [OMB] assists the President in the discharge of his budgetary, management, and other executive responsibilities.

##### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$92,687,000 for the Office of Management and Budget which is an increase of \$4,715,000 above than the fiscal year 2009 enacted level and equal to the budget request.

The Committee notes that additional funding over the budget request for fiscal year 2009 was provided to maintain and modernize the Federal Government's core budgeting system, which is nearly 20 years old. The Committee is disappointed that additional funds were not requested for fiscal year 2010 to modernize this system. The Committee reminds OMB that this system is used Government-wide by all Federal agencies in documenting and estimating budget activities, ensuring data integrity with other financial and accounting systems, and developing the President's budget proposals. A comprehensive modernization will improve the integrity of budgetary data, enhance the capabilities of budgetary staff, and provide a more dynamic decisionmaking tool for OMB and the President. The Committee urges OMB to focus efforts on planning and implementing a modernization of this system using funds provided for fiscal years 2009 and 2010.

The Committee notes that section 723 of the bill provides the authority for each Executive department and agency to transfer funds to, or reimburse a dedicated budget account supporting, the activities of certain Government-wide councils. These councils include: 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; the Chief Acquisition Officers Council, for procurement initiatives; and the Performance Improvement Council, for performance improvement initiatives. The Committee notes that OMB approves such transfers and reimbursements and also directs the administration of these funds. The Committee directs OMB to include a budgetary justification for each council in the annual budget request for the Executive Office of the President beginning in fiscal year 2011.

## OFFICE OF NATIONAL DRUG CONTROL POLICY

## SALARIES AND EXPENSES

Appropriations, 2009 .....	\$27,200,000
Budget estimate, 2010 .....	27,575,000
Committee recommendation .....	28,575,000

## PROGRAM DESCRIPTION

The Office of National Drug Control Policy [ONDCP], established by the Anti-Drug Abuse Act of 1988, and reauthorized by Public Law 109-469, is charged with developing policies, objectives, and priorities for the National Drug Control Program. In addition, ONDCP administers the Counterdrug Technology Assessment Center, the High Intensity Drug Trafficking Areas program, the National Youth Anti-Drug Media Campaign, the Drug-Free Communities Program, and several other related initiatives.

This account provides funding for personnel compensation, travel, and other basic operations of the Office, and for general policy research to support the formulation of the National Drug Control Strategy.

## COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$28,575,000 for ONDCP's salaries and expenses. This amount is \$1,375,000 above the fiscal year 2009 enacted level and \$1,000,000 above the budget request. The increased funding level is provided to allow ONDCP to reach an actual staffing level of 118 full-time equivalents.

The Committee has been very concerned in recent years with the organizational structure of ONDCP and with staffing decisions made by the leadership of this office in the previous administration. Staffing levels have declined from fiscal year 2000 to fiscal year 2008 by approximately 14 percent. The Committee has noted a lack of racial and ethnic diversity as well as a relatively low percentage of female representation as a percentage of the total workforce. Finally, the Committee has previously expressed displeasure with the role that political appointees have played in managing ONDCP.

The Committee remains highly concerned that despite repeated Committee directives and prohibitions in recent years, ONDCP has failed to reverse a decision to reorganize 3 of its 12 components, as described in a December 1, 2006 letter to the Committee. Among other things, this reorganization realigned or reassigned staff from the Office of Planning and Budget, renamed that office the Office of Performance and Budget, and established a new Performance Branch. The Committee is dismayed at the lack of progress on this issue and directs that the new leadership reinstate the organizational structure in place prior to the reorganization announced in the letter. ONDCP is directed to provide written notice of actions taken to implement this directive not later than 45 days after enactment.

As a result of these concerns, in the fiscal year 2008 Consolidated Appropriations Act (Public Law 110-161), Congress directed the National Academy of Public Administration [NAPA] to conduct an independent study and analysis of ONDCP's organization and

management. After conducting a comprehensive assessment of ONDCP's management, structure, and human capital, NAPA issued its report in November 2008 and included five recommendations. Among other things, the report recommended that ONDCP streamline its organizational structure, rebalance its workforce, and implement effective human capital practices.

The Committee agrees that ONDCP's implementation of each of the five recommendations will help ONDCP increase organizational and mission effectiveness. ONDCP should keep the Committee apprised as it implements the recommendations and action items contained in the NAPA report.

COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2009 .....	\$3,000,000
Budget estimate, 2010 .....	1,000,000
Committee recommendation .....	1,000,000

PROGRAM DESCRIPTION

The Counterdrug Technology Assessment Center [CTAC] was established by the Counter-Narcotics Technology Act of 1990 (Public Law 101-510) and reauthorized in 1998 (Public Law 105-277) to serve as the central counterdrug technology research and development organization for the United States Government.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$1,000,000 for the Counterdrug Technology Assessment Center. This amount is \$2,000,000 below the fiscal year enacted level, and the same as the budget request. The Committee is hopeful that new leadership will reinvigorate the CTAC program, allowing this once valuable program to again flourish.

FUNDS APPROPRIATED TO THE PRESIDENT

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2009 .....	\$234,000,000
Budget estimate, 2010 .....	220,000,000
Committee recommendation .....	234,000,000

PROGRAM DESCRIPTION

The High Intensity Drug Trafficking Areas [HIDTA] program was established by the Anti-Drug Abuse Act of 1988 (Public Law 100-690) and the Office of National Drug Control Policy's reauthorization (Public Law 109-469) to provide assistance to Federal, State, and local law enforcement entities operating in those areas most adversely affected by drug trafficking.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$234,000,000 for the HIDTA program, the same as the fiscal year 2009 level and \$14,000,000 above the budget request. With the increased funding, the Committee expects ONDCP to provide a program adjustment for HIDTAs that qualify under performance measurement criteria taking into account local conditions and resources. In allocating funding provided above the level of the budget request, priority should be given to ensuring that HIDTAs receive adequate funding before allocating such funding to discretionary programs. The Committee directs that funding shall be provided for the existing HIDTAs at no less than the fiscal year 2009 level or \$3,000,000, whichever is greater.

The Committee continues to be concerned about the widespread use of methamphetamine. Hawaii has one of the highest rates in the Nation for methamphetamine abuse, per capita. In addition, Hawaii has experienced an increase in crystal methamphetamine availability, while the Nation as a whole has generally experienced a downward trend. Hawaii received its HIDTA designation in 1999, yet its allocation of funding is among the lowest in the Nation. Given the need to effectively address this growing problem, the Committee strongly recommends that ONDCP consider an increase in the allocation to the Hawaii HIDTA. ONDCP is directed to consult with the HIDTAs in advance of deciding programmatic spending allocations for discretionary (supplemental) funding.

The Committee recommendation specifies that up to \$2,700,000 may be used for auditing services and associated activities, and up to \$500,000 shall be used to ensure the continued operation and maintenance of the Performance Management System.

The Committee directs that the HIDTA funds be transferred to the appropriate drug control agencies expeditiously and includes provisions in the bill to help prevent delay.

The Committee recognizes the National HIDTA Assistance Center for providing programmatic support to the HIDTA program to include training, financial management/audit review, and other essential services.

The Committee retains a provision allowing unexpended funds obligated prior to 2 years ago for programs addressing the treatment or prevention of drug use to be used for other approved HIDTA activities.

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.

OTHER FEDERAL DRUG CONTROL PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2009 .....	\$174,700,000
Budget estimate, 2010 .....	174,000,000
Committee recommendation .....	174,750,000

## PROGRAM DESCRIPTION

The Anti-Drug Abuse Act of 1988 (Public Law 100–690), and the Office of National Drug Control Policy Reauthorization Act (Public Law 109–469) established this account to be administered by the Director of the Office of National Drug Control Policy. The funds appropriated to the program support high-priority drug control programs and may be transferred to drug control agencies.

This account includes the following programs: National Youth Anti-Drug Media Campaign, Drug-Free Communities Support Program, National Drug Court Institute, U.S. Anti-Doping Agency, World Anti-Doping Agency [WADA] membership dues, National Alliance for Model State Drug Laws, and Performance Measures Development.

## COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$174,750,000 for Other Federal Drug Control Programs, which is \$50,000 above the fiscal year 2009 enacted level and \$750,000 above the budget request. Within this amount, the Committee provides the following funding levels:

	Amount
National Youth Anti-Drug Media Campaign .....	\$70,000,000
Drug-Free Communities Support Program .....	90,750,000
National Community Anti-Drug Coalition training .....	(2,000,000)
National Drug Court Institute .....	1,000,000
U.S. Anti-Doping Agency .....	9,600,000
World Anti-Doping Agency [WADA] .....	1,900,000
National Alliance for Model State Drug Laws .....	1,250,000
Performance Measures Development .....	250,000

*National Youth Anti-Drug Media Campaign.*—The Committee has recommended consistent monetary support for the National Youth Anti-Drug Media Campaign since it was initially funded by Congress in fiscal year 1998. The Committee is concerned that methamphetamine use is having a disproportional impact on our rural communities, rendering the addiction an epidemic in the lives of so many Americans from the Nation’s farmlands, reservations, and small towns. Most of these communities, because they are located outside of urban areas, lack the comprehensive support services needed to effectively address the addiction and its devastating grip on so many families. The Committee provides \$70,000,000 for the Media Campaign, of which at least \$8,000,000 shall be for methamphetamine prevention ads. The Committee directs that no more than 10 percent of the funding provided for the Media Campaign be used for administrative costs. ONDCP is encouraged to work with State and local governments to increase visibility of the Media Campaign. In order to combat methamphetamine abuse within scarce resources, the Committee encourages ONDCP to focus methamphetamine prevention advertising on geographic areas with the highest level of drug problem within a State. ONDCP is encouraged to use research-based advertising campaigns and to collaborate with statewide or regional methamphetamine prevention programs when possible.

*Drug-Free Communities Support Program.*—ONDCP directs the Drug-Free Communities Support Program [DFCSP] in partnership with the Substance Abuse and Mental Health Services Administration. DFCSP provides dollar for dollar matching grants of up to \$125,000 to local coalitions that mobilize their communities to prevent youth alcohol, tobacco, illicit drug, and inhalant abuse. Such grants support coalitions of youth; parents; media; law enforcement; school officials; faith-based organizations; fraternal organizations; State, local, and tribal government agencies; healthcare professionals; and other community representatives. The DFCSP enables these coalitions to strengthen their coordination and prevention efforts, encourage citizen participation in substance abuse reduction efforts, and disseminate information about effective programs. The Committee provides \$90,750,000 for the continuation of the DFCSP.

The Committee includes a provision in the bill directing ONDCP to provide \$2,000,000 of DFCSP funds for training and related purposes as authorized by section 4 of Public Law 107–82, as amended by Public Law 109–469.

*National Drug Court Institute.*—The National Drug Court Institute facilitates the growth of the drug court movement by promoting and disseminating education, research, and scholarship concerning drug court programs and providing a comprehensive drug court training series for practitioners. Drug courts provide an effective means to fight drug-related crime through the cooperative efforts of State and local law enforcement, the judicial system, and the public health treatment network. The Committee provides \$1,000,000 for the National Drug Court Institute.

*United States Anti-Doping Agency.*—The United States Anti-Doping Agency [USADA] is the independent anti-doping agency for Olympic sports in the United States, and is responsible for managing the testing and adjudication process for U.S. Olympic, Pan Am and Paralympic athletes. As a nonprofit corporation under the leadership of an independent Board of Directors, USADA has the authority to set forth guiding principles in anti-doping policy and to enforce any doping violations. In addition to managing collection and testing procedures, USADA is also responsible for enhancing research efforts and promoting educational programs to inform athletes of the rules governing the use of performance enhancing substances, as well as the ethics of doping and its harmful health effects.

The Committee provides \$9,600,000 for USADA, which is \$200,000 less than the fiscal year 2009 enacted level and the same as the budget request.

*World Anti-Doping Agency.*—ONDCP represents the United States in the World Anti-Doping Agency [WADA], which promotes and coordinates international activities against doping in all forms of sports. The Committee provides \$1,900,000 for membership dues to the WADA.

*National Alliance For Model State Drug Laws.*—The National Alliance for Model State Drug Laws [NAMSDL] is a national organization that drafts, researches, and analyzes model drug and alcohol laws and related State statutes, provides access to a national network of drug and alcohol experts, and facilitates working relation-

ships among State and community leaders and drug and alcohol professionals. In doing so, NAMSDL encourages States to adopt and implement laws, policies, and regulations to reduce drug trafficking, drug use, and their related consequences. The Committee provides \$1,250,000 to NAMSDL and directs ONDCP to provide the entire amount directly to NAMSDL within 30 days after enactment of this act.

*National Drug Control Performance Measures Development.*— Performance Measures funding is used to conduct evaluation research for assessing the effectiveness of the National Drug Control Strategy. The Committee provides \$250,000 for this program and directs ONDCP to outline and submit to the Committee 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

Appropriations, 2009 .....	\$1,000,000
Budget estimate, 2010 .....	1,000,000
Committee recommendation .....	1,000,000

PROGRAM DESCRIPTION

These funds enable the President to meet unanticipated exigencies in support of the national interest, security, or defense.

COMMITTEE RECOMMENDATION

The Committee recommends \$1,000,000, which is equal to the amount appropriated in fiscal year 2009 and the same as the budget request.

PARTNERSHIP FUND FOR PROGRAM INTEGRITY INNOVATION

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2009 .....	
Budget estimate, 2010 .....	\$175,000,000
Committee recommendation .....	40,000,000

PROGRAM DESCRIPTION

The Partnership Fund for Program Integrity Innovation (Partnership Fund) is a new program recommended by the President for fiscal year 2010. The Committee understands that the Partnership Fund will support pilot programs designed to reduce errors and improve efficiency and service of Federal programs administered by States. The Partnership Fund pilot programs will focus on coordinating State-administered Federal programs both within States and between State and Federal officials and on technology solutions that may serve as best practices in the future. The Director of the Office of Management and Budget [OMB] will chair an inter-agency council consisting of representatives of appropriate Federal agencies, States, and other stakeholders. The council will analyze and select pilot programs for funding, develop strategies and goals for the overall program as well as for each pilot program, and de-

velop methodologies for assessing the performance of the overall program and the pilot programs.

COMMITTEE RECOMMENDATION

The Committee recommends \$40,000,000 for the Partnership Fund. The Partnership Fund is a new program and was not funded in fiscal year 2009.

Although the recommended funding is \$135,000,000 below the budget request, the Committee believes that the recommended amount represents sufficient resources to initiate the Partnership Fund in fiscal year 2010. The Committee expects to make future funding recommendations based on the progress and performance of the Partnership Fund in fiscal year 2010 and beyond.

The Committee is pleased with the proposed initiative to improve the operations of State-administered Federal programs. Efficiencies can be gained by better coordinating Federal programs, and technology may play a significant role in such improvements.

The Committee notes that OMB does not administer or execute Federal programs. While the Committee expects OMB to play a coordinating role in designing pilot programs, developing performance measures, and allocating funds, the Committee expects that the interagency council will be the exclusive decisionmaking body for such activities. As Chair of the Interagency Council, the Committee directs the Director of OMB to seek consensus and input to the maximum extent possible from council members and participating Federal and State agencies.

The Committee directs the interagency council, in consultation with OMB, to submit a progress report to the Committee on Appropriations, not later than March 30, 2010 and semiannually until the program is concluded, including detailed information on the goals and objectives of the Partnership Fund and of each pilot project; performance measures for the Partnership Fund and each pilot project; and an evaluation of the performance of the overall Partnership Fund and each pilot project to date. The report shall also include an operating plan detailing funding allocations for each pilot project and planned future funding allocations.

PRESIDENTIAL TRANSITION ADMINISTRATIVE SUPPORT

Appropriations, 2009 .....	\$8,000,000
Budget estimate, 2010 .....	
Committee recommendation .....	

This account supports the Office of Administration for expenses associated with the transition to the next Presidential administration. The Committee does not provide funding for this account for fiscal year 2010 because there will not be a Presidential transition in that year.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

Appropriations, 2009 .....	\$4,496,000
Budget estimate, 2010 .....	4,604,000
Committee recommendation .....	4,604,000

PROGRAM DESCRIPTION

This appropriation provides for staff and expenses to enable the Vice President to provide assistance to the President in connection with the performance of executive duties and responsibilities. The Vice President also has a staff funded by the Senate to assist him in the performance of his legislative duties. These funds also support the official activities of the spouse of the Vice President.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$4,604,000 for special assistance to the President. This amount is the same as the budget request and \$108,000 above the fiscal year 2009 enacted level.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

Appropriations, 2009 .....	\$323,000
Budget estimate, 2010 .....	330,000
Committee recommendation .....	330,000

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$330,000 for the official residence of the Vice President. This amount is the same as the budget request and \$7,000 above the fiscal year 2009 enacted level.

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

Section 201 continues a provision that provides flexibility in the use of funds in accounts under the Executive Office of the President.

Section 202 requires a detailed financial plan by the Director of the ONDCP prior to the obligation of funds in fiscal year 2010.

Section 203 allows for the transfer of up to 2 percent among programs within ONDCP.

Section 204 establishes reprogramming requirements for ONDCP.

TITLE III  
THE JUDICIARY

PROGRAM DESCRIPTION

Established under Article III of the Constitution, the judicial branch of Government is a separate but equal branch. The Federal judiciary consists of the Supreme Court, United States Courts of Appeals, District Courts, Bankruptcy Courts, Court of International Trade, Court of Federal Claims, and several other entities and programs. The organization of the judiciary, the district and circuit boundaries, the places of holding court, and the number of Federal judges are legislated by the Congress and signed into law by the President.

The Committee's recommended funding levels support the Federal judiciary's role of providing equal justice under the law and include sufficient funds to support this critical mission. The recommended funding level includes the salaries of judges and support staff and the operation and security of our Nation's courts.

The judicial branch is reminded that it, too, is subject to the same funding constraints facing the executive and legislative branches and continues to urge the Federal judiciary to devote its resources primarily to the retention of staff. Further, the judiciary is encouraged to contain controllable costs such as travel, construction, and other expenses.

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

Appropriations, 2009 .....	\$69,777,000
Budget estimate, 2010 .....	74,740,000
Committee recommendation .....	74,081,000

PROGRAM DESCRIPTION

The United States Supreme Court consists of nine justices appointed under Article III of the Constitution of the United States, one of whom is appointed as Chief Justice of the United States. The Supreme Court acts as the final arbiter in the Federal court system.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$74,081,000 for the Justices, their supporting personnel, and the costs of operating the Supreme Court, excluding the care of the building and grounds. The recommendation is \$4,304,000 above the fiscal year 2009 funding level and slightly below the request.

## CARE OF THE BUILDING AND GROUNDS

Appropriations, 2009 .....	\$18,447,000
Budget estimate, 2010 .....	14,568,000
Committee recommendation .....	14,525,000

## PROGRAM DESCRIPTION

Care of the Building and Grounds, for expenditure by the Architect of the Capitol, provides for the structural and mechanical care of the United States Supreme Court Building and Grounds, including maintenance and operation of mechanical, electrical, and electronic equipment.

## COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$14,525,000 for personnel and other services related to the Supreme Court building and grounds, which is supervised by the Architect of the Capitol. The recommendation is \$3,922,000 below the fiscal year 2009 funding level and approximately the same as the budget request. The Committee directs the Court to report to the Committee no later than 90 days after enactment of this act on its construction and modernization plans and to update the Committee 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

Appropriations, 2009 .....	\$30,384,000
Budget estimate, 2010 .....	36,981,000
Committee recommendation .....	32,300,000

## PROGRAM DESCRIPTION

The United States Court of Appeals for the Federal Circuit was established on October 1, 1982 under Article III of the Constitution. The court was formed by the merger of the United States Court of Customs and Patent Appeals and the appellate division of the United States Court of Claims. The court consists of 12 judges who are appointed by the President, with the advice and consent of the Senate. Judges are appointed to the court under Article III of the Constitution of the United States.

The Federal Circuit has nationwide jurisdiction in a variety of subject matter, including international trade, Government contracts, patents, certain claims for money from the United States Government, Federal personnel, and veterans' benefits. Appeals to the court come from all Federal district courts, the United States Court of Federal Claims, the United States Court of International Trade, and the United States Court of Veterans Appeals. The court also takes appeals of certain administrative agencies' decisions, including the Merit Systems Protection Board, the Board of Contract Appeals, the Board of Patent Appeals and Interferences, and the Trademark Trial and Appeals Board. Decisions of the United States International Trade Commission, the Office of Compliance of the United States Congress, and the Government Accountability Office Personnel Appeals Board are also reviewable by the court.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$32,300,000. The recommendation is \$1,916,000 above the fiscal year 2009 funding level, and \$4,681,000 below the budget request but consistent with the judiciary’s re-estimate of fiscal year 2010 requirements.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

Appropriations, 2009 .....	\$19,605,000
Budget estimate, 2010 .....	21,517,000
Committee recommendation .....	21,374,000

PROGRAM DESCRIPTION

The United States Court of International Trade, located in New York City, consists of nine Article III judges. The court has exclusive nationwide jurisdiction over civil actions brought against the United States, its agencies and officers, and certain civil actions brought by the United States, arising out of import transactions and the administration and enforcement of the Federal customs and international trade laws.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$21,374,000. The recommendation is \$1,769,000 above the fiscal year 2009 funding level and consistent with the judiciary’s re-estimate of fiscal year 2010 requirements.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

Appropriations, 2009 <sup>1</sup> .....	\$4,811,369,000
Budget estimate, 2010 .....	5,162,252,000
Committee recommendation .....	5,076,845,000

<sup>1</sup>Includes \$10,000,000 provided in the Supplemental Appropriations Act, 2009 (Public Law 111-32).

PROGRAM DESCRIPTION

Salaries and Expenses is one of four accounts that provide total funding for the Courts of Appeals, District Courts, and Other Judicial Services. In addition to funding the salaries of judges and support staff, this account also funds the operating costs of appellate, district, and bankruptcy courts, the Court of Federal Claims, and probation and pretrial services offices.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$5,076,845,000. The recommendation is \$265,476,000 above the fiscal year 2009 funding level and \$85,407,000 below the budget request.

*Use of Lease-Construction Projects.*—Historically, the judiciary, in conjunction with the General Services Administration, has utilized two execution strategies for meeting its courthouse space needs—

Federal construction and lease-construction. The Committee does not believe that every need for judicial space must be met through additional Federal construction and that lease-construction can be an appropriate alternative under certain circumstances. The Committee directs the General Services Administration and the judiciary to develop and submit a joint report on this issue to the Committees on Appropriations of the Senate and the House of Representatives no later than 120 days after enactment of this act. The report should identify the circumstances under which it would be appropriate to acquire court facilities using a lease-construction strategy.

*Yuma, Arizona Courthouse.*—In the case of the proposed lease-construction project for courthouse space in Yuma, Arizona, the Committee supports the lease-construction strategy.

VACCINE INJURY COMPENSATION TRUST FUND

Appropriations, 2009 .....	\$4,253,000
Budget estimate, 2010 .....	5,428,000
Committee recommendation .....	5,428,000

PROGRAM DESCRIPTION

Enacted by the National Childhood Vaccine Injury Act of 1986 (Public Law 99–660), the Vaccine Injury Compensation Program is a Federal no-fault program designed to resolve a perceived crisis in vaccine tort liability claims that threatened the continued availability of childhood vaccines nationwide. The statute’s primary intention is the creation of a more efficient adjudicatory mechanism that ensures a no-fault compensation result for those allegedly injured or killed by certain covered vaccines. This program protects the availability of vaccines in the United States by diverting a substantial number of claims from the tort arena.

Not only did this act create a special fund to pay judgments awarded under the act, but it also created the Office of Special Masters within the United States Court of Federal Claims to hear vaccine injury cases. The act stipulates that up to eight special masters may be appointed for this purpose. The special masters expenditures are reimbursed to the judiciary for vaccine injury cases from a special fund set up under the Vaccine Act.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$5,428,000. The recommendation is \$1,175,000 above the fiscal year 2009 funding level and consistent with the budget request.

DEFENDER SERVICES

Appropriations, 2009 <sup>1</sup> .....	\$849,400,000
Budget estimate, 2010 .....	982,646,000
Committee recommendation .....	975,504,000

PROGRAM DESCRIPTION

The Defender Services program ensures the right to counsel guaranteed by the Sixth Amendment, the Criminal Justice Act (18 U.S.C. 3006A(e)) and other congressional mandates for those who cannot afford to retain counsel and other necessary defense serv-

ices. The Criminal Justice Act provides that courts appoint counsel from Federal public and community defender organizations or from a panel of private attorneys established by the court. The Defender Services program helps to maintain public confidence in the Nation's commitment to equal justice under the law and ensures the successful operation of the constitutionally based adversary system of justice by which Federal criminal laws and federally guaranteed rights are enforced.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$975,504,000. The recommendation is \$126,104,000 above the fiscal year 2009 funding level and \$7,142,000 below the budget request.

*Panel Attorney Pay Rates.*—The Committee's recommended funding level supports an increase in the non-capital panel attorney rate per hour from \$110 to \$115 in fiscal year 2010.

FEEES OF JURORS AND COMMISSIONERS

Appropriations, 2009 .....	\$62,206,000
Budget estimate, 2010 .....	63,401,000
Committee recommendation .....	62,275,000

PROGRAM DESCRIPTION

This account provides for the statutory fees and allowances of grand and petit jurors and for the compensation of jury and land commissioners. Budgetary requirements depend primarily upon the volume and the length of jury trials demanded by parties to both civil and criminal actions and the number of grand juries being convened by the courts at the request of the United States Attorneys.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$62,275,000. The recommendation is \$69,000 more than the fiscal year 2009 funding level and \$1,126,000 less than the budget request.

COURT SECURITY

(INCLUDING TRANSFERS OF FUNDS)

Appropriations, 2009 .....	\$428,858,000
Budget estimate, 2010 .....	463,642,000
Committee recommendation .....	457,353,000

PROGRAM DESCRIPTION

The Court Security appropriation was established in 1983 and funds the necessary expenses incident to the provision of protective guard services, and the procurement, installation, and maintenance of security systems and equipment for United States courthouses and other facilities housing Federal court operations, including building access control, inspection of mail and packages, directed security patrols, perimeter security 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).

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$457,353,000. The recommendation is \$28,495,000 above the fiscal year 2009 funding level and \$6,289,000 below the budget request.

The Committee recommends funding for new U.S. Marshals Service positions as well as requested reimbursements to the Marshals Service.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

Appropriations, 2009 .....	\$79,049,000
Budget estimate, 2010 .....	83,963,000
Committee recommendation .....	83,075,000

PROGRAM DESCRIPTION

The Administrative Office [AO] of the United States Courts was created in 1939 by an act of Congress. It serves the Federal judiciary in carrying out its constitutional mission to provide equal justice under the law. Beyond providing numerous services to the Federal courts, the AO provides support and staff counsel to the Judicial Conference of the United States and its committees, and implements Judicial Conference policies as well as applicable Federal statutes and regulations. The AO is the focal point for communication and coordination within the Federal judiciary and with Congress, the executive branch, and the public on behalf of the judiciary.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$83,075,000. This recommendation is \$4,026,000 above the fiscal year 2009 funding level and \$888,000 below the budget request.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

Appropriations, 2009 .....	\$25,725,000
Budget estimate, 2010 .....	27,486,000
Committee recommendation .....	27,328,000

PROGRAM DESCRIPTION

The Federal Judicial Center, located in Washington, DC, improves the management of Federal judicial dockets and court administration through education for judges and staff, and research, evaluation, and planning assistance for the courts and the Judicial Conference. The Center's responsibilities include educating judges and other judicial branch personnel about legal developments and efficient litigation management and court administration. Additionally, the Center also analyzes the efficacy of case and court management procedures and ensures the Federal judiciary is aware of the methods of best practice.

## COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$27,328,000. The recommendation is \$1,603,000 above the fiscal year 2009 funding level and \$158,000 below the budget request.

The Committee has included funding requested for both education, research, and technology, as well as education and training enhancements. The Committee directs the Federal Judicial Center to keep the Committee apprised of staff brought on board throughout fiscal years 2009 and 2010.

## JUDICIAL RETIREMENT FUNDS

## PAYMENT TO JUDICIARY TRUST FUNDS

Appropriations, 2009 .....	\$76,140,000
Budget estimate, 2010 .....	82,374,000
Committee recommendation .....	82,374,000

## PROGRAM DESCRIPTION

The funds in this account cover the estimated future benefit payments to be made to retired bankruptcy judges and magistrate judges, claims court judges, and spouses and dependent children of deceased judicial officers.

## COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$82,374,000 for payments to the Judicial Officers' Retirement Fund and the Claims Court Judges Retirement Fund. The recommendation is \$6,234,000 above the fiscal year 2009 funding level and consistent with the budget request.

## UNITED STATES SENTENCING COMMISSION

## SALARIES AND EXPENSES

Appropriations, 2009 .....	\$16,225,000
Budget estimate, 2010 .....	17,056,000
Committee recommendation .....	16,837,000

## PROGRAM DESCRIPTION

The United States Sentencing Commission establishes, reviews, and revises sentencing guidelines, policies, and practices for the Federal criminal justice system. The Commission is also required to monitor the operation of the guidelines and to identify and report necessary changes to the Congress.

## COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$16,837,000. The recommendation is \$612,000 above the fiscal year 2009 funding level and consistent with the judiciary's re-estimate of fiscal year 2010 requirements.

## ADMINISTRATIVE PROVISIONS—THE JUDICIARY

The Committee recommends the following administrative provisions for the judiciary.

Section 301 allows the judiciary to expend funds for the employment of experts and consultative services.

Section 302 allows the judiciary, subject to the Committee's reprogramming procedures, to transfer up to 5 percent between appropriations, but limits to 10 percent the amount that may be transferred into any one appropriation.

Section 303 limits official reception and representation expenses incurred by the Judicial Conference of the United States to no more than \$11,000.

Section 304 requires the Administrative Office to submit an annual financial plan for the judiciary within 90 days of enactment of this act.

Section 305 grants the judicial branch the same tenant alteration authorities as the executive branch.

Section 306 provides continued authority for a court security pilot program.

Section 307 allows for a salary adjustment for Justices and judges.

TITLE IV  
DISTRICT OF COLUMBIA  
FEDERAL PAYMENTS  
FEDERAL FUNDS

A total of \$727,365,000 in Federal funds are estimated to be available to the District of Columbia government, the District of Columbia Courts, the District of Columbia Court Services and Offender Supervision Agency, and other D.C. entities. This is \$14,995,000 below the fiscal year 2009 enacted level and \$11,760,000 below the budget request. A total of \$2,575,447,000 in Federal funds will be received by the District government from the various Federal grant programs, including Federal reimbursements from such programs as Medicaid and Medicare.

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

Appropriations, 2009 .....	\$35,100,000
Budget estimate, 2010 .....	35,100,000
Committee recommendation .....	35,100,000

PROGRAM DESCRIPTION

The Resident Tuition Support program was created by the District of Columbia College Access Act of 1999 (Public Law 106–98), expanded through the District of Columbia College Access Improvement Act of 2002 (Public Law 107–157), and amended and reauthorized through Public Law 110–97. This program provides eligible college-bound District residents the opportunity to expand their higher education choices.

Under the program, financial assistance is available to qualified District residents who attend public colleges outside of the District of Columbia, private postsecondary institutions in the District of Columbia, Maryland, or Virginia, or any historically black college or university. The private-school tuition grants are restricted to nonprofit institutions. Students who attend public schools receive assistance equal to the difference between the tuition paid by residents of the State in which the institution is located and the tuition charged to nonresident students, with an annual limit of \$10,000 and a lifetime limit of \$50,000. Private-school students receive a \$2,500 maximum annual grant, with a lifetime limit of \$12,500.

Since its inception, the program has disbursed over \$218,975,600 for the benefit of over 14,125 District of Columbia residents. Thirty-eight percent of the grantees are the first members of their families to attend college.

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of \$35,100,000 for the resident tuition support (DC TAG) program, the same as the fiscal year 2009 enacted level and the same as the budget request. The Committee understands that the program will have \$192,774 in carryover funds available in fiscal year 2010. The Committee urges the Office of the State Superintendent of Education to continue its efforts to improve the student retention and college graduation rate of program participants. Because program costs have the potential of growing beyond a level for which increased Federal funding may be available and sustainable, the Committee directs the Mayor and the Office of the State Superintendent of Education to continue the use of effective cost containment measures and regularly report to Congress on the effects of these efforts. The Committee further directs the District to fully explore non-Federal sources of additional funds to augment the Federal investment to meet program needs. As specified in Public Law 106-98 which established the program, the Committee directs the Mayor to address any insufficiency in funding through ratable reductions and other adjustments or prioritization considerations based on the income and need of eligible students.

According to data collected by the National Student Clearinghouse [NCS], more than 3,600 students participating in the DC TAG program have earned 2- or 4-year college degrees. The Committee understands that the Office of the State Superintendent of Education is currently conducting a comprehensive review of graduation rates for students enrolled in the DC TAG program. The Committee directs the District of Columbia to promptly provide the results of the completed review to the Committees on Appropriations, the Senate Committee on Homeland Security and Governmental Affairs, and the House Committee on Oversight and Government Reform.

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

Appropriations, 2009 .....	\$39,177,000
Budget estimate, 2010 .....	15,000,000
Committee recommendation .....	15,350,000

PROGRAM DESCRIPTION

Due to the fact that the District of Columbia is the seat of the Federal Government and headquarters of many international organizations, District police, fire, and emergency personnel have had to provide security for a number of events. As the need for the District of Columbia to provide security increases, overtime costs for personnel escalate and divert local police from neighborhood patrols. The President has supported reimbursing the District for these costs.

In addition, the District of Columbia National Guard, under the exclusive jurisdiction of the President of the United States, is specifically trained to support law enforcement during critical missions, such as demonstrations, Presidential inaugurations and funerals, and emergency services for weather-related contingencies.

The D.C. Air Guard patrols the skies over the District on round-the-clock alert. However, residency restrictions preclude a significant number of Guard members from eligibility for tuition assistance programs, which has severely hampered recruitment and retention efforts.

COMMITTEE RECOMMENDATION

The Committee recommends a total payment of \$15,350,000, of which \$15,000,000 is for the District of Columbia 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 United States Secret Service Division in carrying out their 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.

In addition, the District may use any funds remaining from prior year appropriations under this heading. The District may use the payment to cover the costs of Executive transportation support including motorcades and helicopter landings. The Committee directs the District of Columbia to submit a detailed budget justification with its funding request for fiscal year 2011. The Committee further directs the District of Columbia to submit, within 60 days of the end of fiscal year 2010, a report to the House and the Senate Committees on Appropriations detailing the purposes and amounts expended using the funds, particularly noting any deviation from the original proposed spending.

In addition, the Committee recommends \$350,000 for a tuition assistance program for nonresident District of Columbia National Guard members.

The total funding is \$23,827,000 below the fiscal year 2009 enacted level and \$350,000 above the budget request. The Committee notes that in the Omnibus Appropriations Act, 2009 (Public Law 111-8), an enhanced Federal payment of \$38,825,000 was provided to support the unprecedented security and planning costs incurred by the District of Columbia for the January 2009 Presidential Inauguration.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

Appropriations, 2009 .....	\$248,409,000
Budget estimate, 2010 .....	248,592,000
Committee recommendation .....	258,517,000

PROGRAM DESCRIPTION

Under the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105-33, title XI), the Federal Government is required to finance the District of Columbia Courts. This Federal payment to the District of Columbia Courts funds the operations of the District of Columbia Court of Appeals, Superior Court, the Court System, and the Capital Improvement Program. Capital improvements include a complete restoration of the historic Old Courthouse, as well as design and renovation work on the H. Carl Moultrie I Courthouse and several other buildings as part of a master plan for Judiciary Square. By law, the annual budget in-

cludes estimates of the expenditures for the operations of the Courts prepared by the Joint Committee on Judicial Administration as well as the President's recommendation for funding the Courts' operations.

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment to the District of Columbia Courts of \$258,517,000, which is \$10,108,000 above the fiscal year 2009 enacted level and \$9,565,000 above the President's budget request. This amount includes \$12,014,000 for the Court of Appeals, \$110,836,000 for the Superior Court, \$60,147,000 for the Court System, and \$75,520,000 for capital improvements to court-house facilities.

The Committee recommendation for the Superior Court of the District of Columbia is \$2,345,000 above the President's recommended funding of \$108,491,000, and will permit the Court to enhance juvenile probation services through a community-based drop-in center to supervise youth and establish a mental health court coordinator to strengthen services for defendants with mental illness.

The Committee recommendation for the District of Columbia Court System is \$1,700,000 above the President's recommended funding of \$58,447,000, and will permit the Court System to enhance performance reporting and strategic management to increase the Courts' accountability to the public and support an IT infrastructure program manager to ensure that physical relocation of the information technology offices within the court complex is not disruptive to court operations.

The Committee recommendation for capital improvements provides \$5,520,000 above the President's recommendation of \$70,000,000 to support maintenance of infrastructure, including HVAC, electrical, and plumbing upgrades, and other repair projects to address health and safety risks, improve signage, enhance ADA access, and update technology. The Committee supports the \$15,000,000 included in the President's recommendation to complete the modernization of the adult cellblock and United States Marshals Service administrative space to address health, safety, and security concerns.

The Committee commends the courts on the steps taken to address concerns about the substandard working conditions of the United States Marshals Service at the Moultrie Courthouse. The Committee encourages the District of Columbia Courts to continue progress on the plan to upgrade the conditions to an acceptable level. The Committee directs the District of Columbia Courts to keep the Committee regularly informed on the status of the renovations, including prompt notification of any significant cost increases or schedule delays.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

Appropriations, 2009 .....	\$52,475,000
Budget estimate, 2010 .....	52,475,000
Committee recommendation .....	55,000,000

PROGRAM DESCRIPTION

The District of Columbia Courts appoint and compensate attorneys to represent persons who are financially unable to obtain such representation. The Defender Services programs provide counsel for indigent persons who are charged with criminal offenses, for family proceedings involving child abuse, neglect, and termination of parental rights, and for guardianship proceedings for protection of mentally incapacitated individuals and minors whose parents are deceased.

In addition to legal representation, these programs provide indigent persons with services such as transcripts of court proceedings, expert witness testimony, foreign and sign language interpretation, and investigations and genetic testing.

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of \$55,000,000 for Defender Services in the District of Columbia Courts. This is \$2,525,000 above the fiscal year 2009 enacted level and \$2,525,000 above the budget request.

To promote access to justice and ensure that high-quality legal representation remains available to the indigent in the District of Columbia Courts, the Committee recommends an increase to support a continued phase-in of the compensation adjustment from \$80 to \$90 per hour for attorneys appointed to represent persons under the Criminal Justice Act, the Counsel for Child Abuse and Neglect program, and the Guardianship program.

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

Appropriations, 2009 .....	\$203,490,000
Budget estimate, 2010 .....	212,408,000
Committee recommendation .....	212,408,000

PROGRAM DESCRIPTION

The Court Services and Offender Supervision Agency [CSOSA] for the District of Columbia is an independent Federal agency created by the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105-33, title XI). CSOSA acquired the operational responsibilities for the former District agencies in charge of probation and parole, and houses the Pretrial Services Agency within its framework. The mission of CSOSA is to increase public safety, prevent crime, reduce recidivism, and support the fair administration of justice in close collaboration with the community. The CSOSA appropriation supports the Community Supervision Program which monitors or supervises approximately 15,000 offenders on a daily basis and the Pretrial Services Agency which monitors approximately 5,269 defendants at any given time and has placed over 1,788 defendants into substance abuse treatment.

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of \$212,408,000, which is \$8,918,000 above the fiscal year 2009 enacted level and

the same as the budget request. The Committee notes that the increased resources will enable CSOSA to expand the global positioning system [GPS] program capacity for surveillance of high-risk offenders and GPS data information sharing with District of Columbia public safety officials.

The Committee is supportive of CSOSA’s efforts to successfully return ex-offenders to their communities. For a number of years, CSOSA has worked with grassroots, nonprofit providers of transitional housing, including faith-based organizations, that offer counseling, mentoring, and life skills training to men and women returning home from prison. The Committee notes that this is a model program for the Nation.

The Committee is encouraged that the Pretrial Services Agency reduced caseloads from 115 per officer in fiscal year 2007 to 82 to per officer in fiscal year 2008. The Committee is concerned that even with the proposed budget increase, funding for CSOSA for offender contract treatment, including substance abuse, halfway-back residential sanctions, mental health and sex offender assessments, and transitional housing is constrained.

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

Appropriations, 2009 .....	\$35,659,000
Budget estimate, 2010 .....	37,316,000
Committee recommendation .....	37,316,000

PROGRAM DESCRIPTION

The Public Defender Service [PDS] for the District of Columbia, an independent organization established by a District of Columbia statute (16 D.C. Code 2–1601–1608), has a distinct mission to provide and promote quality legal representation services within the District of Columbia justice system. PDS provides legal representation to indigent adults and children facing loss of liberty and provides support in the form of training, consultation, and legal reference services to members of the local bar appointed as counsel in criminal, juvenile, and mental health cases involving indigent individuals.

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment to the Public Defender Service for the District of Columbia of \$37,316,000, which is \$1,657,000 above the fiscal year 2009 enacted level and the same as the budget request. The increased funding will support continued progress on a new case management system as well as address inflationary increases in compensation and fixed costs.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

Appropriations, 2009 .....	\$16,000,000
Budget estimate, 2010 .....	20,000,000
Committee recommendation .....	20,000,000

PROGRAM DESCRIPTION

Approximately one-third of the District is served by a combined sewer system, constructed by the Federal Government in 1890, in which both sanitary waste and storm water flow through the same pipes. When the collection system or the Blue Plains treatment plant reach capacity, typically during periods of heavy rainfall, the system is designed to overflow the excess water. This mixture of sewage and storm water runoff is discharged to the Anacostia and Potomac Rivers, Rock Creek, and tributary waters between 60 and 75 times each year. Under a judicial consent decree, the Water and Sewer Authority is undertaking a 20-year, \$2,200,000,000 sewer construction program to reduce combined sewer overflows [CSO]. The program includes deep underground storage tunnels, side tunnels to reduce flooding, pump station rehabilitation, and the elimination of over a dozen CSO outfalls along the Potomac and Anacostia Rivers and Rock Creek. When completed in 2025, this project is expected to vastly improve water quality and significantly reduce debris in our Nation's capital waterways.

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of \$20,000,000, to be matched by at least \$20,000,000 provided by the Water and Sewer Authority, to continue implementation of the Long-Term Combined Sewer Overflow Control Plan. This is an increase of \$4,000,000 above the fiscal year 2009 enacted level and the same as the budget request.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

Appropriations, 2009 .....	\$1,774,000
Budget estimate, 2010 .....	1,774,000
Committee recommendation .....	1,774,000

PROGRAM DESCRIPTION

The Criminal Justice Coordinating Council for the District of Columbia [CJCC] is the primary forum in which District of Columbia criminal justice agencies can identify and address interagency coordination issues. Its mission is to address coordination difficulties among District of Columbia criminal justice agencies and address criminal justice issues, such as illegal drugs, juvenile justice, half-way houses, information technology, and identification of arrestees. The CJCC was originally established pursuant to a memorandum of agreement in May 1998 and operates as an independent working group to foster cooperation among the more than a dozen Federal and local governmental agencies which have law enforcement responsibility in our Nation's capital. As part of a local enactment in August 2001, the CJCC was established as an independent agency within the District of Columbia.

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of \$1,774,000 to the Criminal Justice Coordinating Council [CJCC]. This is the same as the fiscal year 2009 enacted level and the same as the

budget request. The Committee directs the CJCC to submit annual performance measures in an annual report, which should also describe progress made on individual CJCC initiatives.

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

Appropriations, 2009 .....	
Budget estimate, 2010 .....	\$500,000
Committee recommendation .....	500,000

PROGRAM DESCRIPTION

The Commission on Judicial Disabilities and Tenure provides support to the District of Columbia Court of Appeals and Superior Court through reviewing and investigating allegations of judicial misconduct. The Judicial Nomination Commission recommends candidates to the President of the United States for nomination to judicial vacancies in these courts. In accordance with the National Capital Revitalization and Self-Government Improvement Act of 1997 (Public Law 105-33), the Federal Government is responsible for financing of the District of Columbia Courts, including the operations of the District of Columbia Court of Appeals, Superior Court, the Court System, and the Capital Improvement Program. Although independent of the Courts by design, these two Commissions provide important functions within the judicial branch of local government in the District of Columbia.

COMMITTEE RECOMMENDATION

The Committee provides \$500,000 as a Federal payment for the judicial commissions, of which \$295,000 is designated for the Judicial Nomination Commission and \$205,000 is designated for the Commission on Judicial Disabilities and Tenure. This amount is \$500,000 above the fiscal year 2009 enacted level and the same as the budget request. The Committee supports the rationale of recognizing these commissions as local judicial branch agencies for which Federal support for the operations is necessary.

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

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2009 .....	\$4,888,000
Budget estimate, 2010 .....	
Committee recommendation .....	1,000,000

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of \$1,000,000 to the Office of the Chief Financial Officer of the District of Columbia. This is \$3,888,000 below the fiscal year 2009 enacted level and \$1,000,000 above the budget request. These funds are for health, education, environmental, social service, and economic development initiatives in the District of Columbia. The Committee directs that of this amount, \$1,000,000 shall be transferred to the Children's National Medical Center [CNMC] in Washington, DC, to meet the growing demand for critical intensive care services. With the funds provided, CNMC will renovate an unoccupied unit adjacent to the

current pediatric intensive care unit, which will increase the number of beds from 23 to 33.

The Committee is supportive of the CNMC and the critical services it provides to the District of Columbia’s children and families. Founded in 1870 as a small community hospital to treat children orphaned by the Civil War, CNMC has grown into an internationally recognized team of more than 5,000 pediatric healthcare professionals serving children regionally, nationally, and internationally.

The Committee commends CNMC for its role as both an international pediatric specialty care destination for children from nearly 20 countries, and as a safety net hospital for the children in its community. As the single largest provider of pediatric services in the District of Columbia, CNMC touches the lives of more than 600,000 children annually. From serving as the medical home for the District’s children in foster care through its DC KIDS program to employing all the nurses in 163 District public and public charter schools, CNMC is an integral part of the fabric of the District of Columbia.

Because of a commitment of Federal resources for capital improvements, CNMC has successfully leveraged private philanthropic support. It has used Federal funds and private funds to expand and upgrade its facilities, including completion of a 54 bed neonatal intensive care unit, decontamination unit, quarantine facility and a 250 bed inpatient tower providing family centered accommodations and state-of-the art technology.

The Committee directs CNMC as a grantee of funding under this account to submit a detailed budget and a comprehensive description of the activities to be carried out with the funds no later than June 1, 2010 to the Chief Financial Officer and the Committees on Appropriations. The Committee further directs that any funds made available to the grantee under this account must be spent primarily in the District of Columbia to benefit District of Columbia residents.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

Appropriations, 2009 .....	\$54,000,000
Budget estimate, 2010 .....	74,400,000
Committee recommendation .....	75,400,000

PROGRAM DESCRIPTION

The Committee continues its commitment to improving educational opportunities for the children of the District of Columbia. The Committee enhances a three-sector funding arrangement to provide Federal resources for the District of Columbia Public Schools, public charter schools, and for a scholarship program for low-income students to attend private schools. The Committee is encouraged by the progress to date to implement the Mayor’s initiative to chart a new management course for the District’s troubled public school system in response to Public Law 110–33, which vested authority over the school superintendent, operating budget, and capital program in the Mayor.

The Committee acknowledges the daunting challenges this undertaking presents, given that District of Columbia public school

students chronically perform well below national averages in reading and mathematics, but notes that progress has been made over the past 2 years under the leadership of the Chancellor to streamline bureaucracy, recruit new principals, expand course offerings available to students, and raise math and reading test scores. The Committee is further encouraged by plans to implement an innovative teacher compensation system that has the potential to attract and retain excellent teachers in District public schools.

Public charter schools in the District of Columbia have grown considerably since the first two opened in 1996 and served 160 students. Today, there are 59 tuition-free, autonomous public charter schools on 95 campuses operating in the District, enrolling approximately 25,000 students, one-third of all District of Columbia public school students. The District of Columbia School Reform Act of 1995 (Public Law 104–134), one of the strongest charter school laws in the Nation, guarantees charter school autonomy from the District of Columbia Public Schools and from the District government and mandates uniform per student funding of all public school students, both traditional and charter.

The Committee is encouraged by the work being done by the District of Columbia Public Charter School Board to enforce a high standard of academic quality for all District charter schools and to close poorly performing schools. The Committee recognizes that the test scores of some of the charter schools are unacceptably low and calls on the District of Columbia Public Charter School Board to demand improvement on a timely basis, reform, or close these failing charter schools.

Congress established the private school scholarship (voucher) program as a 5-year pilot in 2003. The intent of this program, operated by the Washington Scholarship Fund under a grant from the Department of Education, is to help increase the District of Columbia's capacity to provide parents, particularly low-income parents whose children attend low-performing schools, more options for quality education. In school year 2008–2009, over 1,700 students participated in the program at 49 nonpublic schools.

#### COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of \$75,400,000, which is \$21,400,000 above the fiscal year 2009 enacted level and \$1,000,000 above budget request. These funds are allocated as follows: \$42,200,000 for the District of Columbia Public Schools to improve public school education; \$20,000,000 to expand quality charter schools; and \$13,200,000 to the Secretary of Education for opportunity scholarships for low-income students in the District of Columbia, of which \$1,000,000 may be used for program oversight and administration, and of which \$1,000,000 may be used to administer testing of students to determine and compare academic performance of participating schools.

#### *District of Columbia Public Schools*

The Committee directs the District of Columbia Public Schools to submit a detailed spending plan outlining specific activities no later than 60 days after enactment of this act and that this spending plan should contain a particular emphasis on the recruitment

and retention of a high-quality teacher and principal workforce in District public schools.

The District has 11,000 special needs students for whom the District must provide or secure educational services. District taxpayers currently spend \$200,000,000 each year on private school tuition and transportation costs for more than 2,300 of these special needs students, one-fifth of all special needs students, that the public schools are unable to serve. The District of Columbia is required to comply with a Federal court-ordered consent decree entered in 2006 to settle a 9-year class action lawsuit brought by parents of special needs children. Under the judicial consent decree, the District is required to reduce its backlog of cases on placement assessments for individual special needs students, to fix its long-broken data management system, which makes it difficult for parents to access their children's files, and to hire more special needs staff. As part of the increased Federal funds provided for the District of Columbia Public Schools for fiscal year 2010 in this bill, the Committee expects the District to make substantial progress in achieving compliance with the consent decree, eliminating inadequacies in treatment and support for special needs students, and establishing more inclusive learning environments for these students within the District of Columbia Public Schools system.

#### *District of Columbia Public Charter Schools*

The Committee notes that the District of Columbia's fiscal year 2010 Budget Act contains a decrease in the public charter schools per pupil facilities allowance in the amount of \$7,300,000. The Committee also notes that, even before this decrease, public charter schools in the District receive approximately one-half as much facilities funding per student as does the District of Columbia Public Schools [DCPS]. The Committee believes that facilities funding should be equitably distributed among all District public school students and urges the Office of the State Superintendent of Education to distribute to the public charter schools, on a per pupil basis, \$5,000,000 in additional facilities allowance funding. The Committee encourages the District of Columbia to fund the remaining \$2,300,000 shortfall.

With respect to the Federal payment for fiscal year 2010, the Committee directs the District of Columbia Public Charter School Board to submit to Congress, through the Office of the State Superintendent of Education [OSSE], a detailed spending plan outlining specific activities no later than 60 days after enactment of this act. This spending plan should contain a particular emphasis on enhancing the academic quality of existing charter schools, expanding the capacity of high-performing charter schools, and instituting a robust performance management system to help identify low-performing schools and close them. The Committee expects that funding provided for charter schools will be used in accordance with the plan submitted. Federal funding made available through this appropriation directed to OSSE should be made available to the District of Columbia Public Charter School Board no later than 30 days after enactment of this act.

Over the years, public charter schools have moved into and revitalized former DCPS school buildings that otherwise would have

been developed into condominiums or used for other commercial purposes. These buildings, including several historic structures, often long-abandoned and severely blighting neighborhoods, have been converted to public charter schools.

The Committee further notes that the public charter schools have been permitted to enter into negotiations to acquire only a handful of the 24 school buildings recently declared surplus by the Mayor and Chancellor. It is evident to the Committee that the District of Columbia continues its long-standing practice of ignoring the public charter schools' right of first offer on surplus school buildings as outlined in the District of Columbia School Reform Act of 1995 (Public Law 104–134). The Committee notes that this right applies to all school buildings no longer needed by DCPS, including ones in which the District of Columbia government would rather locate government agencies or use for economic development or other purposes. The Committee directs the Mayor of the District of Columbia to submit to the Committees on Appropriations, no later than January 15, 2010, a detailed fiscal year 2010–2014 public education facilities plan that will ensure public charter school access to surplus or underutilized DCPS space.

Finally, the Committee reminds the government of the District of Columbia that students in public charter schools are to have access to the same publicly funded services that are offered to students in traditional public schools. These include school nurses, School Resource Officers, crossing guards, and mental health and other wrap-around services.

#### *Opportunity Scholarship Program*

The Committee believes that any school enrolling a scholarship participant under the Opportunity Scholarship Program should satisfy certain minimum reasonable expectations as an educational setting. Therefore, the Committee expressly provides that none of the funds provided for opportunity scholarships shall be used by an eligible student to enroll in any participating school under the D.C. School Choice Incentive Act of 2003 (Public Law 108–199) 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 students hold 4-year bachelor's degrees.

The Committee emphasizes that the authorization for the private scholarship program expired on September 30, 2008. Accordingly, the Committee directs that funds provided for the scholarship program shall be used for currently enrolled participants rather than new scholarship applicants. The Committee is particularly sensitive to the potential impact of disrupting students' educational settings, but is also concerned about the potential damage of allowing students to remain in low-quality private schools.

The purpose of the pilot opportunity scholarship program was to provide students with academic opportunities not available in low-performing public schools. Therefore, the Committee continues funding for current recipients of opportunity scholarships, but directs the Secretary of Education to submit a report to Congress assessing the quality of all participating schools. The Committee directs the Secretary to allow the use of scholarships after school

year 2010–11 only at schools performing at an academic level superior to District of Columbia public schools.

For purposes of determining the performance of participating schools, the Committee further directs the Secretary to administer the same test to opportunity scholarship participants that will be administered to the District public school students in the 2009–2010 school year for the purposes of compiling the requested report. The Committee directs schools enrolling students participating in the opportunity scholarship program and the administrator of the program to comply fully and promptly with all requests by the Secretary for data and information necessary for the completion of the report to Congress. The Committee provides additional funding to the Secretary to administer the assessments and compile the report to Congress.

In November 2007, the Government Accountability Office [GAO] detailed several program shortcomings in some of the participating schools in the scholarship program, including unsuitable learning environments, teachers without bachelor’s degrees, and lack of occupancy permits. GAO also cited concerns about the sufficiency of financial controls and management issues, including failure to determine accreditation of participating schools.

A federally mandated evaluation of the program is being conducted by the Department of Education’s Institute of Education Sciences. Results assessing the overall impact of the program after the first 3 years of implementation, reflect that student test scores in reading improved by an equivalent of 3 months of additional learning over 3 years, but that there was no statistically significant difference in scores for male students, in math scores for any students, or for students coming from public schools designated as “in need of improvement.” The program had a positive impact on parents’ perception of safety and satisfaction but no impact on student reports of safety and satisfaction.

FEDERAL PAYMENT TO JUMP START PUBLIC SCHOOL REFORM

Appropriations, 2009 .....	\$20,000,000
Budget estimate, 2010 .....	
Committee recommendation .....	

PROGRAM DESCRIPTION

With the enactment of Public Law 110–33, providing the Mayor of the District of Columbia with authority over the budget and administrative functions of the District of Columbia school system, the District of Columbia has launched an aggressive and comprehensive reform of its failing public school system. Under the direction of the Chancellor of the District of Columbia Public Schools, a multitude of critical initiatives are underway. For fiscal year 2009, Congress provided a one-time Federal contribution to support the recruitment and training of principals and other school leaders; the development of optimal school programs; and the enhancement of the District’s data reporting capabilities.

COMMITTEE RECOMMENDATION

The Committee provides no funding in this account for fiscal year 2010, the same as the budget request. The Committee provides

funds for local education initiatives through the “Federal Payment for School Improvement” account within this title.

FEDERAL PAYMENT FOR CONSOLIDATED LABORATORY FACILITY

Appropriations, 2009 .....	\$21,000,000
Budget estimate, 2010 .....	15,000,000
Committee recommendation .....	15,000,000

PROGRAM DESCRIPTION

The District’s forensics laboratory capacity has not kept pace with the innovations in the field and is therefore unable to meet the demands of the current workload. As a result, the District is forced to seek help from the FBI crime laboratory in Quantico, Virginia and other Federal agencies. Because the FBI has its own workload capacity, it strictly limits the evidence it will process for the District in violent crime cases.

The lack of capacity and outmoded technology have led to many so-called “cold” or unsolved crime cases in the District. The District of Columbia Metropolitan Police Department [MPD] has a backlog of thousands of sexual assault and homicide cases, and the volume continues to grow. Currently, the FBI reports that approximately 30 percent of their DNA analysis is casework from MPD. Further, the Drug Enforcement Agency performs all of MPD’s drug analysis on controlled dangerous substances, and the Bureau of Alcohol, Tobacco, Firearms and Explosives has tested approximately 100 arson cases on behalf of the District.

A new comprehensive laboratory, housing both anti-terrorism and criminal forensic components under one roof, will not only allow the District to more effectively and efficiently process crime cases, but it will be an essential element in processing evidence associated with potential bioterrorism attacks.

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of \$15,000,000 for costs associated with completing the construction of a new comprehensive laboratory facility in the District of Columbia. This is \$6,000,000 below the fiscal year 2009 enacted level, and the same as the budget request. The Committee directs that this Federal payment be equally matched with local funds.

The Committee notes that over the past 5 fiscal years Congress has provided over \$43,000,000 in Federal payments, matched by over \$160,000,000 in local investments. When completed, the facility will provide services to all agencies within the borders of the District. United States Capitol Police, United States Park Police, and the United States Secret Service all submit evidence to the District’s Firearms Unit, which will be housed in the consolidated lab. The public health lab portion of the facility will allow the District to join the national Laboratory Response Network.

The Committee expects that the \$15,000,000 provided will be the final Federal payment for the project. The Committee is aware of the withdrawal of a construction contract award in June 2009 and is concerned that the anticipated scheduled completion in the fall of 2011 may be impacted. The Committee urges the Mayor to keep the Committee regularly informed of the progress on the project.

FEDERAL PAYMENT FOR THE D.C. NATIONAL GUARD

Appropriations, 2009 .....	
Budget estimate, 2010 .....	\$2,000,000
Committee recommendation .....	

PROGRAM DESCRIPTION

The fiscal 2010 budget request seeks a new Federal payment of \$2,000,000 for the D.C. National Guard’s D.C. Government Operations. The D.C. National Guard is a Federal, rather than a local, entity and responds to orders of the President of the United States who is the Commander-in-Chief of the D.C. National Guard pursuant to law [District of Columbia Official Code § 49–409 and Executive Order No. 11485 (October 1, 1969)]. Unlike a governor of a State, the Mayor is not authorized to deploy the National Guard under any circumstances. In fiscal 2009, local funds support 33 civilian administrative personnel, a Federal Facilities Operations and Maintenance Activities grant supports facilities maintenance currently performed by an additional 39 civilian personnel, and the D.C. National Guard receives appropriations annually through the Department of Defense Appropriations Act.

COMMITTEE RECOMMENDATION

The Committee does not recommend a new Federal payment for the D.C. National Guard. The Committee provides a payment for the D.C. National Guard under the Federal Payment for Emergency Planning and Security account within the bill. The D.C. National Guard also receives Federal funding through the Department of Defense appropriation.

FEDERAL PAYMENT FOR PERMANENT SUPPORTIVE HOUSING

Appropriations, 2009 .....	
Budget estimate, 2010 .....	\$19,200,000
Committee recommendation .....	

PROGRAM DESCRIPTION

The fiscal 2010 budget request seeks a new Federal payment of \$19,200,000 to help transform the delivery of services and reduce chronic and family homelessness in the District of Columbia. As proposed, the requested funds would augment a local investment in the Mayor’s “Housing First” initiative to develop and provide permanent supportive housing and wrap-around services. The Committee notes that due to the downturn in the economy, the District proposes to decrease its budget using local funds for this program from the \$12,071,000 to \$10,071,000, which will allow the District to continue to support the 427 individuals and 80 families currently housed through Housing First.

COMMITTEE RECOMMENDATION

While the Committee lauds the Mayor for his efforts to fulfill his pledge to replace homeless shelters with housing and address the critical needs of the most severely disabled and longest-term homeless individuals and families in the District, the Committee is unable to support the proposed Federal contribution at this time. The

Committee strongly urges the District of Columbia government to evaluate and take advantage of Federal grant funding available through the U.S. Department of Housing and Urban Development. The Committee further notes the work of the Urban Institute and its June 2008 report, "Transforming the District of Columbia's Public Homeless Assistance System," which offers an array of recommendations for engaging developers in programs to move the chronically homeless into permanent supportive housing and cites exemplary best practices and experiences of other communities in the country that have successfully mobilized resources for permanent supportive housing.

FEDERAL PAYMENT FOR RECONNECTING DISCONNECTED YOUTH

Appropriations, 2009 .....	
Budget estimate, 2010 .....	\$5,000,000
Committee recommendation .....	

PROGRAM DESCRIPTION

The fiscal 2010 budget request seeks a new Federal payment of \$5,000,000 to support a local initiative designed to significantly reduce the number of young people in the District of Columbia who are currently not connected to positive work or school activities or at risk of becoming disconnected from these critical influences. The District of Columbia proposes to use Federal funds to augment a local investment in new neighborhood-based service coalitions to expand opportunities to youth and families by engaging community-based organizations in the neighborhoods where the youths reside and building the capacity of neighborhoods to serve their residents.

COMMITTEE RECOMMENDATION

The Committee does not recommend a new Federal payment to the District of Columbia for reconnecting disconnected youth. In fiscal year 2009, this initiative was funded predominantly with local resources, augmented with a small amount of private grants. The Committee appreciates that in this uncertain economic climate and challenging local budgetary constraints, the District diverted local resources that may have otherwise been devoted to this program to other more pressing, higher priority needs. The Committee is unable to support a new Federal investment at this time, and urges the District of Columbia government to explore and exhaust other Federal grant options and private sources to support this program in fiscal year 2010.

FEDERAL PAYMENT FOR CENTRAL LIBRARY AND BRANCH LOCATIONS

Appropriations, 2009 .....	\$7,000,000
Budget estimate, 2010 .....	
Committee recommendation .....	

PROGRAM DESCRIPTION

Many of the District's public libraries are in a state of significant disrepair and are poorly equipped. The adult illiteracy rate in the District of Columbia is 37 percent. In many major metropolitan areas around the country, new libraries have revitalized many dis-

tressed neighborhoods. A Blue Ribbon Task Force of local and national experts recommended the creation of a state-of-the-art library system to add multi-lingual support, hundreds of new computers with broadband technology, and deep reference materials and children’s programs.

The District of Columbia Public Library is undergoing a transformation that includes services, programs, collections, and buildings. The Library is in the process of rebuilding four neighborhood libraries—Anacostia, Benning, Tenley-Friendship, and Watha T. Daniel/Shaw. Old buildings have been razed and library services are being provided by interim facilities in the four neighborhoods. Construction of the new state-of-the-art libraries is scheduled to begin in late summer 2008 and expected to be completed by the end of 2009 in order to open to the public in the spring of 2010.

COMMITTEE RECOMMENDATION

The Committee recommends no new funding as a Federal payment contribution toward the costs of renovating and rehabilitating District of Columbia public libraries.

The Committee is pleased that the District library system is proceeding with a long-needed, multi-year facilities modernization project, with four new libraries under construction, and investing in literacy initiatives that will complement and support the Mayor’s education reform agenda.

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

Appropriations, 2009 .....	\$3,388,000
Budget estimate, 2010 .....	
Committee recommendation .....	

COMMITTEE RECOMMENDATION

The Committee does not recommend a Federal payment to the Executive Office of the Mayor of the District of Columbia. This is \$3,388,000 below the fiscal year 2009 level and the same as the budget request.

DELAYS IN PROPERTY CONVEYANCES

The Committee is aware that certain conveyances of land authorized by the Federal Government and the District of Columbia Government and Real Property Act of 2006 (Public Law 109–396) have not yet occurred. The delay in completing these conveyances has resulted in the continued deterioration of a historically significant property, the Old Naval Hospital on Capitol Hill. This property was a small Civil War-era hospital and is the last significant un-restored historic building on Capitol Hill. The property has been through a competitive process conducted by the District of Columbia government to choose an operating entity to be granted lease for the property for the purpose of its complete historic renovation and ultimate operation as a community center dedicated to lifetime education. The Committee is concerned that the cost and viability of the restoration of this property will continue to diminish if the hospital property remains tied to the larger transfers in the act, and urges the General Services Administration, the Architect of the

Capitol, and the District of Columbia government to expedite the exchange of land conveyances authorized by Public Law 109-396.

DISTRICT OF COLUMBIA LOCAL OPERATING BUDGET

The Committee recommends a total of \$8,858,278,000 for the operating expenses of the District of Columbia as contained in the fiscal year 2010 budget submitted to the Congress by the government of the District of Columbia in June 2009. Of the total, \$5,721,742,000 is from local funds, \$2,575,447,000 is from Federal grant funds, \$556,429,000 is from other funds, and \$4,660,000 is from private funds. The Committee directs that any changes to the financial plan as submitted by the District must follow the re-programming guidelines.

TITLE V  
INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

Appropriations, 2009 .....	\$1,500,000
Budget estimate, 2010 .....	2,625,000
Committee recommendation .....	1,500,000

PROGRAM DESCRIPTION

The Administrative Conference of the United States [ACUS] is a newly reauthorized independent agency and advisory committee that was created to study administrative processes in order to recommend improvements to Congress and agencies.

COMMITTEE RECOMMENDATION

The Committee recommends \$1,500,000 for ACUS, \$1,125,000 below the budget request and the same as the fiscal year 2009 enacted level. The Committee reminds ACUS that pursuant to section 609 of division D of the Omnibus Appropriations Act, 2009 (Public Law 111-8), not to exceed 50 percent of unobligated balances from salaries and expenses remaining available at the end of fiscal year 2009 shall remain available until September 30, 2010. The Committee expects ACUS to use these carryover funds, in addition to the recommended funds, for fiscal year 2010 operating expenses.

CHRISTOPHER COLUMBUS FELLOWSHIP FOUNDATION

SALARIES AND EXPENSES

Appropriations, 2009 .....	\$1,000,000
Budget estimate, 2010 .....	1,000,000
Committee recommendation .....	1,000,000

PROGRAM DESCRIPTION

The Christopher Columbus Fellowship Foundation is an independent agency established by Congress in 1992 (Public Law 102-281) to encourage and support research, study, and labor designed to produce new discoveries in all fields of endeavor for the benefit of mankind. Its mission is accomplished through the sponsorship of national competitions designed to recognize and award cutting-edge innovation in the fields of homeland security, life sciences, and education. During its 16-year existence, the Foundation has awarded approximately \$7,600,000 to worthy American scientists, student inventors, and exemplary teachers who inspire despite especially challenging educational environments or personal physical disabilities.

The Committee acknowledges that initial funding for the Christopher Columbus Fellowship Foundation was derived from the sale of three denominations of specially minted coins sold by the United States Mint from August 1992 through June 1993. Revenues from the coin sales surcharges were deposited in the Christopher Columbus Fellowship Fund at the Department of the Treasury, and made available to the Foundation. To address the fact that the coin sales revenues had been depleted, Congress authorized funding for the Christopher Columbus Fellowship Foundation in the Omnibus Appropriations Act, 2009 (Public Law 111–8).

#### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$1,000,000 for the Christopher Columbus Fellowship Foundation. This is the same as the fiscal year 2009 enacted level and \$1,000,000 above the budget request.

#### COMMODITY FUTURES TRADING COMMISSION

##### SALARIES AND EXPENSES

Appropriations, 2009 .....	\$146,000,000
Budget estimate, 2010 .....	160,600,000
Committee recommendation .....	177,000,000

##### PROGRAM DESCRIPTION

The Commodity Futures Trading Commission [CFTC] was established as an independent agency by the Commodity Futures Trading Commission Act of 1974 (88 Stat. 1389; 7 U.S.C. 4a).

The Commission administers the Commodity Exchange Act, 7 U.S.C. section 1, et seq. The 1974 Act brought under Federal regulation futures trading in all goods, articles, services, rights, and interests; commodity options trading; and leverage trading in gold and silver bullion and coins; and otherwise strengthened the regulation of the commodity futures trading industry. It established a comprehensive regulatory structure to oversee the volatile futures trading complex.

The CFTC is the sole Federal regulator responsible for overseeing the futures markets by encouraging competitiveness and efficiency, ensuring market integrity, and protecting market participants against manipulation, abusive trading practices, fraud, and other unscrupulous activities. Effective oversight by the CFTC enables the markets to better serve their designated functions of providing a price discovery mechanism and a means to offset price risk.

Programs in support of the overall mission include market surveillance analysis and research; registration, audits, and contract markets; enforcement; reparations; proceedings; legal counsel; agency direction; and administrative support services. CFTC activities are carried out in Washington, DC and in regional offices located in Chicago, New York City, and Kansas City.

The enacted 2008 farm bill (Public Law 110–246) reauthorized the CFTC and made several amendments to the Commodity Exchange Act to (1) clarify the CFTC’s jurisdiction over retail financial contracts based on foreign currencies; (2) make the CFTC’s

anti-fraud authority applicable to certain off-exchange or over-the-counter derivatives contracts; (3) increase civil monetary and criminal penalties for violations; (4) permit cross-margining of accounts in security futures and options; and (5) establish CFTC regulation over certain exchange-like trading facilities that are currently exempt from most regulation.

#### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$177,000,000 for the Commodity Futures Trading Commission. This is \$31,000,000 above the fiscal year 2009 enacted level and \$16,400,000 above the budget request. The Committee supports the need for significantly increased resources for the CFTC to ensure appropriate oversight of the futures markets, which are expanding steadily in volume and new users, and rapidly evolving in their complexity and diversity.

The Committee further acknowledges the need for CFTC to make mission-critical investments in technology to sort through the millions of pieces of information generated by markets, much of it electronic, daily. Proper oversight of markets requires transparency. The backbone of the CFTC's market surveillance program is the large trader reporting system. The amount and detail of trade data collected and analyzed at the CFTC is unprecedented among regulatory financial agencies.

In the past decade, trading volume has increased more than tenfold—reaching well over 3.4 billion trades in 2008. Actively traded contracts have quintupled—from 258 in 1997 to 1,521 in 2008. The notional value of contracts traded per day has experienced exponential growth from \$4,000,000,000 in 1976 to an estimated \$5,000,000,000 in 2008. Despite this phenomenal surge in activity, CFTC staffing levels have not kept pace, and in fact, have dropped 21 percent. The globalized, electronic, and round-the-clock nature of the marketplace and the emergence of derivatives and hedge funds have transformed the regulatory environment.

Additional authorities provided 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 staffing situation unsustainable. These combined factors underscore the importance of the Committee's recommended funding increase.

The Committee commends the CFTC for its decision to conduct a series of hearings to solicit input from consumers, businesses, and market participants on how the CFTC can best use its existing authorities, with the first hearing focused on whether Federal speculative limits should be set by the CFTC for all commodities of finite supply, particularly energy commodities, as well as a review of the appropriateness of exemptions from limits for certain market participants.

The Committee is also pleased that the CFTC is taking steps to improve the transparency of market data to better inform market participants and the public.

The Committee is aware of discussions to harmonize regulatory oversight of futures and securities products to achieve greater pro-

tection of investors, ensure market integrity, and promote price transparency. Building on previous work, the Committee directs the Government Accountability Office to report to Congress not later than March 1, 2010 on the extent of conflicts in statutes and regulations with respect to the similarities in futures and securities and provide recommendations that would reduce or eliminate discrepancies and gaps, enhance regulatory effectiveness and efficiency, and heighten market transparency.

#### CONSUMER PRODUCT SAFETY COMMISSION

##### SALARIES AND EXPENSES

Appropriations, 2009 .....	\$105,404,000
Budget estimate, 2010 .....	107,000,000
Committee recommendation .....	115,000,000

##### PROGRAM DESCRIPTION

The Consumer Product Safety Commission [CPSC] is an independent regulatory agency that was established on May 14, 1973, and is responsible for protecting the public against unreasonable risks of injury from consumer products; assisting consumers to evaluate the comparative safety of consumer products; developing uniform safety standards for consumer products and minimizing conflicting State and local regulations; and promoting research and investigation into the causes and prevention of product-related deaths, illnesses, and injuries.

In carrying out its mandate, the CPSC establishes mandatory product safety standards, where appropriate, to reduce the unreasonable risk of injury to consumers from consumer products; helps industry develop voluntary safety standards; bans unsafe products if it finds that a safety standard is not feasible; monitors recalls of defective products; informs and educates consumers about product hazards; conducts research and develops test methods; collects and publishes injury and hazard data, and promotes uniform product regulations by governmental units.

On August 14, 2008, Congress reauthorized the Commission by enacting the Consumer Product Safety Improvement Act of 2008 [CPSIA] (Public Law 110-314). CPSIA represents the most substantial change in the Consumer Product Safety Commission's authorities since the creation of the Commission. Among other things, it enhances the Commission's recall authority, streamlines the rulemaking process, provides for the creation of a new searchable database of consumer product complaints, and requires product certification.

##### COMMITTEE RECOMMENDATION

The Committee recommends \$115,000,000 for the Consumer Product Safety Commission, which is \$9,596,000 above the fiscal year 2009 funding level and \$8,000,000 above the budget request.

This increased funding level is provided for the Consumer Product Safety Commission to carry out its increased responsibilities under the CPSIA. The Committee is aware that in fiscal year 2009 CPSC has received hundreds of complaints about health and safety problems associated with drywall imported from China. The Com-

mittee is appreciative of the fact that CPSC is leading a coordinated, comprehensive, and multi-faceted Federal investigation of imported drywall products. The Committee notes that funds provided in fiscal year 2010 will be available to support CPSC's investigation of imported and domestic drywall products.

*Small Business Compliance.*—CPSIA established many vital safeguards for ensuring that children's products are safe. In December 2008, the CPSC sought comments from the public on section 102 of CPSIA, which requires testing of certain children's products. In particular, the CPSC sought comments regarding testing component parts of children's products rather than testing the final product. The Committee believes that small businesses could benefit greatly by protocol and guidance from the CPSC for those circumstances under which the testing of component parts is sufficient for a small business to demonstrate that its products are in compliance with section 102. Therefore, the Committee recommends that the CPSC expedite the issuance of such guidance.

Within the funds provided, the Committee has included sufficient resources for the Commission to educate micro-businesses, such as home-based businesses, thrift stores, second-hand shops and operators of church fairs, about compliance with CPSIA.

#### ELECTION ASSISTANCE COMMISSION

##### SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2009 .....	\$17,959,000
Budget estimate, 2010 .....	16,530,000
Committee recommendation .....	16,530,000

##### PROGRAM DESCRIPTION

The Election Assistance Commission [EAC] was created by the Help America Vote Act of 2002 [HAVA] (Public Law 107-252). Under HAVA, the EAC's role is to promulgate voluntary State guidelines for election systems, develop a national certification program for voting equipment, and provide related guidance. The EAC is also charged with awarding grants to improve election administration and to enhance election equipment.

##### COMMITTEE RECOMMENDATION

The Committee provides \$16,530,000 for EAC's administrative expenses, which is \$1,429,000 less than the fiscal year 2009 enacted level and the same as the budget request. The Committee bill requires that \$3,250,000 of these funds be transferred to the National Institute for Standards and Technology for technical assistance related to the development of voluntary State voting systems guidelines.

##### ELECTION REFORM PROGRAMS

Appropriations, 2009 .....	\$106,000,000
Budget estimate, 2010 .....	52,000,000
Committee recommendation .....	52,000,000

## PROGRAM DESCRIPTION

This appropriation provides grants for grant programs authorized by the Help America Vote Act of 2002 (Public Law 107-252) and for related grant programs to improve the administration of elections.

## COMMITTEE RECOMMENDATION

The Committee recommends \$52,000,000 for election reform programs. This amount is \$54,000,000 below the fiscal year 2009 enacted level and the same as the budget request.

## FEDERAL COMMUNICATIONS COMMISSION

## SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2009 .....	\$341,875,000
Budget estimate, 2010 .....	335,794,000
Committee recommendation .....	335,794,000

## PROGRAM DESCRIPTION

The Federal Communications Commission [FCC] is charged with regulating interstate and international communications by radio, television, wire, satellite, and cable. The FCC is also charged with promoting the safety of life and property through wire and radio communications. The mandate of the FCC under the Communications Act is to make available to all people of the United States a rapid, efficient, nationwide, and worldwide wire and radio communication service. The FCC performs five major functions to fulfill this charge: (1) spectrum allocation, (2) creating rules to promote fair competition and protect consumers where required by market conditions, (3) authorization of service, (4) enhancing public safety and homeland security, and (5) enforcement.

## COMMITTEE RECOMMENDATION

The Committee recommendation provides \$335,794,000 for the salaries and expenses of the Federal Communications Commission [FCC], of which \$335,794,000 is to be derived from the collection of fees. The recommendation is \$6,081,000 below the fiscal year 2009 enacted level and is equal to the budget request.

*Universal Service Fund.*—The Committee notes that Congress established the Universal Service Fund [USF] in 1996 to help provide communities across the country with affordable telecommunications services. The Committee continues to be concerned about the FCC's lack of proper oversight over USF programs, which in fiscal year 2010 are estimated to expend over \$8,800,000,000. While FCC has delegated the operational management of USF to the Universal Service Administrative Company [USAC], FCC continues to have responsibility for the management and oversight of USF programs.

The Committee fully supports auditing and investigations of Federal spending, including of USF programs and recipients. Auditing and other oversight activities are critical to help ensure proper stewardship of taxpayer dollars. However, the Committee is very

concerned that recent audits of telecommunications providers receiving USF support have been unnecessarily burdensome. The Committee directs the FCC to work with USAC and the FCC Inspector General [IG] to develop more uniform audit processes that are as consistent as possible so that telecommunications providers are fully informed of document retention and other audit requirements. The Committee also directs the FCC to work with USAC and the FCC IG to ensure that all USF auditors are familiar with the telecommunications industry.

The Committee directs FCC to report to the Committee on Appropriations within 60 days of enactment of this act with detailed information on all audit activity since fiscal year 2007 conducted by FCC, USAC and the FCC IG, including the cost of audit activity, audit methodologies, and the results of such audits. The report shall also include detailed information on FCC's plans for continued required reviews under the Improper Payments Information Act (Public Law 107-300), USAC's plans for continued auditing, and plans for FCC, the FCC IG, and USAC to communicate more effectively to USF recipients. Finally, the Committee notes that a detailed analysis of the FCC IG audit program performed by USAC has reported no instance of fraud in any of the program's audits, and has recognized a generally high level of program compliance.

*Rural Health Care Pilot Program.*—The Committee notes that the Commission dedicated over \$417,000,000 for the construction of 67 statewide or regional broadband telehealth networks in 42 States and 3 U.S. territories under the Rural Health Care Pilot Program [RHCPP]. This program is designed to significantly increase access to acute, primary, and preventive healthcare in rural America.

The Committee notes that there is a particular need for broadband access in rural healthcare, where isolated clinics can save lives by using advanced communications technology to tap the expertise of modern urban medical centers.

The Commission's RHCPP will eventually support the connection of more than 6,000 public and nonprofit health care providers nationwide to broadband telehealth networks. The healthcare facilities participating in the Pilot Program include hospitals, clinics, universities and research centers, behavioral health sites, correctional facility clinics, and community health centers. Telehealth and telemedicine services provide patients in rural areas with access to critically needed medical specialists in a variety of practices, including cardiology, pediatrics, and radiology, in some instances without leaving their homes or communities. Intensive care doctors and nurses can monitor critically ill patients around the clock and video conferencing allows specialists and mental health professionals to deliver medical care for patients in different rural locations, often hundreds of miles away.

The Committee is very concerned that, to date, the Commission has made funding commitments for only 6 of the 67 approved projects. The Committee therefore directs the Commission to place a high priority on the roll-out of this vital pilot initiative. The Committee specifically notes that the Commission has not made any funds available for the New England Telehealth Consortium, the largest regional rural telehealth network in the country. This

project will serve rural residents in over 300 sites across Vermont, New Hampshire, Massachusetts, and Maine. The Committee directs the Commission to better manage the Universal Service Administrative Company and its role in providing these funding commitments.

*Broadcast Television Standards.*—The Committee continues to be concerned about the declining standards of broadcast television and the impact this decline is having on America’s children. In broadcast television, sexual content, foul language, and violence have greatly increased over the past decade. The Committee directs the FCC to continue to report to Congress on the issues associated with resurrecting a broadcast industry code of conduct for content of programming that, if adhered to by the broadcast industry, would protect against the further erosion of broadcasting standards.

The Committee has included language (sec. 501) to extend FCC’s exemption from the Anti-deficiency Act [ADA] until December 31, 2010. The ADA contains accounting rules which could complicate the operation of the FCC’s universal service electronic rate program.

The Committee has included language (sec. 502) that prohibits the FCC from enacting certain recommendations regarding universal service that were made to it by the Joint Board of FCC members and State utility commissioners. The recommendation would limit universal support to one line. This would be harmful to small businesses, especially in rural areas, which need a second line for a fax or for other business purposes.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF INSPECTOR GENERAL

Appropriations, 2009 .....	(\$27,495,000)
Budget estimate, 2010 .....	(37,942,000)
Committee recommendation .....	(37,942,000)

PROGRAM DESCRIPTION

The FDIC Office of Inspector General [OIG] conducts audits, investigations, and other reviews to assist and augment the FDIC’s contribution to the stability of, and public confidence in, the Nation’s financial system. A separate appropriation more effectively ensures the OIG’s independence consistent with the Inspector General Act of 1978 and other legislation.

COMMITTEE RECOMMENDATION

The Committee recommends \$37,942,000 for the FDIC inspector general, the same as the budget request and \$10,447,000 more than the fiscal year 2009 enacted level. Funds are to be derived by transfer from the Deposit Insurance Fund and the Federal Savings and Loan Insurance Corporation [FSLIC] resolution fund.

## FEDERAL ELECTION COMMISSION

## SALARIES AND EXPENSES

Appropriations, 2009 .....	\$63,618,000
Budget estimate, 2010 .....	64,000,000
Committee recommendation .....	67,000,000

## PROGRAM DESCRIPTION

The Federal Election Commission [FEC] was created through the 1974 Amendments to the Federal Election Campaign Act of 1971 (Public Law 93-443). Consistent with its duty of executing our Nation's Federal campaign finance laws, and in pursuit of its mission of maintaining public faith in the integrity of the Federal campaign finance system, FEC conducts three major regulatory programs: (1) providing public disclosure of funds raised and spent to influence Federal elections; (2) enforcing compliance with restrictions on contributions and expenditures made to influence Federal elections; and (3) administering public financing of Presidential campaigns.

## COMMITTEE RECOMMENDATION

The Committee recommends \$67,000,000 for the Federal Election Commission, \$3,000,000 more than the budget request and \$3,382,000 more than the fiscal year 2009 enacted level. The Committee recommends the increase in funding over the budget request to enable the FEC to maintain current staffing levels and services, address audit findings related to information technology, enhance public access to electronic records, and address increased workload demands.

## FEDERAL LABOR RELATIONS AUTHORITY

## SALARIES AND EXPENSES

Appropriations, 2009 .....	\$22,674,000
Budget estimate, 2010 .....	24,773,000
Committee recommendation .....	24,773,000

## PROGRAM DESCRIPTION

The Federal Labor Relations Authority [FLRA] is an independent administrative Federal agency created by title VII of the Civil Service Reform Act of 1978 (Public Law 95-454) with a mission to carry out five statutory responsibilities in relation to the Federal workforce: (1) determining the appropriateness of units for labor organization representation; (2) resolving complaints of unfair labor practices; (3) adjudicating exceptions to arbitrator's awards; (4) adjudicating legal issues relating to the duty to bargain; and (5) resolving impasses during negotiations.

The FLRA's authority is divided by law and by delegation among a three-member authority and an Office of General Counsel, appointed by the President and subject to Senate confirmation; and the Federal Service Impasses Panel, which consists of seven part-time members appointed by the President.

In addition, the FLRA is engaged in case-related interventions, training and facilitation of labor-management partnerships, and resolving disputes. FLRA promotes labor-management cooperation by

providing training and assistance to labor organizations and agencies on resolving disputes, facilitates the creation of partnerships, and trains the parties on rights and responsibilities under the Federal Labor Relations Management statute.

#### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$24,773,000 for the Federal Labor Relations Authority. This amount is the same as the budget request and \$2,099,000 above the fiscal year 2009 enacted level.

The Committee supports the efforts of the FLRA in reducing the caseload backlog and is pleased with the planned movement towards electronic filing of public records.

#### FEDERAL TRADE COMMISSION

##### SALARIES AND EXPENSES

Appropriations, 2009 .....	\$259,200,000
Budget estimate, 2010 .....	287,200,000
Committee recommendation .....	289,300,000

##### PROGRAM DESCRIPTION

The Federal Trade Commission [FTC] administers a variety of Federal antitrust and consumer protection laws. Activities in the antitrust area include detection and elimination of illegal collusion, anticompetitive mergers, unlawful single-firm conduct, and injurious vertical agreements. The FTC regulates advertising practices, service industry practices, marketing practices, and credit practices as it addresses fraud and other consumer concerns.

#### COMMITTEE RECOMMENDATION

The Committee recommendation provides \$289,300,000. The recommendation is \$30,100,000 above the fiscal year 2009 enacted level and \$2,100,000 above the budget request.

The amounts recommended above the budget request are provided to enhance consumer protection activities and to support required activities related to the health information technology provisions included in the American Recovery and Reinvestment Act of 2009 [ARRA] (Public Law 111-5).

Of the amounts provided, \$102,000,000 is derived from Hart-Scott-Rodino pre-merger filing fees and \$21,000,000 is derived from Do-Not-Call fees. The total amount of direct appropriations for this account is therefore \$166,300,000. The Committee notes that this change reflects a net decrease in offsetting fee collection receipts since last year.

*Consumer Protection.*—Additional funds shall include support for investigations into fraud related to the housing crisis, including mortgage and other financial services fraud. The Committee continues to be concerned about the role that deceptive and misleading practices in the financial services industry have played in the recent housing crisis. Additional consumer protection funding shall also support investigations regarding unfair and deceptive practices associated with Federal programs promoting economic stimulus and stabilization, including ARRA and the Emergency Economic

Stabilization Act of 2008 (Public Law 110–343, known commonly as the Troubled Assets Relief Program, or TARP). The Committee is concerned that fraudulent activity conducted under the disguise of these programs can be particularly deceptive to consumers because such schemes use language and symbols associated with Government programs to gain the attention of consumers.

*Do-Not-Call Initiative.*—The recommendation includes \$21,000,000 for the FTC Do-Not-Call initiative and implementation of the Telemarketing Sales Rule [TSR], of which the entire amount is to be derived from the collection of fees. The Do-Not-Call initiative was launched pursuant to the FTC’s amended TSR to establish a national database of telephone numbers of consumers who choose not to receive telephone solicitations from telemarketers. The Do-Not-Call initiative has received broad support from, and will provide significant benefits to, consumers from all corners of the United States.

*Gas and Diesel Prices.*—The Committee continues to be concerned with the potential for market manipulation and anti-competitive behavior in the oil and natural gas industries. The FTC is encouraged to continue its investigations and other activities related to these concerns. The Committee directs the FTC to keep the Committee apprised of findings made regarding fuel prices, as well as other planned activities and investigations regarding the oil and gas industries.

*Child Protection.*—In September 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 Committee directs the Commission to continue to engage in consumer research and workshops, underage shopper-retail compliance surveys, and marketing data collection and analysis.

*Used Motor Vehicles.*—The Committee notes that the FTC has been petitioned by several consumer groups to modify the Used Motor Vehicle Trade Regulation Rule to inform prospective purchasers of used Chrysler vehicles that, as a result of the Chrysler bankruptcy proceeding, the restructured Chrysler company is absolved of liability for product defect claims arising from vehicles that were manufactured pre-bankruptcy. The Committee directs the FTC to report to the Committee within 90 days of enactment on how the Commission plans to inform potential purchasers of used cars about the extent to which the Chrysler and the General Motors bankruptcy proceedings may have limited the rights of consumers to recover for product defect or asbestos exposure claims associated with used Chrysler and General Motors vehicles.

## FINANCIAL CRISIS INQUIRY COMMISSION

Appropriations, 2009 <sup>1</sup> .....	\$8,000,000
Budget estimate, 2010 .....	
Committee recommendation .....	

<sup>1</sup> Supplemental Appropriations Act, 2009 (Public Law 111–32).

## PROGRAM DESCRIPTION

The Financial Crisis Inquiry Commission was established in the Fraud Enforcement and Recovery Act of 2009 (Public Law 111–21) to examine the causes, domestic and global, of the current financial and economic crisis in the United States. An emergency appropriation of \$8,000,000, to remain available until February 15, 2011, for the necessary expenses of the Commission was provided in the Supplemental Appropriations Act, 2009 (Public Law 111–32).

## COMMITTEE RECOMMENDATION

The Committee recommends no new funding for the Financial Crisis Inquiry Commission. This is the same as the budget request.

## GENERAL SERVICES ADMINISTRATION

## PROGRAM DESCRIPTION

The General Services Administration [GSA] was established by the Federal Property and Administrative Services Act of 1949 (Public Law 81–152) when Congress mandated the consolidation of the Federal Government’s real property and administrative services. GSA is organized into the Public Buildings Service, the Federal Acquisition Service, the Office of Government-wide Policy, and the Office of Citizen Services.

## COMMITTEE RECOMMENDATION

*Annual 5-Year Plans for Federal Buildings and Border Stations.*—The Committee is disappointed that the 2010 Budget request did not include the two 5-year plans required by the Omnibus Appropriations Act, 2009 (Public Law 111–8). The Committee reiterates the requirement that the GSA include in its annual budget submission to Congress, detailed 5-year plans for Federal building and land port of entry (border station) construction projects with yearly updates of total project future funding needs for construction. The 5-year plan for border stations shall be a coordinated effort between GSA and U.S. Customs and Border Protection.

*Los Angeles Courthouse.*—The Committee remains quite troubled by the lack of progress achieved in constructing a new courthouse in Los Angeles, California. Designated as the judiciary’s top priority and a judicial emergency in 2000, the Los Angeles courthouse project has received more than \$33,000,000 for courthouse design and for the purchase and preparation of the construction site. In 2004 and 2005 Congress appropriated more than \$350,000,000 for construction of the courthouse. Numerous problems followed, and a construction contract was never awarded. Despite the fact that Congress has appropriated nearly \$400,000,000 for the project, the project has completely stalled, and there appears to be little likeli-

hood that construction will begin in the foreseeable future. Nearly 10 years after being identified as a judicial emergency, today, the Los Angeles courthouse project remains the judiciary's highest construction priority.

The Committee appreciates the efforts GSA has made in recent years in trying to find a cost-effective solution. According to a GAO report (GAO-08-889), GSA has developed eight different proposals to house the court, some of which involve splitting the District Court between two locations. GSA reported to the Committee that the judiciary has been steadfast in opposing alternatives other than a single courthouse that will house all the District Judges and that there is no consensus on the best way to proceed.

The Committee recognizes the desirability of consolidating all the District Judges in one new courthouse. However, if this is an essential objective of the project, GSA and the judiciary must pursue the design of a much more modest facility than has been proposed to date and must ensure that the existing Roybal Federal Building and Courthouse location is fully utilized. The Committee directs GSA to work with the judiciary in developing a cost-effective design proposal that would not require splitting of the District Court. GSA shall report quarterly to the Committees on Appropriations of the Senate and the House of Representatives, beginning in January 2010, on progress made in reaching a mutually agreeable solution to this longstanding problem. The Committee urges GSA and the judiciary to work collaboratively and creatively, considering options such as courtroom sharing, to meet this challenge.

*Yuma, Arizona Courthouse.*—The Committee has not included construction funding for a new courthouse in Yuma, Arizona. Instead, the committee directs GSA to proceed expeditiously to enter into a contract for a non-prospectus level lease-construct courthouse facility that is critically needed in Yuma. This Southwest border court lacks the space and security features necessary to handle the volume and types of Federal court proceedings being held at this location. A lease-construct project is an appropriate strategy in instances such as this in which the court space need is modest, acute, and in a location where an extensive Federal presence is not needed.

*Lease-construct Report.*—The Committee is concerned that decisions regarding the provision of courthouse space for the judiciary are made without any consultation with the judiciary, particularly with respect to whether to undertake a new construction project or utilize a lease-construct strategy for acquiring space. The Committee directs the General Services Administration and the judiciary to develop and submit a joint report to the Committees on Appropriations of the Senate and the House of Representatives no later than 120 days after enactment of this act. The report should identify the circumstances under which it would be appropriate to provide court facilities using a lease-construct strategy. The Committee understands that this approach may be more conducive to the effective delivery of justice and warranted in instances when the need is modest, acute, and in a location where a large Federal court presence is not needed.

*Use of Stairs.*—The Committee commends GSA for carrying out an annual program that promotes the use of stairs through the dis-

play of appropriate signage in federally owned and leased buildings. This program delivers considerable health benefits for the Federal workforce and the general population at a very low cost to the Government. The Committee believes that the Federal Government should be a leader in encouraging workplace wellness, and there is mounting evidence that even small amounts of exercise accumulated throughout the day can provide significant health benefits. In addition, lessening the use of elevators will speed their movement for those that genuinely need them. The Committee supports the continued promotion of the use of stairs and directs GSA to display appropriate signage next to elevator buttons, at the entrance to stairwells, and at the base of escalators in federally owned and leased buildings.

*Promoting Energy Efficiency Through Use of Revolving Doors.*—The Committee supports the promotion of the use of revolving doors over swing doors by staff, tenants, and visitors to Federal buildings, when possible and appropriate, as a significant component of energy conservation. One of the most common ways that outside air penetrates a building is through the doors. Revolving doors maintain the existing environment within a building because they create a seal that prevents outside air from flowing into a building. On average, eight times as much air is exchanged when a swing door is opened compared to a revolving door. In addition to keeping heat and cold in or out, revolving doors create a better inside environment by reducing pollution, noise, and dirt. Unfortunately, the use of revolving doors is not as prevalent as it could be, resulting in less energy efficiency within buildings. The Committee looks forward to receiving GSA's upcoming report on the actions taken and achieved to promote the use of revolving doors.

*Custom House in New Orleans.*—The Committee is aware that Hurricane Katrina caused a roof collapse on one of the most architecturally and historically significant Government-owned structures in the southern United States, the U.S. Custom House in New Orleans, Louisiana. While renovations are being conducted by GSA and the Customs and Border Patrol, work has been proceeding slowly. The Committee is supportive of the project and expects that contracts will be awarded in a timely manner.

*Community Involvement.*—The Committee is concerned that GSA frequently shows a lack of concern for the opinions of local communities when developing and planning construction projects. The Committee urges GSA to make every possible attempt to address community concerns during the development stage of all GSA projects. The Committee directs GSA to coordinate with the community leaders and stakeholders in Madawaska, Maine, to address concerns during the development of the new port of entry.

*Contracts for Design and Construction of Border Stations and Ports of Entry.*—The Committee is aware that the construction of new border patrol stations and land ports of entry will enhance America's security and improve cross-border commerce. The Committee also acknowledges that these construction projects represent significant economic opportunity, particularly in rural America. Therefore, the Committee encourages GSA to make every effort to involve small businesses at all stages of design and construction of border stations and land ports of entry. The Committee directs

GSA and Customs and Border Protection to limit their reliance on indefinite delivery, indefinite quantity contracts for design and construction of border stations and ports of entry.

FEDERAL BUILDINGS FUND—LIMITATIONS ON AVAILABILITY OF REVENUE

Limitation on availability of revenue:	
Limitation on availability, 2009 <sup>1</sup> .....	\$13,973,771,000
Limitation on availability, budget estimate, 2010 .....	8,530,685,000
Committee recommendation .....	8,488,585,000

<sup>1</sup>Includes \$5,546,000,000 provided in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), of which not less than \$750,000,000 was made available for Federal Buildings and United States Courthouses, not less than \$300,000,000 was made available for border stations and land ports of entry, and not less than \$4,500,000,000 was made available for measures necessary to convert GSA facilities to High-Performance Green Buildings, as defined in section 401 of Public Law 110-140. This does not include \$4,000,000 provided in the American Recovery and Reinvestment Act that was transferred to the Government-wide Policy account.

The Federal Buildings Fund program consists of the following activities financed from rent charges:

*Construction and Acquisition of Facilities.*—Space is acquired through the construction or purchase of facilities and prospectus-level extensions to existing buildings. All costs directly attributable to site acquisition, construction, and the full range of design and construction services, and management and inspection of construction projects are funded under this activity.

*Repairs and Alterations.*—Repairs and alterations of public buildings as well as associated design and construction services are funded under this activity. Protection of the Government's investment, health and safety of building occupants, transfer of agencies from leased space, and cost effectiveness are the principal criteria used in establishing priorities. Primary consideration is given to repairs to prevent deterioration and damage to buildings, their support systems, and operating equipment. This activity also provides for conversion of existing facilities and non-prospectus extensions.

*Installment Acquisition Payments.*—Payments are made for liabilities incurred under purchase contract authority and lease purchase arrangements. The periodic payments cover principal, interest, and other requirements on the debt incurred for construction of Federal buildings.

*Rental of Space.*—Space is acquired through the leasing of buildings including space occupied by Federal agencies in U.S. Postal Service facilities. GSA provided 177 million square feet of rental space in fiscal year 2008. GSA expects to provide 190 million square feet of rental space in fiscal year 2009 and 194 million in fiscal year 2010.

*Building Operations.*—Services are provided for Government-owned and leased facilities, including cleaning, utilities and fuel, maintenance, miscellaneous services (such as moving, evaluation of new materials and equipment, and field supervision), and general management and administration of all real property related programs including salaries and benefits paid from the Federal Buildings Fund.

*Other Programs.*—When requested by Federal agencies, the Public Buildings Service provides building services, such as tenant alterations, cleaning and other operations, and protection services which are in excess of those services provided under the commer-

cial rental charge. For presentation purposes, the balances of the Unconditional Gifts of Real, Personal, or Other Property Trust Fund have been combined with the Federal Buildings Fund.

#### CONSTRUCTION AND ACQUISITION

Limitation on availability, 2009 <sup>1</sup> .....	\$746,317,000
Limitation on availability, budget estimate, 2010 .....	657,637,000
Committee recommendation .....	734,037,000

<sup>1</sup>Of the \$5,550,000,000 provided by the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) for deposit in the Federal Buildings fund, not less than \$750,000,000 was made available for Federal buildings and United States Courthouses, and not less than \$300,000,000 was made available for border stations and land ports of entry.

#### PROGRAM DESCRIPTION

The construction and acquisition fund shall be available for site, design, construction, management, and inspection costs for the construction of new Federal facilities.

#### COMMITTEE RECOMMENDATION

The Committee recommends a limitation of \$734,037,000 for construction and acquisition, including non-prospectus projects.

#### CONSTRUCTION AND ACQUISITION

State	Description	Amount
CA	Calexico, Calexico West, Land Port of Entry .....	\$9,437,000
CO	Lakewood, Denver Federal Center Remediation .....	9,962,000
DC	Southeast Federal Center Remediation .....	15,000,000
FL	Miami, FBI Consolidation .....	190,675,000
GA	Savannah, U.S. Courthouse .....	7,900,000
ME	Madawaska, Land Port of Entry .....	50,127,000
MD	White Oak, FDA Consolidation .....	137,871,000
PA	Pennsylvania, Lancaster, U.S. Courthouse .....	6,500,000
TX	El Paso, Tornillo-Guadalupe, Land Port of Entry .....	91,565,000
TX	San Antonio, U.S. Courthouse .....	4,000,000
UT	Salt Lake City, U.S. Courthouse .....	211,000,000

#### REPAIRS AND ALTERATIONS

Limitation on availability, 2009 <sup>1</sup> .....	\$692,374,000
Limitation on availability, budget estimate, 2010 .....	496,276,000
Committee recommendation .....	453,776,000

<sup>1</sup>Of the \$5,550,000,000 provided by the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) for deposit in the Federal Buildings fund, not less than \$4,500,000,000 was made available for measures necessary to convert GSA facilities to High-Performance Green Buildings, as defined in section 401 of Public Law 110-140.

#### PROGRAM DESCRIPTION

Under this activity, the General Services Administration [GSA] executes its responsibility for repairs and alterations [R&A] of both Government-owned and leased facilities under the control of GSA. The primary goal of this activity is to provide commercially equivalent space to tenant agencies. Safety, quality, and operating efficiency of facilities are given primary consideration in carrying out this responsibility.

R&A workload requirements originate with scheduled onsite inspections of buildings by qualified regional engineers and building managers. The work identified through these inspections is pro-

grammed in order of priority into the Inventory Reporting Information System and incorporated into a 5-year plan for accomplishment, based upon funding availability, urgency, and the volume of R&A work that GSA has the capability to execute annually. Since fiscal year 1995, design and construction services activities associated with repair and alteration projects have been funded in this account.

#### COMMITTEE RECOMMENDATION

The Committee recommends new obligational authority of \$453,776,000 for repairs and alterations in fiscal year 2010. This amount is \$232,098,000 below the fiscal year 2009 enacted level and \$36,000,000 below the President's request. The Committee has included limited funding for two special emphasis programs, energy and water retrofit and conservation measures and Federal high-performance green buildings. The Committee strongly supports these programs and expects GSA to use funding made available under the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) to support these programs in fiscal year 2010 in addition to the funding provided for fiscal year 2010.

#### REPAIRS AND ALTERATIONS

State	Description	Amount
DC	East Wing Infrastructure Systems Replacement .....	\$114,500,000
DC	Eisenhower Executive Office Building Courtyard Replacement .....	10,000,000
DC	Eisenhower Executive Office Building Roof Replacement .....	15,000,000
DC	New Executive Office Building .....	30,276,000

#### INSTALLMENT ACQUISITION PAYMENTS

Limitation on availability, 2009 .....	\$149,570,000
Limitation on availability, budget estimate, 2010 .....	140,525,000
Committee recommendation .....	140,525,000

#### PROGRAM DESCRIPTION

The Public Buildings Amendments of 1972 enable GSA to enter into contractual arrangements for the construction of a backlog of approved but unfunded projects. This activity provides for the payment of interest to the Federal Financing Bank related to facilities acquired pursuant to the Public Buildings Amendments of 1972 (40 U.S.C. 592).

#### COMMITTEE RECOMMENDATION

The Committee recommends a limitation of \$140,525,000 for installment acquisition payments. This amount is \$9,045,000 below the fiscal year 2009 funding level and the same as the budget request.

#### RENTAL OF SPACE

Limitation on availability, 2009 .....	\$4,642,156,000
Limitation on availability, budget estimate, 2010 .....	4,879,871,000
Committee recommendation .....	4,829,871,000

PROGRAM DESCRIPTION

GSA is responsible for leasing general purpose space and land incident thereto for Federal agencies, except in cases where GSA has delegated its leasing authority. GSA's policy is to lease privately owned buildings and land only when: (1) Federal space needs cannot be otherwise accommodated satisfactorily in existing Government-owned or leased space; (2) leasing proves to be more efficient than the construction or alteration of a Federal building; (3) construction or alteration is not warranted because requirements in the community are insufficient or are indefinite in scope or duration; or (4) completion of a new Federal building within a reasonable time cannot be assured.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of \$4,829,871,000 for rental of space. The Committee recommendation is \$187,715,000 above the fiscal year 2009 enacted level and is \$50,000,000 below the budget request.

BUILDING OPERATIONS

Limitation on availability, 2009 .....	\$2,197,354,000
Limitation on availability, budget estimate, 2010 .....	2,356,376,000
Committee recommendation .....	2,330,376,000

PROGRAM DESCRIPTION

This activity provides for the operation of all Government-owned facilities under the jurisdiction of GSA and building services in GSA-leased space where the terms of the lease do not require the lessor to furnish such services. Services included in building operations are cleaning, protection, maintenance, payments for utilities and fuel, grounds maintenance, and elevator operations. Other related supporting services include various real property management and staff support activities such as space acquisition and assignment; the moving of Federal agencies as a result of space alterations in order to provide better space utilization in existing buildings; onsite inspection of building services and operations accomplished by private contractors; and various highly specialized contract administration support functions.

The space, operations, and services referred to above are furnished by GSA to its tenant agencies in return for payment of rent. Due to considerations unique to their operation, GSA also provides varying levels of above-standard services in agency headquarters facilities, including those occupied by the Executive Office of the President, such as the east and west wings of the White House.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of \$2,330,376,000 for building operations. This amount is \$133,022,000 above the fiscal year 2009 enacted level and \$26,000,000 below the budget request.

ENERGY-EFFICIENT FEDERAL MOTOR VEHICLE FLEET PROCUREMENT

Appropriations, 2009 <sup>1</sup> .....	\$300,000,000
Budget estimate, 2010 .....	
Committee recommendation .....	

<sup>1</sup> Provided in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

PROGRAM DESCRIPTION

The American Recovery and Reinvestment Act of 2009 (Public Law 111-5) provided \$300,000,000 for capital expenditures and necessary expenses of acquiring motor vehicles with higher fuel economy, including hybrid vehicles, electric vehicles, and commercially-available plug-in hybrid vehicles. These funds are to remain available until September 30, 2011.

COMMITTEE RECOMMENDATION

The Committee recommends no new funding for Energy-Efficient Federal Motor Vehicle Fleet Procurement. This is the same as the budget request.

GOVERNMENT-WIDE POLICY

Appropriations, 2009 <sup>1</sup> .....	\$58,578,000
Budget estimate, 2010 .....	65,165,000
Committee recommendation .....	61,165,000

<sup>1</sup> Includes \$4,000,000 by transfer as provided in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

PROGRAM DESCRIPTION

The Office of Government-wide Policy provides for Government-wide policy development, support, and evaluation functions associated with real and personal property, supplies, vehicles, aircraft, information technology, acquisition, transportation, and travel management. This office also provides for the Federal Procurement Data Center, Workplace Initiatives, Regulatory Information Service Center, the Catalog of Federal Domestic Assistance, and the Committee Management Secretariat. The Office of Government-wide Policy, working cooperatively with other agencies, provides the leadership needed to develop and evaluate the implementation of policies designed to achieve the most cost-effective solutions for the delivery of administrative services and sound workplace practices, while reducing regulations and empowering employees.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$61,165,000 for Government-wide Policy. This amount is \$2,587,000 above the fiscal year 2009 enacted level, which included funds transferred by the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) and \$4,000,000 below the budget request.

*High-performance Green Buildings.*—The Committee notes that the budget requests that \$4,000,000 be provided for the Office of Federal High-Performance Green Buildings to support a staffing level of 9 full-time equivalents [FTEs]. The budget request indicates that the request is a continuation of funding provided in the American Reinvestment and Recovery Act of 2009 [ARRA] (Public

Law 111-5). ARRA provided \$4,000,000 to be transferred to the Government-wide Policy account for the Office of Green Buildings, as authorized in the Energy Independence and Security Act of 2007 [EISA] (Public Law 110-140). These funds are available for obligation through fiscal year 2010.

The Committee is extremely disappointed that GSA has, to date, failed to obligate any of the funds provided in ARRA for the Office of Federal High-Performance Green Buildings. The Committee reminds GSA that ARRA provided over \$12,000,000,000 across Government for investments in Federal buildings and Federal facilities. Many of these appropriations provide funds for investments in energy efficiency, energy-efficient retrofits to existing facilities, or energy projects. Funding for the Office of Federal High-Performance Green Buildings was included in ARRA with the expectation that the Federal director would assist all Federal agencies in using these funds to implement improved green building standards. The Committee is dismayed that GSA appears to have taken no actions in this regard.

In light of GSA's critical responsibilities under EISA and ARRA, the Committee directs GSA to use the \$4,000,000 provided in ARRA to fully establish and stand up the Office of Federal High-Performance Green Buildings, including hiring the requested nine FTEs as soon as possible and then immediately begin fulfilling its responsibilities. The Committee directs GSA to submit to the Committees on Appropriations a detailed expenditure plan for this Office within 30 days of enactment of this act. The plan should describe the budget, timeline, objectives, and benefits of the Office and its projects. The Committee further directs GSA to report to the Committee on the obligation of these funds on a monthly basis.

OPERATING EXPENSES

Appropriations, 2009 .....	\$70,645,000
Budget estimate, 2010 .....	71,881,000
Committee recommendation .....	71,881,000

PROGRAM DESCRIPTION

Operating Expenses provides for the salaries and expenses of Government-wide activities associated with utilization and donation of surplus personal property and disposal of real property; agency-wide policy direction, management, and communications; the Civilian Board of Contract Appeals; and services as authorized by 5 U.S.C. 3109.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$71,881,000 for Operating Expenses. This amount is \$1,236,000 above the fiscal year 2009 enacted level and the same as the budget request.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2009 <sup>1</sup> .....	\$61,000,000
Budget estimate, 2010 .....	60,080,000
Committee recommendation .....	58,000,000

<sup>1</sup> Includes \$7,000,000 provided in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

PROGRAM DESCRIPTION

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

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$58,000,000 for the Office of Inspector General. This amount is \$3,000,000 below the fiscal year 2009 enacted level and \$2,080,000 below the budget request.

ELECTRONIC GOVERNMENT [E-GOV] FUND

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2009 .....	.....
Budget estimate, 2010 .....	\$33,000,000
Committee recommendation .....	35,000,000

PROGRAM DESCRIPTION

This program supports interagency “electronic government” or “e-gov” initiatives, i.e., projects that use the Internet or other electronic methods to provide individuals, businesses, and government agencies with simpler and more timely access to Federal information, benefits, services, and business opportunities.

Proposals for funding of e-gov initiatives must meet capital planning guidelines and include adequate documentation to demonstrate a sound business case, attention to security and privacy, and a mechanism to measure performance against planned results. In addition, a small portion of the funds may be used for awards to project management teams that delivered the best product to meet customer needs.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$35,000,000 for the Electronic Government Fund. This amount is \$35,000,000 above the fiscal year 2009 enacted level and \$2,000,000 above the budget request.

The Committee strongly supports the activities of the Federal CIO Council related to “cloud computing” and encourages the council to continue to assess and address the escalating costs, inefficiencies, and stove-piping related to the management of Federal data. The Committee has included \$35,000,000 for electronic government

activities related to Cloud Computing Infrastructure Pilots and Collaboration, \$2,000,000 above the President’s request. This amount includes \$15,000,000 for improving innovation, efficiency and effectiveness in Federal IT, including an initiative on optimizing common services and solutions/cloud-computing. This initiative would provide for pilots to identify enterprise-wide common solutions to eliminate duplication at the agency level and lower the total cost of Federal IT infrastructure. Of this \$15,000,000, the Committee is including \$7,500,000 for the Center for IT Excellence proposed by GSA. The center will deploy a selected set of infrastructure services, cloud based applications, offer Infrastructure as a service to agencies, and provide portal government applications.

The Committee recommends \$6,000,000 for USASpending.gov for implementation of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282). At USASpending.gov, citizens will be able to see how, when, with whom, and on what the Government is spending taxpayer funds, and whether or not that money is delivering results.

The Committee recommends \$7,000,000 for Efficient Federal Workforce activities, an initiative that will provide a significant expansion of technologies for file sharing and access management, and investment in a system that spans across all agencies, rather than relying on agency-centric systems. The Committee recommends \$4,000,000 for participation and collaboration, including, harnessing new technologies, an initiative for the development and deployment of Web 2.0 technologies in a way that would encourage citizen participation and collaboration.

Finally, \$3,000,000 is recommended for Data.gov, an online repository that allows the public to easily find, download, and use publicly available data sets that are generated and held by the Federal Government.

The Committee urges GSA to administer this funding in joint consultation with the Office of Management and Budget. The Committee expects GSA to use funds for infrastructure pilots primarily on infrastructure migration activities related to consolidation, standardization, and optimization. This will allow GSA to identify enterprise-wide common solutions that have the potential to eliminate duplication and lower the total cost of Federal information technology infrastructure. To increase efficiencies, the Committee urges GSA to use the funds provided for the Center of IT Excellence to further examine the use of secure virtualized data centers by co-locating the Center at an existing multi-tenant, Government Owned/Government Operated [GOGO] data facility.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

Appropriations, 2009 .....	\$2,934,000
Budget estimate, 2010 .....	3,756,000
Committee recommendation .....	3,756,000

PROGRAM DESCRIPTION

This appropriation provides for an annual pension and compensation for office staffs and other related operating expenses for each former President pursuant to Public Law 85–745. The cost of

franking privileges for the widows of former President Reagan and former President Ford are also funded in this appropriation.

#### COMMITTEE RECOMMENDATION

The Committee recommends \$3,756,000 for allowances and office staff for former Presidents, \$822,000 above the fiscal year 2009 funding level and the same as the budget request.

Below is listed a detailed analysis of the Committee's recommendation for fiscal year 2010 funding:

#### FISCAL YEAR 2010 BUDGET ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

[In thousands of dollars]

	Carter	G.H. Bush	Clinton	G.W. Bush	Widows	Total
Personnel Compensation .....	96	96	96	150	.....	438
Personnel Benefits .....	2	64	70	102	.....	238
Benefits for Former Presidents .....	199	199	210	210	.....	818
Travel .....	2	56	5	80	.....	143
Rental Payments to GSA .....	102	175	579	345	.....	1,201
Communications, Utilities, and Miscellaneous Charges:						
Telephone .....	10	17	7	85	.....	119
Postage .....	15	13	14	20	14	76
Printing .....	5	14	18	26	.....	63
Other Services .....	75	112	51	162	.....	400
Supplies & Materials .....	5	15	2	40	.....	62
Equipment .....	7	69	36	86	.....	198
<b>Total Obligations .....</b>	<b>518</b>	<b>830</b>	<b>1,088</b>	<b>1,306</b>	<b>14</b>	<b>3,756</b>

#### PRESIDENTIAL TRANSITION EXPENSES

Appropriations, 2009 .....	\$8,520,000
Budget estimate, 2010 .....	.....
Committee recommendation .....	.....

This appropriation provides for an orderly transfer of executive leadership, in accordance with the Presidential Transition Act of 1963. Funds are only requested during a Presidential election year and are not available for obligation by the incumbent administration. The Committee is therefore not recommending funding for fiscal year 2010.

#### FEDERAL CITIZEN SERVICES FUND

Appropriations, 2009 .....	\$36,096,000
Budget estimate, 2010 .....	36,515,000
Committee recommendation .....	36,515,000

#### PROGRAM DESCRIPTION

The Federal Citizen Services Fund [FCSF] (formerly the Federal Citizen Information Center) appropriation provides for the salaries and expenses of the Office of Citizen Services [OCS]. The FCSF consolidates all of GSA's citizen-oriented programs into a single funding source by unifying OCS programs formerly funded by the Federal Citizen Information Center Fund and the Operating Expenses appropriations. The Office of Citizen Services provides citizens, businesses, other governments, and the media with access

points to easily obtain Government information and services via the Internet, e-mail, print, and telephone.

The OCS provides information and services to the public primarily through USA.gov and GobiernoUSA.gov, the official web portals of the U.S. Government. OCS also operates pueblo.gsa.gov, consumeraction.gov and consumidor.gov, webcontent.gov, and kids.gov websites. OCS provides direct telephone (1-800-FED-INFO), e-mail and online assistance to citizens through the National Contact Center, and offers simple and cost-effective contact center solutions to customer Federal agencies through the USA Services program. OCS also coordinates the publication and distribution of information through the Government Printing Office's Public Documents Distribution Center in Pueblo, Colorado.

OCS supports effective Government by training web and contact center managers across the Federal Government through Web Manager University, and provides administrative support to various interagency steering committees. OCS provides management of the USA.gov hosting infrastructure, including support for all Federal agency applications on USA.gov, and provides development and facilitation services to Federal agencies and initiatives to enhance their delivery of citizen services. OCS brings Federal, State, territorial, local and Indian tribal governments together to improve services to citizens through sharing of best practices, and serves as a point of contact to other nations to share experiences in delivering citizen services and to bring new solutions to the U.S. Government.

The FCSF is financed through annual appropriations to pay for the salaries and expenses of OCS staff. Reimbursements from Federal agencies pay for the direct costs of information services OCS provides on their behalf. The FCSF also receives funding from user fees for publications ordered by the public, payments from private entities for services rendered, and gifts from the public. All income is available without regard to fiscal year limitations, but is subject to an annual aggregate expenditure limit as set forth in appropriation acts.

#### COMMITTEE RECOMMENDATION

The Committee recommends \$36,515,000 for the Federal Services Center, an increase of \$419,000 above the fiscal year 2009 enacted level and the same as the budget request.

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

#### ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

Section 510 authorizes GSA to use funds for the hire of passenger motor vehicles.

Section 511 authorizes GSA to transfer funds within the Federal buildings fund for meeting program requirements.

Section 512 requires that the fiscal year 2011 budget request meet certain standards.

Section 513 provides that no funds may be used to increase the amount of occupiable square feet, provide cleaning services, secu-

rity enhancements, or any other service usually provided, to any agency which does not pay the requested rate.

Section 514 continues the provision that permits GSA to pay small claims less than \$250,000 made against the Government.

Section 515 provides that certain lease agreements must conform to an approved prospectus.

Section 516 authorizes GSA to allow volunteer and other non-governmental organizations supporting the National Response Framework, under Emergency Support Function [ESF] #6—Mass Care, Housing, and Human Services, access to GSA Sources of Supply.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

SALARIES AND EXPENSES

Appropriations, 2009 .....	\$500,000
Budget estimate, 2010 .....	
Committee recommendation .....	660,000

PROGRAM DESCRIPTION

The Harry S Truman Scholarship Foundation is an independent agency established by Congress in 1975 (Public Law 93-642) to encourage exceptional college students to pursue careers in public service through the Truman Scholarship program. The Truman Scholarship is a merit-based award available to college juniors who plan to pursue careers in Government or elsewhere in public service. Truman Scholars receive up to \$30,000 for graduate or professional school, participate in leadership development activities, and have special opportunities for internships and employment with the Federal Government.

The Foundation Trust Fund was established with a one-time \$30,000 appropriation in 1976. The authorizing legislation directed that this endowment be invested solely in U.S. Treasury Securities, the interest from which has funded the Foundation's operating budget. With the decline in interest rates, the Foundation has experienced a significant decline in Federal financial support. From fiscal year 2002 to fiscal year 2009, despite having cut expenditures by 27 percent, annual trust fund revenue has declined 33 percent. The Foundation anticipates a budget deficit of \$500,000 for fiscal year 2010 if appropriations are not provided.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$660,000 for the Harry S Truman Scholarship Foundation. This amount is \$160,000 above the fiscal year 2009 enacted level and \$660,000 above the budget request. The appropriation is provided to offset the decline in trust fund revenues, to increase direct financial support to scholars, to ensure compliance with government audit reporting requirements, and to invest in technology and financial development activities.

MERIT SYSTEMS PROTECTION BOARD  
SALARIES AND EXPENSES  
(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2009 .....	\$38,811,000
Budget estimate, 2010 .....	40,339,000
Committee recommendation .....	40,339,000

PROGRAM DESCRIPTION

The Merit Systems Protection Board [MSPB] was established by the Civil Service Reform Act of 1978. MSPB is an independent quasi-judicial agency manifested to protect Federal merit systems against partisan political and other prohibited personnel practices and to ensure adequate protection for employees against abuses by agency management.

MSPB assists Federal agencies in running a merit-based civil service system. This is accomplished on a case-by-case basis through hearing and deciding employee appeals and on a systemic basis by reviewing significant actions and regulations of the Office of Personnel Management [OPM] and conducting studies of the civil service and other merit systems. The intended results of MSPB's efforts are to assure that personnel actions taken against employees are processed within the law and that actions taken by OPM and other agencies support and enhance Federal merit principles.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$40,339,000 for the Merit Systems Protection Board. This is an increase of \$1,528,000 above the fiscal year 2009 enacted level and the same as the budget request. The Committee makes available not more than \$2,579,000 for adjudicating retirement appeals through an appropriation from the trust fund consistent with past practice.

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

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

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2009 .....	\$3,750,000
Budget estimate, 2010 .....	2,200,000
Committee recommendation .....	3,850,000

PROGRAM DESCRIPTION

The General Fund payment to the Morris K. Udall Fund is invested in Treasury securities with maturities suitable to the needs of the Fund. Interest earnings from the investments are used to carry out the activities of the Morris K. Udall Foundation. The Foundation awards scholarships, fellowships, and grants, and funds activities of the Udall Center.

The Morris K. Udall Foundation also supports training programs for professionals in health care policy and public policy, such as the

Native Nations Institute [NNI]. NNI, based at the University of Arizona, provides Native Americans with leadership and management training, and analyzes policies relevant to tribes.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$3,850,000 for the Morris K. Udall Foundation. This amount is \$100,000 above the fiscal year 2009 enacted level and \$1,650,000 above the budget request. The Committee includes language to allow up to 60 percent of the appropriation to be used for the expenses of the Native Nations Institute.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

Appropriations, 2009 .....	\$2,100,000
Budget estimate, 2010 .....	3,800,000
Committee recommendation .....	3,000,000

PROGRAM DESCRIPTION

The U.S. Institute for Environmental Conflict Resolution is a Federal program established by Public Law 105–156 to assist parties in resolving environmental, natural resource, and public lands conflicts. The Institute is part of the Morris K. Udall Foundation and serves as an impartial, non-partisan institution providing professional expertise, services, and resources to all parties involved in such disputes. The Institute helps parties determine whether collaborative problem solving is appropriate for specific environmental conflicts, how and when to bring all the parties together for discussion, and whether a third-party facilitator or mediator might be helpful in assisting the parties in their efforts to reach consensus or to resolve the conflict. In addition, the Institute maintains a roster of qualified facilitators and mediators with substantial experience in environmental conflict resolution and can help parties in selecting an appropriate neutral professional.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$3,000,000 for the Morris K. Udall Environmental Dispute Resolution Fund. This amount is \$900,000 above the fiscal year 2009 enacted level and \$800,000 below the budget request.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

The National Archives and Records Administration [NARA] is the national recordkeeper, managing the Government's archives and records, and operating the Presidential libraries. NARA is an independent agency created by statute in 1934 and tasked with the unique mission to identify, access, protect, preserve, and make available for use the important documents and records of all three branches of the Federal Government. NARA administers the Information Security Oversight Office, is the publisher of the Federal Register, and makes grants for historical documentation through the National Historical Publications and Records Commission [NHPRC]. In addition, NARA is charged with additional respon-

sibilities including mediating Freedom of Information Act disputes and coordinating controlled unclassified information.

OPERATING EXPENSES

Appropriations, 2009 .....	\$330,308,000
Budget estimate, 2010 .....	339,770,000
Committee recommendation .....	339,770,000

PROGRAM DESCRIPTION

This account provides for basic operations dealing with management of the Federal Government’s archives and records, operation of Presidential libraries, review for declassification of classified security information, and other duties.

COMMITTEE RECOMMENDATION

The Committee recommends \$339,770,000 for operating expenses of the National Archives and Records Administration for fiscal year 2010. This amount is \$9,462,000 above the fiscal year 2009 enacted level and the same as the budget request.

The Committee’s recommendation includes requested funds to implement the Controlled Unclassified Information [CUI] Office to oversee the CUI framework, operate the Office of Government Information Services to support accessibility to records under the Freedom of Information Act, expand the archival staff by 12 FTE to build a cadre of new technology savvy archivists to handle the influx of new records which need to be processed, preserved and stored, and store newly accessioned civilian official personnel files transferred to NARA’s custody.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2009 <sup>1</sup> .....	
Budget estimate, 2010 .....	\$4,100,000
Committee recommendation .....	4,100,000

<sup>1</sup>Appropriations for the Office of the Inspector General were included within the Operating Expenses appropriation in fiscal year 2009.

PROGRAM DESCRIPTION

The mission of the Office of Inspector General [OIG] is to ensure that NARA safeguards and preserves the records of our Government while providing the American people with access to the essential documentation of their rights and the actions of their Government. The OIG accomplishes this by combating fraud, waste, and abuse through high-quality objective audits and investigations covering all aspects of agency operations at 44 facilities nationwide. The OIG also serves as an independent, internal advocate for the economy, efficiency, and effectiveness of NARA and its operations.

COMMITTEE RECOMMENDATION

The Committee provides \$4,100,000 for the Office of Inspector General [OIG] as a new separate appropriation, the same as the budget request. In previous fiscal years, appropriations for the OIG were a component of the Operating Expenses appropriation. The Committee supports a distinct account for the OIG in order to clearly identify the resources necessary to staff and operate the ex-

panding mission-critical oversight and accountability functions performed by the OIG to ensure responsible NARA stewardship over records. The Committee acknowledges that as the missions of NARA expand, including the establishment of the George W. Bush Presidential Library, the implementation of the Office Government Information Services, and the start-up of the Controlled Unclassified Information Office, the OIG's audit and investigative responsibilities grow. The Committee supports the increase above the fiscal year 2009 funding to support the hiring of two criminal investigators and one program auditor in the OIG.

ELECTRONIC RECORDS ARCHIVES

Appropriations, 2009 .....	\$67,008,000
Budget estimate, 2010 .....	85,500,000
Committee recommendation .....	85,500,000

PROGRAM DESCRIPTION

Since 2001, NARA has been developing an Electronic Records Archives [ERA] that will permit management of records electronically and ensure the preservation of and access to Government electronic records. With the rapid changes in technology today, the formats in which records are stored become obsolete within a few years, making records inaccessible even if they are preserved intact with the most modern technology. ERA will preserve electronic records generated in a manner that enables requesters to access them on computer systems now and in the future. ERA will include a base system for Federal records and a separate system for Presidential records.

COMMITTEE RECOMMENDATION

The Committee recommends \$85,500,000 for the ERA project. This amount is an increase of \$18,492,000 above the fiscal year 2009 enacted level and the same as the budget request. The Committee provides additional resources as requested in the budget to support the deployment of public access and initial preservation capabilities developed during 2009. The bill includes a provision requiring NARA to submit a spending plan for these funds.

The Committee expects that the expenditure plan submitted for fiscal year 2010 shall specifically identify and explain the outcomes that NARA expects from the funding made available, particularly the extent to which completed system increments include all or only partial planned functionality.

The Committee strongly supports the ERA program at NARA and is committed to working to ensure that this program is adequately funded on an expedited basis so ERA can preserve the Nation's important records at the earliest feasible date.

The Committee is highly concerned about the lack of progress in developing ERA capabilities to ingest electronic records from the previous Presidential administration. The Committee is aware that NARA certified initial operating capability for the Executive Office of the President [EOP] System in December 2008. However, a recent review by the Government Accountability Office [GAO] determined that less than 3 percent of the electronic records from the Bush administration had been ingested into the system at the time

of the review and that NARA did not expect the remainder to be ingested until October 2009.

The Committee is concerned that until NARA completely and accurately ingests the Bush administration Presidential records into the EOP system, it will be unable to use the system for its intended purpose. Furthermore, NARA will incur additional costs maintaining the systems it is now using to support requests for these records. The Committee urges NARA to place a high priority on addressing the delay in ingesting records. The Committee directs NARA to report to Congress no later than December 31, 2009 on the status of the Bush administration records ingestion project.

The Committee is also concerned that NARA lacks a contingency plan for the ERA system in the event of a failure or disruption, and a fully functional backup and restore process for ERA, a key component for ensuring system availability. The Committee directs that the funding provided be devoted to establish a robust online backup and restoration service and ensure that adequate capabilities are in place for managing restricted information.

The Committee notes that in March 2009, NARA officials became aware that an external hard drive containing copies of Clinton administration EOP data was missing from one of its facilities. The Committee recognizes that the sheer volume of archived materials, combined with a limited operating budget, means that such losses may occur. However, the loss of any information, particularly classified materials or personally identifiable information, should be considered a serious matter and NARA should take steps to promptly notify those individuals affected and the congressional committees of jurisdiction. The Committee is very concerned that NARA did not timely inform the Committee of the loss of this material. The Committee directs NARA to inform all relevant committees of jurisdiction of any such data breaches within 24 hours of when a data breach has been discovered.

REPAIRS AND RESTORATION

Appropriations, 2009 .....	\$50,711,000
Budget estimate, 2010 .....	27,500,000
Committee recommendation .....	27,500,000

PROGRAM DESCRIPTION

This account provides for the repair, alteration, and improvement of Archives facilities and Presidential libraries nationwide, and provides adequate storage for holdings. It will better enable NARA to maintain its facilities in proper condition for public visitors, researchers, and NARA employees, and also maintain the structural integrity of the buildings.

COMMITTEE RECOMMENDATION

The Committee recommends \$27,500,000 for the repairs and restoration account. This amount is \$23,211,000 below the fiscal year 2009 enacted level and the same as the budget request.

The Committee is aware of the great need of repairs of Presidential libraries, particularly the FDR Presidential Library, which suffers from flooding, whose infrastructure is dangerously deterio-

rated and outdated, and whose systems violate NARA’s standards for preservation.

The Committee is pleased to support the request, which includes \$17,500,000 to complete the renovation of the FDR Presidential Library, the oldest in the Presidential library system. This funding will ensure that this facility meets modern standards and that the records of President Roosevelt are housed in appropriate space. The Committee is particularly encouraged that the budget request reflects the highest priority needs in the capital improvement plan. The Committee expects the remaining \$10,000,000 to be used to fund repairs and restorations to 16 NARA-owned facilities.

The Committee appreciates NARA’s submission of an update of its comprehensive capital needs assessment for its entire infrastructure of Presidential libraries and records facilities, as part of the fiscal year 2010 budget submission and urges NARA to include an appropriate level of funding for repair of valuable historic Presidential libraries in the fiscal year 2011 budget request.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

Appropriations, 2009 .....	\$11,250,000
Budget estimate, 2010 .....	10,000,000
Committee recommendation .....	12,000,000

PROGRAM DESCRIPTION

The National Historical Publications and Records Commission [NHPRC] provides grants nationwide to preserve and publish records that document American history. Administered within the National Archives, which preserves Federal records, NHPRC helps State, local, and private institutions preserve non-Federal records, helps publish the papers of major figures in American history, and helps archivists and records managers improve their techniques, training, and ability to serve a range of information users.

COMMITTEE RECOMMENDATION

The Committee recommends \$12,000,000 for the National Historical Publications and Records Commission [NHPRC]. This amount is \$750,000 above the fiscal year 2009 enacted level and \$2,000,000 above the budget request. As requested, the Committee does not include a transfer of funds to the Operating Expenses account for administrative support in fiscal year 2010, as such support for staff costs will be provided through the base “Operating Expenses” account. The Committee notes that this will enable more of the funds to be available for grants than in previous fiscal years.

The Committee strongly supports the NHPRC program and has provided funding to continue this important program. This program has played a central role in the preservation and dissemination of the Nation’s documentary heritage and has been successful in leveraging private sector contributions.

The Committee notes that the funding provided will enable NARA, through the NHPRC, to undertake a variety of initiatives, including (1) accelerating the Founding Fathers Online project to provide online access to the pre-publication transcriptions of the

papers of the Founding Fathers without charge; (2) publishing historical papers of key figures and movements in our Nation's history; and (3) advancing archives preservation, access, and digitization projects within the interlocking repositories of historic records and hidden collections. The Committee directs that of the total funds made available, not less than \$3,000,000 be designated for each of these three efforts. The Committee further notes the creation of two new grant programs in the Presidential Historical Records Preservation Act of 2008 (Public Law 110-404), including grants for Presidential centers of historical excellence and grants to preserve records of servitude, emancipation, and post-Civil War Reconstruction. The Committee appreciates the competing demands for scarce resources, and provides an additional \$2,000,000 above the request to address the additional responsibilities. The Committee expects that up to \$1,000,000 of the funds provided be devoted to each of the two new grant programs under Public Law 110-404. The Committee urges NARA to consult with the members of the NHPRC in formulating prioritization of resources.

#### NATIONAL CREDIT UNION ADMINISTRATION

##### CENTRAL LIQUIDITY FACILITY

###### PROGRAM DESCRIPTION

The National Credit Union Administration [NCUA] Central Liquidity Facility [CLF] was created by the National Credit Union Central Liquidity Facility Act (Public Law 95-630). The CLF is a mixed-ownership Government corporation managed by the National Credit Union Administration Board and owned by its member credit unions.

The purpose of the CLF is to improve the general financial stability of credit unions by meeting their seasonal and emergency liquidity needs and thereby encourage savings, support consumer and mortgage lending, and provide basic financial resources to all segments of the economy. To become eligible for CLF services, credit unions invest in the capital stock of the CLF, and the facility uses the proceeds of such investments and the proceeds of borrowed funds to meet the liquidity needs of credit unions. The primary sources of funds for the CLF are stock subscriptions from credit unions and borrowings.

The CLF may borrow funds from any source, with the amount of borrowing limited to 12 times the amount of subscribed capital stock and surplus.

Loans are available to meet short-term requirements for funds attributable to emergency outflows from managerial difficulties or local economic downturns. Seasonal credit is also provided to accommodate fluctuations caused by cyclical changes in such areas as agriculture, education, and retail business. Loans can also be made to offset protracted credit problems caused by factors such as regional economic decline.

###### COMMITTEE RECOMMENDATION

The Committee recommends that lending through the CLF be limited to the maximum level provided for by section 307(a)(4)(A)

of the Federal Credit Union Act. This limitation provides the NCUA maximum flexibility to assist with credit unions' financial liquidity during the economic downturn. The Committee also recommends the budget request of limiting administrative expenses for the CLF to \$1,250,000 in fiscal year 2010.

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

Appropriations, 2009 .....	\$1,000,000
Budget estimate, 2010 .....	1,000,000
Committee recommendation .....	1,000,000

PROGRAM DESCRIPTION

The Community Development Revolving Loan Fund Program [CDRLF] was established in 1979 to assist officially designated "low-income" credit unions in providing basic financial services to low-income communities. Low-interest loans and deposits are made available to assist these credit unions. Loans or deposits are normally repaid in 5 years, although shorter repayment periods may be considered. Technical assistance grants [TAGs] are also available to low-income credit unions for improving operations as well as addressing safety and soundness issues. Credit unions use TAG funds for specific initiatives, including taxpayer assistance, financial education, home ownership initiatives, and training assistance.

COMMITTEE RECOMMENDATION

The Committee recommends \$1,000,000 for technical assistance grants to community development credit unions. This funding level is equal to the budget request and the fiscal year 2009 enacted level. The Committee expects the CDRLF to continue making loans from available funds derived from repaid loans and interest earned on previous loans to designated credit unions.

The Committee supports NCUA's outreach efforts to underserved rural and urban communities across America through technical assistance grants provided within CDRLF. The Committee encourages NCUA to continue its efforts to provide financial education, particularly regarding consumer credit and home mortgages, and to provide alternatives to predatory lending services through targeted technical assistance grants and support.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

Appropriations, 2009 .....	\$13,000,000
Budget estimate, 2010 .....	13,665,000
Committee recommendation .....	13,665,000

PROGRAM DESCRIPTION

The Office of Government Ethics [OGE], a separate agency within the executive branch, was established by the Ethics in Government Act of 1978 (Public Law 95-521). OGE is charged by law to provide overall direction of executive branch policies designed to prevent conflicts of interest and ensure high ethical standards. OGE carries out these responsibilities by developing regulations pertaining to conflicts of interest, postemployment restrictions,

standards of conduct, and public and confidential financial disclosure in the executive branch; by monitoring compliance with financial disclosure requirements by recommending appropriate corrective action when necessary; by evaluating the effectiveness of applicable laws; and by preparing advisory opinions and policy memoranda interpreting requirements regarding conflicts of interest, post employment restrictions, standards of conduct, and financial disclosure.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$13,665,000 for salaries and expenses of the Office of Government Ethics in fiscal year 2010. This amount is \$665,000 above the fiscal year 2009 enacted level and the same as the budget request. The Committee encourages OGE to keep the Committee regularly informed of any emerging needs resulting from enactment of any new legislation affecting ethics obligations of executive branch officials and employees, as well as initiatives undertaken to fulfill OGE's critical role in Presidential transition issues, including education on post-employment restrictions for outgoing officials and processing the public financial disclosure reports filed by the Presidential nominees for high-level positions requiring Senate confirmation. The funding level will also allow OGE to provide the necessary training and guidance to equip both new and experienced ethics officials to handle ethics issues within their agencies.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

Appropriations, 2009 .....	\$92,829,000
Budget estimate, 2010 .....	94,970,000
Committee recommendation .....	94,970,000

PROGRAM DESCRIPTION

The Office of Personnel Management [OPM] was established by Public Law 95-454, the Civil Service Reform Act of 1978, enacted on October 13, 1978. OPM is responsible for management of Federal human resources policy and oversight of the merit civil service system. Although individual agencies are increasingly responsible for personnel operations, OPM provides a Government-wide policy framework for personnel matters, advises and assists agencies (often on a reimbursable basis), and ensures that agency operations are consistent with requirements of law on issues such as veterans preference. OPM oversees examining of applicants for employment, issues regulations and policies on hiring, classification and pay, training, investigations, other aspects of personnel management, and operates a reimbursable training program for the Federal Government's managers and executives. OPM is also responsible for administering the retirement, health benefits, and life insurance programs affecting most Federal employees, retired Federal employees, and their survivors.

## COMMITTEE RECOMMENDATION

The Committee recommends a general fund appropriation of \$94,970,000 for the salaries and expenses of the Office of Personnel Management. This amount is \$2,141,000 above the fiscal year 2009 level and the same as the budget request.

The recommendation includes \$5,908,000 for the Enterprise Human Resources Integration project and \$1,364,000 for the Human Resources Line of Business project.

*Retirement Systems Modernization.*—The Committee is appreciative of the new Director's intention to make retirement systems modernization a top priority for OPM. In its April 2009 report, GAO recommended that OPM provide immediate attention to ensure that six actions are taken. The Committee is encouraged that OPM agrees with the six recommendations outlined in the GAO report and has begun to address them. The Committee is providing additional funds for fiscal year 2010 to allow OPM to begin taking the critical, foundational steps necessary to ensure success for this program. Getting this program back on track with appropriate management leadership, controls, oversight, and with the goal of ensuring accurate and timely computation of annual annuities for all Federal retirees, is a high priority.

*Disability Policy and Leadership.*—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. The Committee commends OPM on its outreach to Federal agencies, stakeholders, and job seekers regarding the Schedule A appointing authority. The Committee believes, however, that greater use could be made of the Internet in communicating the Federal Government's policies regarding employing persons with disabilities. The Committee believes that the USAJOBS electronic employment portal could be made more user-friendly for those seeking information and applicants who wish to be considered under Schedule A authority. Including direct links to clearly written explanations of the Schedule A authority and including this topic in presentations of frequently asked questions would greatly improve the value of the website. The Committee directs OPM to work expeditiously to improve the USAJOBS site to make information about Schedule A authority more readily accessible and to report to the Committee of specific actions taken. The report should be submitted not later than 120 days after enactment.

*Intergovernmental Personnel Act Mobility Program and Nursing Shortage.*—The Committee is concerned with the ongoing shortage of nurses, which is due in large part to the national shortage of nurse faculty, and encourages OPM to assist in alleviating the shortage through the Intergovernmental Personnel Act Mobility Program. This program provides for the temporary assignment of personnel between the Federal Government and State and local governments, colleges and universities, and other eligible entities. Federally employed nurses could be given the opportunity to serve a temporary assignment in an accredited school of nursing. The U.S. Bureau of Labor Statistics projects that more than 1 million new and replacement registered nurses will be needed by 2016.

However, schools of nursing are forced to turn away thousands of qualified applicants each year due to faculty shortages. The Federal Government currently employs more than 53,000 nurses domestically, and many have the educational background and expertise to teach the next generation of nurses, in the process gaining valuable experience and informing students about careers in government service.

The Committee directs OPM 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 assistance to Federal employees holding a degree in nursing to accept an assignment to teach in an accredited school of nursing in exchange for a commitment from the individual to serve for an additional term in 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
- to provide financial or other assistance 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.

The Committee is mindful of the challenges the Federal Government faces in recruitment efforts to attract and retain talented nurses. OPM should work with the Committee to determine the best approach to assigning Government-employed nurses to public and private universities and ways to encourage accredited schools of nursing to promote nursing careers in Federal agencies.

*Employment for the Blind.*—The Committee applauds the administration’s commitment to programs which support disabled Americans to become fully employed and integrated into their communities. The Committee looks forward to receiving and considering the previously requested report on this matter, including the views of the Federal employee labor organizations.

LIMITATION

(TRANSFER OF TRUST FUNDS)

Limitation, 2009 .....	\$118,082,000
Budget estimate, 2010 .....	113,238,000
Committee recommendation .....	112,738,000

PROGRAM DESCRIPTION

These funds will be transferred from the appropriate trust funds of the Office of Personnel Management to cover administrative expenses for the retirement and insurance programs, including the cost of automating the retirement recordkeeping systems.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of \$112,738,000, which is \$5,344,000 less than the fiscal year 2009 level and \$500,000 less

than the budget request. The amount includes not more than \$4,000,000 for retirement systems modernization.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriations, 2009 .....	\$1,828,000
Budget estimate, 2010 .....	2,136,000
Committee recommendation .....	2,136,000

PROGRAM DESCRIPTION

The Office of Inspector General is charged with establishing policies for conducting and coordinating efforts which promote economy, efficiency, and integrity in the Office of Personnel Management's activities which prevent and detect fraud, waste, and mismanagement in the agency's programs. Contract audits provide professional advice to agency contracting officials on accounting and financial matters regarding the negotiation, award, administration, repricing, and settlement of contracts. Internal agency audits review and evaluate all facets of agency operations, including financial statements. Evaluation and inspection services provide detailed technical evaluations of agency operations. Insurance audits review the operations of health and life insurance carriers, healthcare providers, and insurance subscribers. The investigative function provides for the detection and investigation of improper and illegal activities involving programs, personnel, and operations. Administrative sanctions debar from participation in the health insurance program those healthcare providers whose conduct may pose a threat to the financial integrity of the program itself or to the well-being of insurance program enrollees.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$2,136,000 for salaries and expenses of the Office of Inspector General in fiscal year 2010. This amount is \$308,000 more than the fiscal year 2009 enacted level and the same as the budget request.

(LIMITATION ON TRANSFER FROM TRUST FUNDS)

Limitation, 2009 .....	\$18,755,000
Budget estimate, 2010 .....	20,428,000
Committee recommendation .....	20,428,000

COMMITTEE RECOMMENDATION

The Committee recommends a limitation on transfers from the trust funds in support of the Office of Inspector General activities totaling \$20,428,000 for fiscal year 2009. This amount is \$1,673,000 more than the fiscal year 2009 enacted level, and the same as the budget request.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

Appropriations, 2009 .....	\$9,533,000,000
Budget estimate, 2010 .....	9,814,000,000
Committee recommendation .....	9,814,000,000

## PROGRAM DESCRIPTION

This appropriation covers the Government's share of the cost of health insurance for annuitants covered by the Federal Employees Health Benefits Program and the Retired Federal Employees Health Benefits Act of 1960, as well as administrative expenses incurred by OPM for these programs.

## COMMITTEE RECOMMENDATION

The Committee recommends a mandatory appropriation of \$9,814,000,000 for Government payments for annuitants, employees health benefits.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE  
INSURANCE

Appropriations, 2009 .....	\$46,000,000
Budget estimate, 2010 .....	48,000,000
Committee recommendation .....	48,000,000

## PROGRAM DESCRIPTION

Public Law 96-427, the Federal Employees' Group Life Insurance Act of 1980, requires that all employees under the age of 65 who separate from the Federal Government for purposes of retirement on or after January 1, 1990, continue to make contributions toward their basic life insurance coverage after retirement until they reach the age of 65. These retirees will contribute two-thirds of the cost of the basic life insurance premium, identical to the amount contributed by active Federal employees for basic life insurance coverage. As with the active Federal employees, the Government is required to contribute one-third of the cost of the premium for retirees' basic coverage. OPM, acting as the payroll office on behalf of Federal retirees, has requested, and the Committee has provided, the funding necessary to make the required Government contribution associated with annuitants' post-retirement life insurance coverage.

## COMMITTEE RECOMMENDATION

The Committee recommends a mandatory appropriation of \$48,000,000 for the Government payment for annuitants, employee life insurance.

## PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

Appropriations, 2009 .....	\$10,550,000,000
Budget estimate, 2010 .....	10,276,000,000
Committee recommendation .....	10,276,000,000

## PROGRAM DESCRIPTION

The civil service retirement and disability fund was established in 1920 to administer the financing and payment of annuities to retired Federal employees and their survivors. The fund covers the operation of the Civil Service Retirement System and the Federal Employees' Retirement System.

This appropriation provides for the Government's share of retirement costs, transfers of interest on the unfunded liability and an-

nuity disbursements attributable to military service, and survivor annuities to eligible former spouses of some annuitants who did not elect survivor coverage.

COMMITTEE RECOMMENDATION

The Committee recommends a mandatory appropriation of \$10,276,000,000 for payment to the civil service retirement and disability fund.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

Appropriations, 2009 .....	\$17,468,000
Budget estimate, 2010 .....	18,495,000
Committee recommendation .....	18,495,000

PROGRAM DESCRIPTION

The U.S. Office of Special Counsel [OSC] was first established on January 1, 1979. From 1979 until 1989, it operated as an autonomous investigative and prosecutorial arm of the Merit Systems Protection Board [MSPB]. In 1989, Congress enacted the Whistleblower Protection Act (Public Law 101-12), which made OSC an independent agency within the executive branch. In 1994, the Uniformed Services Employment and Reemployment Rights Act [USERRA] (Public Law 103-353) became law. It defined employment-related rights of persons in connection with military service, prohibited discrimination against them because of that service, and gave OSC new authority to pursue remedies for violations by Federal agencies.

OSC investigates Federal employee and applicant allegations of prohibited personnel practices (including reprisal for whistleblowing) and other activities prohibited by civil service laws, and when appropriate, prosecutes before the MSPB. OSC provides a secure channel for whistleblower disclosures by Federal employees and applicants, and may transmit whistleblower allegations to the agency head concerned and require an agency investigation. OSC also enforces the USERRA. OSC advises on and enforces the Hatch Act restrictions on political activities by Government employees.

In 2008, OSC's assistance or action was sought by Federal employees and others in more than 7,399 instances, an increase of over 31 percent over 2007. OSC obtained 62 favorable actions in prohibited personnel practice cases, 32 corrective actions in Hatch Act complaints, and 28 corrective actions in USERRA cases. OSC received 445 Hatch Act complaints during 2008, an increase of nearly 58 percent over 2007. OSC issued 4,283 Hatch Act advisory opinions (both written and oral) to persons who sought advice, an increase of over 53 percent. During 2008, OSC's Disclosure Unit received 530 new disclosure matters for possible referral, an increase of 10 percent. The Disclosure Unit referred matters to agency heads for their review a total of 40 times during 2008.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$18,495,000 for the Office of Special Counsel. This amount is \$1,027,000 above the fiscal year 2009 enacted level and the same as the budget request.

The Committee strongly urges the OSC to work with whistleblower advocacy organizations to promote the highest level of confidence in the Whistleblower Protection Act and the OSC. The Committee acknowledges that OSC continues to experience dramatic growth in its caseload, as a result of heightened awareness of the Hatch Act stemming from media focus on several high-profile cases, a more vigorous focus on complaints under the Uniformed Services Employment and Reemployment Rights Act, and actions under the Whistleblower Protection Act. The Committee encourages the OSC to continue progress made to improve its case processing efficiencies.

POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2009 .....	\$14,043,000
Budget estimate, 2010 .....	14,333,000
Committee recommendation .....	14,333,000

PROGRAM DESCRIPTION

The Postal Regulatory Commission is an independent agency that has exercised regulatory oversight over the United States Postal Service since its creation by the Postal Reorganization Act of 1970. For over three decades, that oversight consisted primarily of conducting public, on-the-record hearings concerning proposed rates, mail classification, and major service changes, and recommended decisions for action to the Postal Service Board of Governors.

The Postal Accountability and Enhancement Act (Public Law 109-435) assigned significant new responsibilities to the Commission. These enhanced authorities include providing regulatory oversight of the pricing of Postal Service products and services, ensuring Postal Service transparency and accountability, consulting on delivery service standards and performance measures, consulting on international postal policies, preventing cross-subsidization or other anticompetitive postal practices, and serving as a forum to act on complaints with postal products and services. The Commission provides leadership and recommends policies that foster a robust and viable postal system.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation, out of the Postal Fund, of \$14,333,000 for the Postal Regulatory Commission. This amount is \$290,000 above the fiscal year 2009 enacted level and the same as the budget request. The funds will support 74 FTEs and enable the Commission to meet its mission of ensuring transparency and accountability in postal operations, services, and finances. The Committee notes that in fiscal year 2010, the Commis-

sion will issue an annual compliance determination report assessing the Postal Service’s compliance with the ratemaking regulations and applicable laws.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SALARIES AND EXPENSES

Appropriations, 2009 .....	\$1,500,000
Budget estimate, 2010 .....	2,000,000
Committee recommendation .....	1,500,000

PROGRAM DESCRIPTION

Recommended by the July 22, 2004 report of the National Commission on Terrorist Attacks Upon the United States (the 9/11 Commission), the Privacy and Civil Liberties Oversight Board [PCLOB] was originally established through the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108–458). The PCLOB was made a component of the White House Office within the Executive Office of the President.

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

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$1,500,000 for the PCLOB. The Committee strongly supports the mission of the PCLOB. The Committee notes that the former Board ceased operations on January 30, 2008 with the intention that a new, more independent Board would be instituted in its place. The Committee is concerned that now, 18 months later, the new PCLOB has not yet been reconstituted and staffed as required by Public Law 110–53. The Committee urges the administration to nominate members to the PCLOB as expeditiously as possible. The Committee urges the PCLOB, once it is reconstituted, to promptly provide a detailed budget justification to the Committee.

RECOVERY ACT ACCOUNTABILITY AND TRANSPARENCY BOARD

Appropriations, 2009 .....	<sup>1</sup> \$84,000,000
Budget estimate, 2010 .....	
Committee recommendation .....	

<sup>1</sup>Includes \$84,000,000 provided in the American Recovery and Reinvestment Act of 2009 (Public Law 111–5).

PROGRAM DESCRIPTION

The Recovery Act Accountability and Transparency Board (Recovery Board) was authorized in the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) (Recovery Act). The Re-

covery Board is composed of Inspectors General of agencies administering programs and overseeing spending authorized in the Recovery Act. The Recovery Board conducts and coordinates activities related to the accountability, transparency, and oversight of spending under the Recovery Act and oversees the administration of Recovery.gov, a website providing detailed information on the implementation of the Recovery Act.

COMMITTEE RECOMMENDATION

The Committee does not recommend additional funding for the Recovery Board for fiscal year 2010 which is consistent with the budget request. Funding for the Recovery Board in fiscal year 2010 shall be derived from funds provided in the Recovery Act, which will remain available until September 30, 2011 for the salaries, expenses, and operating costs of the Board as well as the administration of Recovery.gov.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

Appropriations, 2009 <sup>1</sup> .....	\$970,000,000
Budget estimate, 2010 .....	1,026,000,000
Committee recommendation .....	1,126,000,000

<sup>1</sup> Includes \$10,000,000 in emergency appropriations provided in the Supplemental Appropriations Act, 2009 (Public Law 111-32)

PROGRAM DESCRIPTION

The Securities and Exchange Commission [SEC] is an independent agency responsible for administering many of the Nation’s laws regulating the areas of securities and finance.

The mission of the SEC is to administer and enforce Federal securities laws in order to protect investors, maintain fair, honest, and efficient markets, and promote capital formation. This includes ensuring full disclosure of financial information, regulating the Nation’s securities markets, and preventing and policing fraud and malpractice in the securities and financial markets. The strength of the American economy and our Nation’s financial markets is dependent upon investors’ confidence in the financial disclosures and statements released by publicly traded companies. The SEC, as the investor’s advocate oversees more than 30,000 registrants including 12,000 public companies, 4,600 mutual funds, 11,300 investment advisers, 600 transfer agents, and 5,500 broker dealers.

COMMITTEE RECOMMENDATION

The Committee recommends a total budget (obligational) authority of \$1,126,000,000 for the salaries and expenses of the SEC, including \$1,115,780,000 from new fee collections and \$10,220,000 from prior year balances. This total funding level is \$166,000,000 above the fiscal year 2009 enacted level, not including emergency funds provided in the Supplemental Appropriations Act, 2009 (Public Law 111-32) and \$100,000,000 above the budget request, to allow the SEC to begin to address staffing shortfalls and upgrade inadequate information technology.

With the markets experiencing a steady increase in the number of complex securities products and market participants and in light of problems plaguing the credit markets as a result of subprime lending, it is imperative that our Nation's top securities regulator has the resources to effectively meet its mandate. The Committee acknowledges that funding shortfalls have hampered SEC's ability to fulfill its mission. The SEC's staffing remain 5 percent below what the SEC was provided in 2005 when the SEC received additional funding due to Enron and other corporate scandals. Staffing shortfalls impact the SEC's ability to ensure adequate supervision of market participants and promote and sustain public confidence in the integrity of our capital markets.

The Committee's recommended funding increase would allow the SEC to return to fiscal year 2005 staffing levels and fund an additional 5 percent staffing increase to support more aggressive policing of the securities markets through examinations and enforcement actions. The recommended funding increase would strengthen SEC's examination responsibilities by enabling SEC's Office of Compliance Inspections and Examinations to hire market experts to strengthen risk-based oversight of the investment management industry and expand its inspections of credit rating agencies. The recommended funds would permit SEC to conduct more comprehensive examinations, reach a broader universe of the entities it regulates, and improve its ability to uncover and prosecute fraud. While the number of registered investment advisers dramatically grew since 2005, the SEC staff overseeing these entities dropped by over 7 percent.

Similarly, in the SEC's Division of Enforcement, the recommended increase would allow the SEC to vigorously advance its enforcement mission by hiring more trial lawyers and experienced staff with specialized skills. Resource challenges in recent years have affected the SEC's ability to bring enforcement actions promptly and efficiently. Reduced staffing levels have prevented promising leads from being pursued and have resulted in cases being closed prematurely.

The Committee also supports expansion of the SEC's Office of Risk Assessment and its program to bring in seasoned industry professionals to help uncover hidden risks to investors.

In addition, the recommended increase would support urgent, critical investments in information technology upgrades so that SEC's staff have cutting edge automation support tools to enhance their ability to promptly handle tips, complaints, and referrals as well as to better identify emerging risks using improved surveillance tools.

The Committee strongly believes that fair and orderly markets are essential to restore public confidence in and bolster the integrity of our capital markets. The Committee emphasizes that with this significant recommended funding increase comes a concomitant responsibility on the part of the SEC to aggressively safeguard the investing public. The SEC must be vigilant in its enforcement of securities laws, and failures to properly investigate and take appropriate action will not be condoned.

As noted previously in this report, the Committee is aware of discussions to harmonize regulatory oversight of futures and securities

products to achieve greater protection of investors, ensure market integrity, and promote price transparency. As specified earlier under the Committee's discussion of its recommendations for the Commodity Futures Trading Commission, the Committee directs the Government Accountability Office to report to Congress not later than March 1, 2010 on the extent of conflicts in statutes and regulations with respect to the similarities in futures and securities and provide recommendations that would reduce or eliminate discrepancies and gaps, enhance regulatory effectiveness and efficiency, and heighten market transparency.

The Committee is concerned that American investors may be unwittingly investing in companies with ties to countries that sponsor terrorism or are linked to human rights violations. The Committee believes that 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 Committee expects the work of the Office to remain a high priority during fiscal year 2010 and directs the SEC to continue to submit quarterly reports on its activities.

The Committee expects the SEC to implement key controls to effectively safeguard the confidentiality, integrity, and availability of its financial and sensitive information and systems.

The Committee encourages the SEC to continue its efforts to improve the timeliness of disbursement of funds to investors victimized by securities fraud. The Committee applauds the SEC's efforts to establish a specialized office devoted to ensuring that funds are promptly disbursed and install a new computer system to simplify the tracking, collection, and distribution of assessed penalties.

The Committee is pleased that the SEC has made strides to simplify complex information and improve electronic public access to investment information through interactive data systems. The Committee is aware of a growing need for SEC-regulated entities to provide accurate and consistent reporting of their financial risks due to climate change. In order to ensure such information is provided to investors and the public, the SEC is encouraged to issue guidance clarifying the disclosures of climate change-related risk that regulated entities should provide in their regular financial reporting under current law.

#### SELECTIVE SERVICE SYSTEM

##### SALARIES AND EXPENSES

Appropriations, 2009 .....	\$22,000,000
Budget estimate, 2010 .....	24,400,000
Committee recommendation .....	24,400,000

##### PROGRAM DESCRIPTION

The Selective Service System is an independent Federal agency, operating with permanent authorization under the Military Selec-

tive Service Act (50 U.S.C. App. 451 et seq.). The agency is not part of the Department of Defense, but its basic mission is to be prepared to supply manpower to the Armed Forces adequate to ensure the security of the United States during a time of national emergency. Since 1973, the Armed Forces have relied on volunteers to fill military manpower requirements. However, the Selective Service System remains the primary vehicle by which personnel will be brought into the military if Congress and the President should authorize a return to the draft.

In December 1987, Selective Service was tasked by law (Public Law 100-180, sec. 715) to develop plans for a post-mobilization healthcare personnel delivery system capable of providing the necessary critically skilled healthcare personnel to the Armed Forces in time of emergency. An automated system capable of handling mass registration and inductions is now complete, together with necessary draft legislation, a draft Presidential proclamation, prototype forms and letters, and other products. These products will be available should the need arise. The development of supplemental standby products, such as a compliance system for healthcare personnel, continues using very limited existing resources.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$24,400,000 for the Selective Service System. This amount is \$2,400,000 above the fiscal year 2009 enacted level and the same as the budget request. The Committee encourages the System to continue the development of its Central Registrant Processing Portal Initiative, and to improve the cost effectiveness of the registration process by continuing to increase the percentage of electronic and automatic registrations.

The Committee supports the allocation of \$2,000,000 for upgrading the Service’s information technology systems. A modernized information technology system will help improve business processes and national registration compliance statistics while sustaining an all-volunteer military recruiting effort. It will also ensure more accurate and expeditious processing of registrations, enable more secure storage of personally identifiable information, and facilitate improved customer services through the Internet.

SMALL BUSINESS ADMINISTRATION

Appropriations, 2009 <sup>1</sup> .....	\$1,342,280,000
Budget estimate, 2010 .....	779,300,000
Committee recommendation .....	860,904,000

<sup>1</sup>Includes \$730,000,000 provided in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

The Committee recommendation provides \$860,904,000 for the Small Business Administration [SBA]. The recommendation is \$481,376,000 below the fiscal year 2009 enacted level, which included funds provided in the American Recovery and Reinvestment Act of 2009, and is \$81,604,000 above the budget request. Funding is distributed among the SBA appropriation accounts as described below.

## SALARIES AND EXPENSES

Appropriations, 2009 <sup>1</sup> .....	\$455,896,000
Budget estimate, 2010 .....	422,000,000
Committee recommendation .....	444,000,000

<sup>1</sup> Includes \$69,000,000 provided in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

The Committee recommendation provides \$444,000,000 for salaries and expenses of the SBA. The recommendation is \$11,896,000 below the fiscal year 2009 enacted level, which included funds provided in the American Recovery and Reinvestment Act of 2009 [ARRA], and is \$22,000,000 above the budget request.

*Non-credit Business Assistance Programs.*—Within the amounts made available under this heading, the Committee recommendation provides \$185,630,000 for the SBA non-credit business assistance programs. The recommendation is \$26,718,000 above the budget request and \$658,000 below the 2009 enacted level, which included funds provided in ARRA.

The Committee recommendations for non-credit business assistance, by program, are displayed in the following table:

## NON-CREDIT BUSINESS ASSISTANCE PROGRAMS

[In thousands of dollars]

	Fiscal year 2010 budget estimate	Committee recommendation
Small Business Development Centers .....	97,000	114,400
Drug-free Workplace Grants .....	1,030	1,030
SCORE .....	5,148	7,000
Women's Business Centers .....	13,020	14,300
Women's Business Council .....	773	1,000
Microloan Technical Assistance .....	10,000	22,000
Veterans Programs .....	2,200	2,500
PRIME .....	3,120	5,500
Native American Outreach .....	1,040	1,500
7(j) Technical Assistance .....	3,397	3,400
HUBZone .....	2,184	3,000
Entrepreneurial Development Initiative .....	20,000	10,000
Total, Non-credit Business Assistance Programs .....	158,912	185,630

The Committee directs that the amounts provided for SBA's Non-Credit Business Assistance Programs, as specified in the table above, shall be administered in the same manner as previous years and shall not be reduced, reallocated, or reprogrammed to provide additional funds for other programs, initiatives, or activities.

The Committee continues to support the Small Business Development Center [SBDC] Program and recommends \$114,400,000 for fiscal year 2010, an increase of \$17,400,000 above the budget request and \$4,400,000 above the fiscal year 2009 enacted level. The Committee is concerned with the administration's request to reduce funding for SBDCs in fiscal year 2010 to \$97,000,000, a reduction of \$13,000,000 below the fiscal year 2009 enacted level. The SBDC network—which encompasses over 900 service centers across the Nation—provides management and technical assistance to an estimated 1.2 million small business owners and aspiring entrepreneurs each year. As the economy struggles, SBDCs have reported a significant increase in demand for their expertise as busi-

nesses seek guidance on how to weather the economic downturn and as newly unemployed Americans look for advice on starting a small business as a new career path. Providing support for SBDCs is more critical than ever as our economy works to recover and grow.

The Committee recommends that up to \$10,000,000 shall be available for a new Entrepreneurial Development program administered by the SBA, \$10,000,000 above the fiscal year 2009 enacted level and \$10,000,000 below the budget request. The Committee is pleased with the administration's planned initiatives under this proposed program to enhance the effectiveness of veterans assistance programs, encourage regional economic clusters, and provide small business development assistance to areas most devastated by the current economic crisis. The Committee directs the SBA to allocate such funds to the maximum extent possible to its current partners—namely, SBDCs, Women's Business Centers, the Service Corps of Retired Executives [SCORE], and Veterans Business Outreach Centers. These partners will provide an experienced infrastructure for meeting the goals of the Entrepreneurial Development initiative. The Committee notes that the amounts recommended for SBA's Non-Credit Business Assistance Programs, as specified in the table above, shall be administered in the same manner as previous years and shall not be reduced, reallocated, or reprogrammed to provide additional funds for this or any other program. The Committee directs SBA to report to the Committee on Appropriations within 30 days of enactment on the strategies and goals of each initiative, methodologies for assessing the performance of each initiative and each individual project selected under each initiative, and methodologies planned for selection of individual projects and recipients. The Committee also directs SBA to provide to the Committee on Appropriations within 30 days of enactment an operating plan detailing funding planned for grants, contracts, and salaries and expenses of both current and new SBA employees, including travel expenses. Such plan shall individually address each proposed initiative. The Committee directs SBA to notify the Committee on Appropriations not less than 15 days prior to obligation of funds provided for the Entrepreneurial Development program.

The Committee recommends \$22,000,000 for grants to Microloan intermediaries under the Microloan program for marketing, management, and technical assistance provided to borrowers. An additional \$3,000,000 is recommended under the heading "Business Loans Program Account" to support lending under the Microloan program. The Committee includes a provision that, for funding provided for fiscal year 2010, temporarily increases the maximum amount of grant funding eligibility for qualified Microloan intermediaries and temporarily waives the requirement for Microloan intermediaries to contribute non-Federal matching funds. These temporary conditions will provide relief to Microloan intermediaries that are providing increased assistance to Microloan borrowers and struggling to secure private matching funds during the economic downturn. The Committee fully expects to restore these requirements for fiscal year 2011 funding.

The Committee supports funding for veterans programs and veterans business outreach centers and provides \$2,500,000 for vet-

erans programs, an increase of \$300,000 above the budget request and \$1,300,000 above the fiscal year 2009 enacted level to support additional grants to veterans business outreach centers. When determining the allocation of the additional funding, the Committee strongly encourages SBA to consider centers with significant experience in conducting outreach to veterans, including those previously receiving Federal funding.

The Committee understands how critical it is to assist small business owners in their beginning start-up stages. Through the Office of Government Contracting and Business Development, SBA's 7(j) program provides training to 8(a) firms (firms that are socially or economically disadvantaged). These firms are eligible for Government contracts set-aside specifically for small businesses; however, because of a firm's status as a socially or economically disadvantaged firm, its employees need more than just financial opportunities to grow. These firms are also in need of technical assistance to help them meet the demands of these contracts. 7(j) training is a significant part of the 8(a) program effort to promote small business opportunities and growth. The Committee directs SBA to provide a status update report reviewing the last 5 years of the 7(j) program, including the number of clients trained, the length of training program, the cost per client per training program, follow-up actions, description and examples of curricula provided, and all other relevant information that would provide the Committee with insight into the performance of the 7(j) program. This report shall be submitted no later than 180 days from the date of enactment.

*Operating Expenses.*—Within the amounts made available under this heading, the Committee recommendation provides \$258,370,000 for SBA's operating expenses. The recommendation is \$11,238,000 below the 2009 enacted level, which included funds provided in ARRA, and is \$4,718,000 below the budget request. The funding recommendations are made in accordance with the information included in the budget justification, with the following exceptions: up to \$8,000,000 is provided to hire 80 additional FTEs to enhance operational support associated with the expected increase in purchases, processing, and monitoring of existing SBA loans; \$1,000,000 is provided for quality assurance and best practice reviews; \$1,000,000 is provided for a study of the next generation of equity capital companies; and \$1,000,000 is provided as an additional amount for costs associated with administering the small business development and entrepreneurship initiatives provided in section 503. The Committee directs SBA to utilize funding provided for operating expenses in fiscal year 2010 and funding available from prior year appropriations, including funding provided in ARRA, to support full-time, dedicated staff, including a Director, for the Microloan program.

The Committee is pleased with SBA's progress to date on implementing provisions in ARRA related to increasing access to capital for small businesses. The Committee notes that SBA has made a strong effort to implement new programs and changes in existing programs under ARRA in a timely manner while ensuring that such programs are designed and administered efficiently and effec-

tively. The Committee directs SBA to continue placing a top priority on implementing ARRA programs.

Within the amounts recommended for SBA's operating expenses, \$11,690,500 is provided for the agency-wide effort to modernize SBA's loan management and accounting systems. Current systems are outdated and limit capabilities, and new systems are needed to enhance the management of SBA's \$90,000,000,000 loan portfolio. The Committee continues to be concerned about the risks inherent in such a relatively large acquisition, including risks related to contractor oversight. The Committee notes that this large modernization effort coincides with SBA's implementation of ARRA programs and SBA's proposal to initiate new entrepreneurial development programs, both of which are significant endeavors. The Committee directs the agency to place a top priority on ensuring a successful acquisition of and transition to the new systems because the final product will have a long-term impact on SBA's capabilities and effectiveness as an agency. SBA shall submit a quarterly written report to the Committee on Appropriations summarizing the agency's progress regarding the modernization effort, including milestones planned and achieved and progress on cost and schedule.

The Committee strongly supports the SBA's Historically Underutilized Business Zone [HUBZone] program and believes that it is a critical resource for distressed communities, especially during the current economic downturn. The program was created to stimulate economic development and job creation in distressed areas by providing access to more Federal contracting opportunities for qualified small businesses. Accordingly, the Committee has provided additional funding as requested by the administration to improve SBA's administration and oversight of the HUBZone program and strongly encourages SBA to continue its efforts in strengthening its management and oversight of this important program.

The Committee is pleased with the results of the Office of Personnel Management's 2008 survey, "Best Places to Work in the Federal Government." SBA employee responses to questions related to job satisfaction resulted in SBA ranking 26 out of 30 agencies, a significant improvement from the 2007 ranking of last place. The Committee is encouraged by the administration's plans to focus efforts on employee training. Training is a key part of improving employee morale because staff can anticipate professional growth and career progression within the organization, as well as see how improving their skills can contribute to improving agency performance. The Committee directs SBA to document a comprehensive plan for training that links core competencies to SBA's goals, in accordance with recommendations from the Government Accountability Office. Finally, the Committee recommends that, in addition to pursuing valuable outside studies of quality assurance and best practice reviews, senior management seek and incorporate the opinions of experienced career staff on further steps that can be taken to improve the administration of SBA programs and job satisfaction of SBA employees.

In light of the increased need to assist small businesses that have been affected by manufacturing closures across the country, the Committee directs SBA, in consultation with local district offices, to review vacant Regional Manager positions, especially posi-

tions which have remained vacant for several years, to ensure adequate services for small businesses.

The Committee is aware that the SBA currently has 17 international finance specialists posted throughout the country at one-stop assistance centers operated by the Department of Commerce. This program has facilitated well over \$10,000,000,000 in exports in the last 10 years, helping to create 140,000 new and higher-paying jobs. The Committee directs the SBA to review and make efforts to fill international finance specialist vacancies in high export areas, especially vacancies which have remained unfilled for several years.

OFFICE OF INSPECTOR GENERAL

Appropriations, 2009 <sup>1</sup> .....	\$26,750,000
Budget estimate, 2010 .....	16,300,000
Committee recommendation .....	16,300,000

<sup>1</sup>Includes \$10,000,000 provided in 2009 in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

The Committee recommendation provides \$16,300,000 for the Office of Inspector General. The recommendation is \$10,450,000 below the fiscal year 2009 enacted level, which included funds provided in the American Recovery and Reinvestment Act of 2009, and is the same as the budget request.

The Committee directs the Inspector General 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

Appropriations, 2009 <sup>1</sup> .....	\$17,000,000
Budget estimate, 2010 .....	1,000,000
Committee recommendation .....	1,000,000

<sup>1</sup>Includes \$15,000,000 provided in 2009 in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

The Committee recommendation provides \$1,000,000. The recommendation is \$16,000,000 below the fiscal year 2009 enacted level, which included funds provided in the American Recovery and Reinvestment Act of 2009, and is the same as the budget request.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2009 <sup>1</sup> .....	\$776,980,000
Budget estimate, 2010 .....	236,000,000
Committee recommendation .....	236,000,000

<sup>1</sup>Includes \$636,000,000 provided in 2009 in the American Recovery and Reinvestment Act of 2009 (Public Law 111-5).

The Committee recommendation provides \$236,000,000. The recommendation is \$540,980,000 below the fiscal year 2009 enacted level, which included funds provided in the American Recovery and Reinvestment Act of 2009, and is equal to the budget request.

The recommendation provides \$153,000,000 for administrative expenses, which may be transferred to and merged with SBA sala-

ries and expenses to cover the common overhead expenses associated with the business loans programs.

The recommendation provides \$3,000,000 for the Microloan direct loan program. An additional amount of \$22,000,000 is recommended under the heading “Salaries and Expenses” for technical assistance grants to Microlending intermediaries. The Committee notes that while only 165 entities are qualified as Microlending intermediaries under the Microloan program, the Small Business Act authorizes the administration to fund up to 300 Microloan intermediaries annually. The Committee urges SBA to conduct outreach to existing financial entities that may be well-suited to participate in the Microloan program so that the program can grow and expand access to microcapital across the country. SBA shall submit a written report to the Committee on Appropriations within 90 days of enactment summarizing the agency’s plans for conducting such outreach and other plans for expanding the reach of the Microloan program.

The recommendation provides \$80,000,000 to subsidize the 7(a) guaranteed loan program. For a typical year, estimated fees collected from lenders and borrowers fully offset estimated Government payments on losses under the 7(a) program. However, the budget requests additional funding for fiscal year 2010 because fee collections are not expected to offset the cost to the Government for that year due to changes in assumptions related to the economic downturn. The recommended funding will allow SBA to continue operating the 7(a) program in fiscal year 2010. The Committee expects the program to return to typical operation when the economy recovers.

The Committee is familiar with SBA’s loan program known as Patriot Express, and its efforts to conduct outreach to veterans who may be seeking to start or grow a small business. The Committee directs SBA to collaborate with the U.S. Department of Labor, especially its Veterans Employment and Training Services Office, and the U.S. Veterans Administration, the U.S. Department of Defense, all other relevant Federal agencies, State and local governments, not-for profit organizations, and other stakeholders to identify existing studies, programs, resources, and all available Federal funding to assist veterans in starting and/or growing a small business. The Committee directs SBA to provide a report, no later than 180 days from the date of enactment, on its findings and recommended next steps for greater assistance to veteran small business owners through existing grants, loans, and educational programs and assistance.

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2009 .....	
Budget estimate, 2010 .....	\$104,000,000
Committee recommendation .....	104,000,000

The Committee provides \$104,000,000 for the Disaster Loans program. The recommendation is \$104,000,000 above the fiscal year 2009 enacted level and is equal to the budget request. Of the total funding, \$1,690,000 is recommended for two pilot disaster

loan guarantee programs authorized in the Food, Conservation, and Energy Act of 2008 (Public Law 110–246) and \$102,310,000 is recommended for necessary administrative expenses for carrying out disaster loan programs. Any direct loan subsidies required in fiscal year 2010 will be derived from available unobligated balances. As always, SBA is urged to seek out emergency funding in the event of a disaster requiring loan assistance.

#### ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

Section 520 continues a provision concerning transfer authority and availability of funds.

Section 521 provides that all disaster loans issued in Alaska or North Dakota shall not be sold.

Section 522 provides \$59,604,000 for small business development and entrepreneurship initiatives, including programmatic and construction activities, to be awarded as follows:

Agency	Project	Amount
SBA .....	Alaska Manufacturing Extension Partnership for the AMBIT Youth Entrepreneurship Curriculum, Anchorage, AK.	\$200,000
SBA .....	Alcorn State University for the Systems Research Institute, MS .....	\$250,000
SBA .....	Amoskeag Business Incubator, Manchester, NH .....	\$120,000
SBA .....	Bennett College for Women, The Center for Women's Entrepreneurship, Greensboro, NC .....	\$100,000
SBA .....	Boise State University for a research, economic development and entrepreneurial initiative, ID.	\$200,000
SBA .....	Brewer Business and Commerce Park, Brewer, ME .....	\$1,050,000
SBA .....	Center for Economic Growth, Watervliet Innovation Center, Albany, NY .....	\$117,500
SBA .....	Central Connecticut State University, for a manufacturing workforce initiative and technical assistance program, New Britain, CT.	\$100,000
SBA .....	Champlain Valley Office of Economic Opportunity, Chittenden Emergency Food Shelf's Community Kitchen Expansion Project, Burlington, VT.	\$100,000
SBA .....	City of Buffalo, Buffalo clean energy incubator, Buffalo, NY .....	\$117,500
SBA .....	City of Jal, renovation of Burke Junior High School to house business ventures, Jal, NM .....	\$85,000
SBA .....	City of Los Angeles, Port of Los Angeles Technology Advancement Program and Clean Technology Development Center, Los Angeles, CA.	\$250,000
SBA .....	City of Providence, Department of Planning and Development, Rhode Island Center for Life Sciences, research, development and commercialization, Providence, RI.	\$300,000
SBA .....	City of Salem, downtown revitalization "toolbox" program, Salem, OR .....	\$200,000
SBA .....	City of Santa Rosa, Ilfeld Warehouse business incubator, Santa Rosa, NM .....	\$170,000
SBA .....	College of Notre Dame of Maryland, for lab facilities, Baltimore, MD .....	\$100,000
SBA .....	Colorado State University, Sustainable Biofuels Development Center, Fort Collins, CO .....	\$200,000
SBA .....	Community College of Philadelphia, Northeast Regional Center for small business education, growth, and training, Philadelphia, PA.	\$100,000
SBA .....	Community Economic Development Fund Foundation, Small Business Institute, for training and technical assistance to stabilize small business operations, Meriden, CT.	\$100,000
SBA .....	Community Links Hawaii for planning and development of Oahu Technology and Innovation Park, Oahu, HI.	\$250,000
SBA .....	Community Service Society of New York, financial education project, New York, NY .....	\$117,500
SBA .....	Council for Native Hawaiian Advancement, Entrepreneurial Development and Government Procurement Center, Honolulu, HI.	\$300,000
SBA .....	Cuyahoga Community College, veterans outreach and business development program, Cleveland, OH.	\$200,000
SBA .....	Delaware Valley Industrial Resource Center [DVIRC] for small business succession planning services, Philadelphia, PA.	\$175,000
SBA .....	Department of Community Affairs, Division on Women, New Jersey Women's Microbusiness Credit Program, for training and mentoring activities, Trenton, NJ.	\$100,000
SBA .....	Detroit Renaissance, Detroit Creative Corridor Center, Detroit, MI .....	\$200,000
SBA .....	Eastern Washington University for accelerating economic development in rural and underserved communities of the Inland Pacific Northwest, Spokane, WA.	\$200,000
SBA .....	Entrepreneurial Development Center Program, College Park, GA .....	\$125,000
SBA .....	Fitzsimons Redevelopment Authority, Colorado Drug, Device, and Diagnostic Development Institute, Aurora, CO.	\$220,000
SBA .....	Florida Institute of Technology, Florida Advanced Combustion Center, Brevard County, FL .....	\$200,000

Agency	Project	Amount
SBA	Great Falls Development Authority, to support the administrative costs of the Central Montana Growth Fund, Great Falls, MT.	\$137,500
SBA	Greater Syracuse Chamber of Commerce, Space Alliance Technology Outreach Program [SATOP], Syracuse, NY.	\$117,500
SBA	Hannah Grimes Center, business incubator renovation and expansion, Keene, NH	\$80,000
SBA	Haymarket Center for a workforce development initiative, Chicago, IL	\$700,000
SBA	HOPE Community Development Corporation for an economic development initiative, Charleston, WV.	\$137,500
SBA	Illinois Eastern Community Colleges for the Small Business Development Center, Olney, IL	\$200,000
SBA	Illinois Institute of Technology for University Technology Park, Chicago, IL	\$600,000
SBA	Illinois State Library to expand access to Illinois public libraries, Springfield, IL	\$300,000
SBA	Illinois State University for the McLean County Business Incubator, Normal, IL	\$500,000
SBA	Jackson State University for Economic and Community Development through Heritage Tourism, MS.	\$500,000
SBA	Kansas World Trade Center for the Wichita EcoPartnership, Wichita, KS	\$400,000
SBA	Kelley Road Business Park, Orono, ME	\$200,000
SBA	Latin Chamber of Commerce, Hispanic Leadership Program, Las Vegas, NV	\$213,333
SBA	Lawrence CommunityWorks, Union Crossing Mill Redevelopment, Lawrence, MA	\$200,000
SBA	Leavenworth Technology and Research Park, Leavenworth, KS	\$300,000
SBA	Loring Commerce Centre Infrastructure Development for the Loring Development Authority, Limestone, ME.	\$975,700
SBA	Louisiana Office of Social Entrepreneurship for administrative costs of a business planning initiative, Baton Rouge, LA.	\$137,500
SBA	Lutheran Social Service of Minnesota, Credit Counseling Capacity Building, St. Paul, MN	\$200,000
SBA	McNeese State University, Southwest Louisiana Entrepreneurial and Economic Development Center [SEED], Lake Charles, LA.	\$137,500
SBA	Minot State University-Bottineau, Entrepreneurial Center for Horticulture, Bottineau, ND	\$250,000
SBA	Mississippi Biotechnology Association for Capacity Building for the Mississippi Biotechnology Industry, Ridgeland, MS.	\$250,000
SBA	Mississippi State University for the Entrepreneurship Center to Develop New Entity Creation [ECDEC], MS.	\$500,000
SBA	Mississippi Technology Alliance for the Center for Innovation and Entrepreneurship, MS	\$850,000
SBA	Missouri Chamber Education Foundation to develop a small business technology, training and outreach center, Jefferson City, MO.	\$1,000,000
SBA	Montana Technology Venture Center, for expansion and operations of the TechRanch next step program, Bozeman, MT.	\$137,500
SBA	Nebraska Community Foundation, HomeTown Competitiveness, Lincoln, NE	\$275,000
SBA	Neighborhood Development Center, Midtown Global Market business technical assistance, St. Paul, MN.	\$200,000
SBA	Nevada Center for Entrepreneurship and Technology [NCET], small business and entrepreneurship development, NV.	\$213,333
SBA	Nevada Small Business Development Center, for Imagine 2012, an Hispanic business development initiative, Reno, NV.	\$213,334
SBA	North Carolina Rural Economic Development Center for a Rural Business Finance Program, Raleigh, NC.	\$250,000
SBA	North Carolina School of the Arts/Winston-Salem State University, The Center for Design Innovation, Winston-Salem, NC.	\$100,000
SBA	Northern Virginia Community College for retraining displaced workers in Geographic Information Systems, Richmond, VA.	\$200,000
SBA	Northwest Pennsylvania Incubator Association for an incubator project, Erie County, PA	\$100,000
SBA	Pellissippi Research Centre on the Oak Ridge Corridor, Alcoa, TN	\$750,000
SBA	Phillips County Economic Development for a Entrepreneur Business Enhancement Program [EBEP], Phillips County, KS.	\$300,000
SBA	Pittsburgh Life Sciences Greenhouse for the Tech Belt Biosciences Initiative, Pittsburgh, PA	\$50,000
SBA	Port of Clarkston, Asotin County Industrial Park infrastructure completion, Asotin County, WA	\$300,000
SBA	Portland Community College, sustainable careers for a green economic recovery, Portland, OR.	\$200,000
SBA	Prospera (Gallatin Valley Development Corporation), Accelerated Entrepreneur Program, Bozeman, MT.	\$200,000
SBA	Rhode Island School of Design and Brown University, Partnership for Sustainable Development/Rhode Island Center for Innovation and Entrepreneurship [RI-CIE], for technical assistance to small businesses on green product design and marketing and on developing and commercializing innovative products and services, Providence, RI.	\$150,000
SBA	Rural Business Energizer Program, Milbridge, ME	\$150,000
SBA	Rural Enterprises of Oklahoma, Inc, for a Women and Veteran's Business Resource Center at Seminole State College, Durant, OK.	\$200,000

Agency	Project	Amount
SBA .....	Rutgers, The State University of New Jersey, New Jersey urban entrepreneurship development initiative, New Brunswick, NJ.	\$271,050
SBA .....	Shawnee Community College for the Small Business Development Center, Ullin, IL .....	\$200,000
SBA .....	Souris Basin Regional Planning Center, North Dakota REAP Zones, ND .....	\$250,000
SBA .....	South Dakota Rural Enterprise, Dakota Rising for an entrepreneur development system, SD .....	\$250,000
SBA .....	The Cuban American National Council [CNC] New Jersey Regional Office, Latino financial education, foreclosure prevention, and home ownership program, Union City, NJ.	\$100,000
SBA .....	The University of Mississippi for the Technology Commercialization Initiative, Oxford, MS .....	\$250,000
SBA .....	The University of Southern Mississippi for the Early Stage Entrepreneur and Commercialization Development, Hattiesburg, MS.	\$500,000
SBA .....	Uhlich Children's Advantage Network for job training, placement and retention services, Chicago, IL.	\$400,000
SBA .....	University of Wisconsin-Milwaukee for business development related to clean water technologies, Milwaukee, WI.	\$250,000
SBA .....	University of Alabama for a Business Development Research Project, Tuscaloosa, AL .....	\$1,000,000
SBA .....	University of Alaska, Small Business Development Center, Ketchikan, AK .....	\$300,000
SBA .....	University of Arkansas at Little Rock, Small Business Innovation Center, Little Rock, AR .....	\$225,000
SBA .....	University of Arkansas Technology Development Foundation, Arkansas Research and Technology Park, Fayetteville, AR.	\$225,000
SBA .....	University of Connecticut for the Avery Point Technology Center, Groton, CT .....	\$200,000
SBA .....	University of Delaware, Delaware Small Business and Technology Development Center, Newark, DE.	\$350,000
SBA .....	University of Maryland-Baltimore BioPark, Baltimore, MD .....	\$100,000
SBA .....	University of Northern Iowa for MyEntreNet, a national rural entrepreneurship development system, IA.	\$250,000
SBA .....	University of Southern Maine for the Science Technology Research Center, Portland, ME .....	\$850,000
SBA .....	Urban League of Eastern Massachusetts, economic development center expansion, Boston, MA.	\$200,000
SBA .....	Urban League of Philadelphia Entrepreneurship Center, Philadelphia, PA .....	\$50,000
SBA .....	Valencia County IT program, upgrade and training, Valencia County, NM .....	\$145,000
SBA .....	Vermont Businesses for Social Responsibility, the 50 for 25 Demonstration Project, Burlington, VT.	\$50,000
SBA .....	Vermont Farms Association for an agritourism best practices and standards project, Rochester, VT.	\$50,000
SBA .....	Vermont Small Business Development Center, technical assistance to high-tech small businesses and emerging businesses, Randolph, VT.	\$250,000
SBA .....	Virginia's Center for Innovative Technology, Mine safety technology and communication improvements, Herndon, VA.	\$200,000
SBA .....	Wayne State University for the Law School's Small Business Clinic, Detroit, MI .....	\$200,000
SBA .....	West Virginia Northern Community College, Center for Economic and Workforce Advancement, Weirton, WV.	\$137,500
SBA .....	Western Illinois University for the Small Business Development Center, Macomb, IL .....	\$400,000
SBA .....	Western Kentucky University Bowling Green Data Center, Bowling Green, KY .....	\$1,100,000
SBA .....	Women's Business Development Center, for entrepreneurial small business training & assistance, Stamford, CT.	\$100,000
SBA .....	World Trade Center Institute Delaware, for the export assistance webinar series for business education, Wilmington, DE.	\$50,000

### UNITED STATES POSTAL SERVICE

#### PAYMENT TO THE POSTAL SERVICE FUND

Appropriations, 2009 .....	\$111,831,000
Budget estimate, 2010 .....	118,328,000
Committee recommendation .....	118,328,000

#### PROGRAM DESCRIPTION

The Post Office dates back to 1775. It became the Postal Service in 1971 as an independent establishment of the executive branch of the United States Government. The Postal Service's basic function and obligation is to provide postal services to bind the Nation together through the personal, educational, literary, and business correspondence of the people. Its mission is to provide prompt, reli-

able, and efficient services to patrons in all areas and render postal services to all communities.

#### COMMITTEE RECOMMENDATION

The Committee recommends appropriations totaling \$118,328,000 for payment to the Postal Service Fund, an increase of \$6,497,000 above the fiscal year 2009 enacted level and the same as the budget request.

This amount includes \$29,000,000 for revenue forgone on free and reduced-rate mail pursuant to 39 U.S.C. 2401(d). The recommendation also includes \$89,328,000 as an advance appropriation for fiscal year 2011, which includes \$68,776,000 for 2010 costs and \$20,552,000 for 2007 and 2008 reconciliation adjustments.

Revenue forgone on free and reduced-rate mail enables postage rates to be set at levels below the unsubsidized rates for certain categories of mail as authorized by subsections (c) and (d) of section 2401 of title 39, United States Code. Free mail for the blind and overseas voters will continue to be provided at the funding level recommended by the Committee.

The Committee includes provisions in the bill that would assure that mail for overseas voting and mail for the blind shall continue to be free; that 6-day delivery and rural delivery of mail shall continue without reduction; and that none of the funds provided be used to consolidate or close small rural and other small post offices in fiscal year 2010. These are services that must be maintained in fiscal year 2010 and beyond.

The Committee believes that 6-day mail delivery is one of the most important services provided by the Federal Government to its citizens. Especially in rural and small town America, this critical postal service is the linchpin that serves to bind the Nation together.

*Mail-related Recycling Initiatives.*—Every year the Postal Service recycles about 1 million tons of wastepaper, cardboard, plastics, cans, and other materials. The Postal Service also generates about \$7,500,000 in revenue from those recycling activities. The Postal Service also purchases more than \$200,000,000 worth of products containing recycled content each year. Many of the containers in the Postal Service mail system are made from recycled materials, and so are the stamped envelopes, post cards, stamp booklet covers, and packaging materials provided by the Postal Service. The adhesives used in U.S. postage stamps are biodegradable, and the Postal Services priority and express boxes and envelopes are recyclable. Through various continued successful partnerships, the Postal Service has facilitated reuse or recovery of overstock and outdated electronic equipment, saving tons of potential landfill waste.

The Committee remains concerned about the fiscal health of the Postal Service. In June 2009, the Postal Service indicated that it anticipates a net loss of about \$7,000,000,000 by the end of fiscal year 2009. Significant declines in mail volume, exacerbated by the struggling economy, have contributed to the most recent Postal Service financial crisis. In its unaudited monthly financial report to the Postal Regulatory Commission [PRC], the Postal Service claimed a total net loss of \$677,000,000 for the month of May, bringing actual year-to-date losses to over \$3,300,000,000. Com-

pared to the same year-to-date time period for 2008, total volume was down by 19.9 percent and total revenues had declined by about \$1,000,000,000.

The Postal Service has made efforts to reduce costs, primarily by cutting work hours and capturing processing efficiencies. Through May 2009, the Postal Service had cut roughly \$3,600,000,000 in expenses compared to the same period last year. In June 2009, the Postal Service indicated that cost savings could reach as much as \$6,100,000,000 in fiscal year 2009, exceeding expectations by \$200,000,000.

Despite its efforts to cut costs, the Postal Service fiscal prospects are still dire, and the Postmaster General has sought the aid of Congress. In particular, the Postal Service has requested that Congress moderate the requirement, included in the Postal Accountability and Enhancement Act of 2006 [PAEA], which directs the Postal Service to pre-fund a significant portion of its future retiree health benefits through the end of fiscal year 2016. Under the PAEA, the Postal Service is required to pay into the Postal Service Retiree Health Benefits Fund (the Fund) between \$5,200,000,000 and \$5,800,000,000 for each fiscal year, through fiscal year 2016. After fiscal year 2016, any residual unliquidated liability must be amortized through fiscal year 2046 and paid down through regular future payments. Separately, the Postal Service is required to pay premiums to the Office of Personnel Management [OPM] for current retiree health benefits.

Under its relief proposal, the Postal Service would continue to make annual payments to the Fund as required by the PAEA, but it would be permitted to use the Fund to pay for its current retiree health benefits, instead of making these separate payments from other operating funds. According to the Postal Service, this proposal could yield a savings of between \$2,000,000,000 and \$4,200,000,000 for each of the affected years. Nonetheless, the Government Accountability Office [GAO] has expressed concern about this proposal because it unravels fiscally responsible requirements that Congress established in the PAEA.

To provide a limited measure of relief that maintains the fiscally responsible requirement to pre-fund a significant portion of future retiree health benefits, the Committee considered a proposal that would have reduced the amount of the required payments to the Fund and would have provided a benchmark for unliquidated Fund liabilities as of September 30, 2017. If the modified stream of payments would not have exceeded this liabilities benchmark, then the Postal Service, in coordination with OPM and the Office of Management and Budget [OMB], would have been authorized to cut the amount of the required payment to the Fund for any given fiscal year through 2016. To maintain fiscal soundness, the provision also would have required an increase in payments if the stream of payments failed to liquidate the enumerated benchmark for the Fund.

The Committee was willing to consider this proposal based on the results of a recent Inspector General [IG] report, which indicated that the stream of payments under PAEA would result in a 6 percent overpayment to the Fund by the end of fiscal year 2016. Under the IG's analysis, the current stream of payments required by PAEA would yield approximately \$5,600,000,000 more than the

Postal Service would need by the end of fiscal year 2016 to fully pre-fund its retiree health benefits.

Because some experts, including OPM, have expressed concerns about the assumptions made in the Postal Service IG report, the Committee directs the Postal Service, in coordination with OPM and OMB, to develop a fiscally responsible legislative proposal to grant a limited measure of relief from the PAEA requirements to pre-fund retiree health benefits. These proposals should consider: (1) whether the PAEA-mandated stream of future payments overfunds through fiscal year 2016 the anticipated liability of the Postal Service for future retiree health benefits, (2) whether modifications to the mandated payments could meet the unliquidated liability goals contained in the PAEA, and (3) whether a decrease in mandated payments will reduce the incentive of the Postal Service to continue to cut additional costs, including the labor costs that account for the most significant portion of annual total costs. Additionally, these proposals should take into account the result of the PRC's study of the PAEA payments.

*Consolidation of Mail Processing Facilities.*—The Committee understands that the Postal Service has undertaken initiatives to develop a mail processing network conducive to current and future needs, to reduce inefficiencies and redundancies, and increase operational flexibility without impacting service. One such initiative has been the realignment of area mail processing [AMP] facilities. The Committee is aware that the Quincy, Illinois AMP is among the facilities for which a possible realignment feasibility study has been announced. The Committee is concerned about the impact on the community and postal customers of eliminating jobs or transferring functions. The Committee directs the Postal Service to provide the Committee with a detailed explanation of the criteria used to select the Quincy AMP for a study no later than 30 days after enactment. The Committee further directs the Postal Service to not proceed with the Quincy AMP study or any other related actions to implement that study during fiscal year 2010.

*Idaho Rural Airmail Delivery.*—The Committee directs the Postmaster General to continue rural airmail delivery service in Idaho. The level of service shall be no less than the January 2009 level.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

Appropriations, 2009 .....	\$239,356,000
Budget estimate, 2010 .....	244,397,000
Committee recommendation .....	244,397,000

PROGRAM DESCRIPTION

The United States Postal Service Office of Inspector General [OIG] is an independent organization established in 1996 and charged with reporting to Congress on the overall efficiency, effectiveness, and economy of Postal Service programs and operations. The OIG plays a key role in maintaining the integrity and accountability of America's postal service, its revenue and assets, and its employees. The OIG meets this responsibility by conducting and supervising objective and independent audits, investigations, and

other reviews. In fiscal year 2008, the OIG efforts resulted in 455 audits and evaluations being completed identifying potential monetary benefits of nearly \$1,200,000,000, 7,679 completed investigative cases, 928 arrests and indictments, 3,699 administrative actions referred, \$25,700,000 in monetary recoveries to the Postal Service, and over \$207,000,000 in workers' compensation and contract fraud cost avoidance. As a result the return-on-investment was \$7.54, up from \$5.85 in fiscal year 2007.

#### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation, out of the Postal Fund, of \$244,397,000 for the United States Postal Service Office of Inspector General. This amount is \$5,041,000 above the fiscal year 2009 funding level and the same as the budget request. The funds will support 1,194 FTEs and enable the Office of Inspector General to concentrate on its fiscal year 2010 goals of reviewing field financial areas, audit work in response to Sarbanes-Oxley requirements, audits of data collection systems and procedures, and increasing total investigative financial, criminal, and administrative outcomes.

#### UNITED STATES TAX COURT

##### SALARIES AND EXPENSES

Appropriations, 2009 .....	\$48,463,000
Budget estimate, 2010 .....	49,241,000
Committee recommendation .....	49,241,000

##### PROGRAM DESCRIPTION

The U.S. Tax Court is an independent judicial body in the legislative branch established in 1969 under Article I of the Constitution of the United States. The Court was created to provide a national forum for the resolution of disputes between taxpayers and the Internal Revenue Service, resolve cases expeditiously while giving careful consideration to the merits of each matter, and ensure the uniform interpretation of the Internal Revenue Code. The matters over which the Court has jurisdiction are set forth in various sections of title 26 of the United States Code.

The Court is composed of 19 judges, one of whom the judges elect as chief judge. In their judicial duties the judges are assisted by senior judges, who participate in the adjudication of regular cases, and by special trial judges, who hear small tax cases and certain regular cases assigned to them by the chief judge.

The Court conducts trial sessions throughout the United States, including Hawaii and Alaska. Decisions by the Court are reviewable by the U.S. Courts of Appeals and, if certiorari is granted, by the Supreme Court.

#### COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of \$49,241,000 for the U.S. Tax Court. This amount is \$778,000 above the fiscal year 2009 enacted level and the same as the budget request. The Committee notes that the increased funding is expected to help the Tax Court comply with the Court Security Act of 2007 (Public Law 110-

177) which authorizes the United States Marshals Service to provide protective services to the Tax Court at the same level as such services are provided to other Federal Courts on a reimbursable basis. This level of protection includes the presence of United States Marshals Service security personnel in courtrooms where the Tax Court presides. In addition, the funds will enable the Tax Court to fill necessary staff vacancies to fulfill its statutory mission.

#### STATEMENT CONCERNING GENERAL PROVISIONS

The Financial Services and General Government appropriation bill includes general provisions which govern both the activities of the agencies covered by the bill, and, in some cases, activities of agencies, programs, and general government activities that are not covered by the bill.

The bill contains a number of general provisions that have been carried in this bill for years and which are routine in nature and scope. General provisions in the bill are explained under this section of the report. Those general provisions that deal with a single agency only are shown immediately following that particular agency's or department's appropriation accounts in the bill. Those provisions that address activities or directives affecting all of the agencies covered in this bill are contained in title VI. General provisions that are Government-wide in scope are contained in title VII of this bill. General provisions applicable to the District of Columbia are contained in title VIII of this bill.

## TITLE VI

### GENERAL PROVISIONS—THIS ACT

Section 601 continues the provision prohibiting pay and other expenses of non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this act.

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

Section 603 continues the provision limiting expenditures for consulting service through procurement contracts where such expenditures are a matter of public record and available for public inspection.

Section 604 continues the provision prohibiting funds in this act from being transferred without express authority.

Section 605 continues the provision prohibiting the use of funds to engage in activities that would prohibit the enforcement of section 307 of the 1930 Tariff Act (46 Stat. 590).

Section 606 continues the provision prohibiting the use of funds unless the recipient agrees to comply with the Buy American Act.

Section 607 continues the provision prohibiting funding for any person or entity convicted of violating the Buy American Act.

Section 608 continues the provision authorizing the reprogramming of funds and specifies the reprogramming procedures for agencies funded by this act.

Section 609 continues the provision ensuring that 50 percent of unobligated balances may remain available for certain purposes.

Section 610 continues the provision restricting the use of funds for the Executive Office of the President to request official background reports from the Federal Bureau of Investigation without the written consent of the individual who is the subject of the report.

Section 611 continues the provision ensuring that the cost accounting standards shall not apply with respect to a contract under the Federal Employees Health Benefits Program.

Section 612 continues the provision referencing non-foreign area cost of living allowances.

Section 613 continues the provision waiving restrictions on the purchase of non-domestic articles, materials, and supplies in the case of acquisition by the Federal Government of information technology.

Section 614 continues a provision on the acceptance by agencies or commissions 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 agencies or commissions.

Section 615 continues a provision allowing the Public Company Accounting Oversight Board to obligate amounts collected from monetary penalties for the purpose of funding scholarships for accounting students, as authorized by the Sarbanes-Oxley Act of 2002 (Public Law 107–204).

Section 616 is a provision rescinding \$1,500,000 from unobligated balances for prior year appropriations made available for the Privacy and Civil Liberties Oversight Board.

Section 617 is a provision related to agricultural trade with Cuba.

## TITLE VII

### GENERAL PROVISIONS—GOVERNMENT-WIDE

#### DEPARTMENTS, AGENCIES, AND CORPORATIONS

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

Section 702 continues the provision setting specific limits on the cost of passenger vehicles purchased by the Federal Government with exceptions for police, heavy duty, electric hybrid, and clean fuels vehicles.

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

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

Section 705 continues the provision ensuring that agencies will have authority to pay the General Services Administration for space renovation and other services.

Section 706 continues the provision allowing agencies to use receipts from the sale of materials for acquisition, waste reduction and prevention, environmental management programs, and other Federal employee programs.

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

Section 708 continues the provision precluding interagency financing of groups absent prior statutory approval.

Section 709 continues the provision prohibiting the use of appropriated funds for enforcing regulations disapproved in accordance with the applicable law of the United States.

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

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

Section 712 continues the provision that permits interagency funding of national security and emergency preparedness telecommunications initiatives, which benefit multiple Federal departments, agencies, and entities.

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

Section 714 continues the provision prohibiting the use of funds to prevent Federal employees from communicating with Congress

or to take disciplinary or personnel actions against employees for such communication.

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

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

Section 717 continues the provision prohibiting the use of appropriated funds for publicity or propaganda designed to support or defeat legislation pending before Congress.

Section 718 continues the provision prohibiting the use of appropriated funds by an agency to provide home addresses of Federal employees to labor organizations, absent employee authorization or court order.

Section 719 continues the provision prohibiting the use of appropriated funds to provide non-public information such as mailing or telephone lists to any person or organization outside of the Government without approval of the Committees on Appropriations.

Section 720 continues the provision prohibiting the use of appropriated funds for publicity or propaganda purposes within the United States not authorized by Congress.

Section 721 continues the provision directing agencies' employees to use official time in an honest effort to perform official duties.

Section 722 continues the provision authorizing the use of current fiscal year funds to finance an appropriate share of the Federal Accounting Standards Advisory Board administrative costs.

Section 723 continues the provision authorizing agencies to transfer funds to or reimburse the Government-wide Policy account of the General Services Administration to finance an appropriate share of various government-wide boards and councils.

Section 724 continues the provision authorizing breastfeeding at any location in a Federal building or on Federal property.

Section 725 continues the provision permitting interagency funding of the National Science and Technology Council, and requiring an OMB report on the budget and resources of the Council.

Section 726 continues the provision requiring identification of the Federal agencies providing Federal funds and the amount provided for all proposals, solicitations, grant applications, forms, notifications, press releases, or other publications related to the distribution of funding to a State.

Section 727 continues the provision prohibiting the use of funds to monitor personal information relating to the use of Federal Internet sites.

Section 728 continues the provision regarding contraceptive coverage under the Federal Employees Health Benefits Plan.

Section 729 continues the provision recognizing the U.S. Anti-Doping Agency as the official anti-doping agency for Olympic, Pan American, and Paralympic sports in the United States.

Section 730 continues the provision allowing departments and agencies to use official travel funds to participate in the fractional aircraft ownership pilot programs.

Section 731 continues the provision prohibiting funds for implementation of OPM regulations limiting detailees to the legislative

branch and placing certain limitations on the Coast Guard Congressional Fellowship program.

Section 732 continues the provision prohibiting the expenditure of funds for the acquisition of certain additional Federal law enforcement training facilities.

Section 733 continues the provision providing funding for the Midway Atoll Airfield.

Section 734 continues a provision that prohibits the use of funds to begin or announce a study or a public-private competition regarding the conversion to contractor performance of any function performed by civilian Federal employees pursuant to Office of Management and Budget Circular A-76 or any other administrative regulation, directive, or policy.

Section 735 is a new provision requiring agencies to submit annual inventories of activities performed pursuant to contracts for services and specifying other government reporting responsibilities relating to contracted work.

Section 736 continues a provision, with modifications, providing that the adjustment in rates of basic pay for employees under statutory pay systems taking effect in fiscal year 2010 shall be an increase of 2.9 percent.

Section 737 continues a provision that prohibits executive branch agencies from creating or funding prepackaged news stories that are broadcast or distributed in the United States unless specific notification conditions are met.

Section 738 continues the provision prohibiting funds used in contravention of the Privacy Act, section 552a of title 5, United States Code or section 522.224 of title 48 of the Code of Federal Regulations.

Section 739 continues the provision requiring each department and agency to evaluate the creditworthiness of an individual before issuing the individual a Government purchase charge card or travel card.

Section 740 includes a provision prohibiting funds from being used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation.

Section 741 includes a provision requiring improvements to enhance public access to information on agency Inspector General websites.

Section 742 requires the Office of Management and Budget to provide a report no later than 120 days after enactment on the status of a pilot program to develop and implement an inventory to track the cost and size of service contracts in at least three cabinet-level departments, as required by section 748 of division D of Public Law 110-161.

Section 743 prohibits the Office of Personnel Management or any other agency from using funds to implement regulations changing the competitive areas under reductions-in-force for Federal employees.

Section 744 repeals section 748 of the Financial Services and General Government Appropriations Act, 2009 (Public Law 111-8, Division D) relating to making permanent Executive Order 13423

on strengthening the environmental, energy, and transportation management of Federal agencies.

Section 745 continues a provision requiring reports on executive branch workforce composition.

Section 746 declares the inapplicability of these general provisions to title IV and title VIII.

## TITLE VIII

### GENERAL PROVISIONS—DISTRICT OF COLUMBIA

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

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

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

Section 804 continues the provision that prohibits the use of the appropriation for publicity or propaganda purposes, and permits the use of local funds for carry out lobbying activity.

Section 805 modifies the provision that establishes notification requirements for certain reprogramming and transfer requirements with respect to funds and specifies a timeframe for approval and execution of requests to reprogram and transfer local funds.

Section 806 continues the provision that restricts the use of funds only to the objects for which the appropriations were made.

Section 807 continues the provision that prohibits the use of Federal funds for salaries, expenses, or other costs associated with the offices of U.S. Senator or Representative under section 4(d) of the D.C. Statehood Constitutional Convention Initiatives of 1979.

Section 808 continues the provision that restricts the use of official vehicles to official duties and not between a residence and workplace, except under certain circumstances.

Section 809 continues the provision that prohibits the use of appropriated funds 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.

Section 810 continues the provision that prohibits the use of any Federal funds in this act to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

Section 811 continues the provision that includes a “conscience clause” on legislation that pertains to contraceptive coverage by health insurance plans.

Section 812 continues the provision that requires the Mayor of the District of Columbia to submit annual reports on various indicators pertaining to the District of Columbia.

Section 813 continues the provision prohibiting use of funds to change the legality of marijuana use.

Section 814 modifies the provision relating to abortion to restrict the use of Federal funds.

Section 815 continues a provision to mitigate the necessity for dual budgeting of local funds when such funds are transferred but not expended.

Section 816 is a new provision requiring the submittal of a revised appropriated funds budget that reflects the total amount of the approved appropriation and realigns all budget data for personal services and other-than-personal-services with anticipated actual expenditures.

Section 817 is a new provision requiring the submittal of a revised appropriated funds budget for the District of Columbia Schools that aligns the schools budgets to actual enrollment.

Section 818 continues the provision which limits references to "this Act" as referring to only this title.

COMPLIANCE WITH PARAGRAPH 7, RULE XVI OF THE  
STANDING RULES OF THE SENATE

Paragraph 7 of rule XVI requires that Committee reports on general appropriations bills identify each Committee amendment to the House bill “which proposes an item of appropriation which is not made to carry out the provisions of an existing law, a treaty stipulation, or an act or resolution previously passed by the Senate during that session.”

Items providing funding for fiscal year 2010 which lack authorization are as follows:

*Department of the Treasury*

- Departmental Offices
- Department-wide Systems and Capital Investments
- Office of the Inspector General
- Inspector General for Tax Administration
- Financial Crimes Enforcement Network
- Financial Management Service
- Alcohol and Tobacco Tax and Trade Bureau
- Bureau of the Public Debt
- Community Development and Financial Institutions Fund
- Internal Revenue Service:
  - Taxpayer Services
  - Enforcement
  - Operations Support
  - Business Systems Modernization
  - Health Insurance Tax Credit Administration

*Executive Office of the President*

- Office of Management and Budget
- ONDCCP: Training for drug court professionals

*District of Columbia*

- Federal Payment for the District of Columbia Water and Sewer Authority
- Federal Payment for School Improvement
- Federal Payment for Consolidated Laboratory Facility
- Federal Payment to the Chief Financial Officer of the District of Columbia

*Independent Agencies*

- Election Assistance Commission
- Federal Communications Commission
- Federal Election Commission
- Federal Trade Commission
- General Services Administration:
  - Federal Building Fund

GSA E-government Fund  
 Office of Government Ethics  
 Office of Special Counsel  
 Merit Systems Protection Board  
 National Credit Union Administration: Community Development  
 Revolving Loan Fund  
 Securities and Exchange Commission

COMPLIANCE WITH PARAGRAPH 7(c), RULE XXVI OF THE  
 STANDING RULES OF THE SENATE

Pursuant to paragraph 7(c) of rule XXVI, on July 9, 2009, the Committee ordered reported an original bill (S. 1432) making appropriations for financial services and general government for the fiscal year ending September 30, 2010, subject to amendment and consistent with the budget allocation, and authorized the chairman of the committee or the chairman of the subcommittee to offer the text of the Senate-reported bill as a committee amendment in the nature of a substitute to the House companion measure, by a recorded vote of 29–1, a quorum being present. The vote was as follows:

Yeas	Nays
Chairman Inouye	Mr. Brownback
Mr. Byrd	
Mr. Leahy	
Mr. Harkin	
Ms. Mikulski	
Mr. Kohl	
Mrs. Murray	
Mr. Dorgan	
Mrs. Feinstein	
Mr. Durbin	
Mr. Johnson	
Ms. Landrieu	
Mr. Reed	
Mr. Lautenberg	
Mr. Nelson	
Mr. Pryor	
Mr. Tester	
Mr. Specter	
Mr. Cochran	
Mr. Bond	
Mr. McConnell	
Mr. Shelby	
Mr. Gregg	
Mr. Bennett	
Mrs. Hutchison	
Mr. Alexander	
Ms. Collins	
Mr. Voinovich	
Ms. Murkowski	

COMPLIANCE WITH PARAGRAPH 12, RULE XXVI OF THE  
STANDING RULES OF THE SENATE

Paragraph 12 of rule XXVI requires that Committee reports on a bill or joint resolution repealing or amending any statute or part of any statute include “(a) the text of the statute or part thereof which is proposed to be repealed; and (b) a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, showing by stricken-through type and italics, parallel columns, or other appropriate typographical devices the omissions and insertions which would be made by the bill or joint resolution if enacted in the form recommended by the Committee.”

In compliance with this rule, the following changes in existing law proposed to be made by this bill are shown as follows: existing law to be omitted is enclosed in black brackets; new matter is printed in italic; and existing law in which no change is proposed is shown in roman.

**TITLE 40—PUBLIC BUILDINGS, PROPERTY, AND WORKS**

**SUBTITLE I—FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES**

**CHAPTER 33—ACQUISITION, CONSTRUCTION, AND ALTERATION**

**§ 3314. Delegation**

(a) \* \* \*

(1) shall, except for the authority contained in section 3305(b) of this title, be delegated on request to the appropriate [executive] *federal* agency when the estimated cost of the project does not exceed \$100,000; and

(2) may be delegated to the appropriate [executive] *federal* agency when the Administrator determines that delegation will promote efficiency and economy.

**HOUSING AND COMMUNITY DEVELOPMENT ACT, 1992,  
PUBLIC LAW 102-550**

**TITLE XIII—GOVERNMENT SPONSORED ENTERPRISES**

**SUBTITLE A—SUPERVISION AND REGULATION OF  
ENTERPRISES**

**PART 2—AUTHORITY OF SECRETARY**

**SUBPART B—HOUSING GOALS**

**SEC. 1338. EFFECTIVE DATE OF TRANSITION GOALS.**

\* \* \* \* \*

**SEC. 1339. CAPITAL MAGNET FUND.**

(a) \* \* \*

\* \* \* \* \*

(h) \* \* \*

(1) \* \* \*

\* \* \* \* \*

(3) LEVERAGE OF FUNDS.—Each grant from the Capital Magnet Fund awarded under this section shall be reasonably expected to result in eligible housing, or economic and community development projects that support or sustain an affordable housing project funded by a grant under this section whose aggregate costs total [at least 10 times the grant amount] *at least 10 times the grant amount or such other amount (including none) that the Secretary may require.*

**DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUICIARY, AND RELATED AGENCICES APPROPRIATIONS ACT, 1998, PUBLIC LAW 105-119**

**TITLE I—DEPARTMENT OF JUSTICE**

**GENERAL PROVISIONS—DEPARTMENT OF JUSTICE**

SEC. 122. (a) \* \* \*

\* \* \* \* \*

(g)(1) Notwithstanding any other provision of law and subject to paragraph (2), the Secretary of the Treasury is authorized to establish, for a period of [11 years] *12 years* from date of enactment of this provision, a personnel management demonstration project providing for the compensation and performance management of not more than a combined total of 950 employees who fill critical scientific, technical, engineering, intelligence analyst, language translator, and medical positions in the Bureau of Alcohol, Tobacco and Firearms.

**UNIVERSAL SERVICE ANTIDEFICIENCY TEMPORARY SUSPENSION ACT, PUBLIC LAW 108-494**

**TITLE III—UNIVERSAL SERVICE**

**SEC. 302. APPLICATION OF CERTAIN TITLE 31 PROVISIONS TO UNIVERSAL SERVICE FUND.**

(a) IN GENERAL.—During the period beginning on the date of enactment of this Act and ending on [December 31, 2009] *December 31, 2010*, section 1341 and subchapter II of chapter 15 of title 31, United States Code, do not apply—

\* \* \* \* \*

(b) POST-2005 FULFILLMENT OF PROTECTED OBLIGATIONS.—Section 1341 and subchapter II of chapter 15 of title 31, United States Code, do not apply after [December 31, 2009] *December 31, 2010*, to an expenditure or obligation described in subsection (a)(2) made or authorized during the period described in subsection (a).

**OMNIBUS APPROPRIATIONS ACT, 2009, PUBLIC LAW  
111-8**

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

**TITLE VII**

**GENERAL PROVISIONS—GOVERNMENT-WIDE**

**DEPARTMENTS, AGENCIES, AND CORPORATIONS**

**【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.】**

**BUDGETARY IMPACT OF BILL**

PREPARED IN CONSULTATION WITH THE CONGRESSIONAL BUDGET OFFICE PURSUANT TO SEC.  
308(a), PUBLIC LAW 93-344, AS AMENDED

[In millions of dollars]

	Budget authority		Outlays	
	Committee allocation	Amount of bill	Committee allocation	Amount of bill
Comparison of amounts in the bill with Committee allocations to its subcommittees of amounts in the Budget Resolution for 2010: Subcommittee on Financial Services and General Government:				
Mandatory .....	20,702	20,702	20,699	<sup>1</sup> 20,699
Discretionary .....	23,510	24,400	25,049	<sup>1</sup> 25,857
Projections of outlays associated with the recommendation:				
2010 .....				<sup>2</sup> 39,749
2011 .....				3,618
2012 .....				689
2013 .....				301
2014 and future years .....				258
Financial assistance to State and local governments for 2009 .....	NA	711	NA	505

<sup>1</sup> Includes outlays from prior-year budget authority.

<sup>2</sup> Excludes outlays from prior-year budget authority.

NA: Not applicable.

NOTE: Consistent with the funding recommended in the bill for tax enforcement and in accordance with section 401(c)(2)(B) of Senate Concurrent Resolution 13 (111th Congress), the Committee anticipates that the Budget Committee will file a revised section 302(a) allocation for the Committee on Appropriations reflecting an upward adjustment of \$890,000,000 in budget authority and associated outlays.

**DISCLOSURE OF CONGRESSIONALLY DIRECTED SPENDING  
ITEMS**

The Constitution vests in the Congress the power of the purse. The Committee believes strongly that Congress should make the decisions on how to allocate the people’s money.

As defined in Rule XLIV of the Standing Rules of the Senate, the term “congressionally directed spending item” means a provision or report language included primarily at the request of a Senator, providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific

State, locality or congressional district, other than through a statutory or administrative, formula-driven, or competitive award process.

For each item, a Member is required to provide a certification that neither the Member nor the Senator's immediate family has a pecuniary interest in such congressionally directed spending item. Such certifications are available to the public on the website of the Senate Committee on Appropriations ([www.appropriations.senate.gov/senators.cfm](http://www.appropriations.senate.gov/senators.cfm)).

Following is a list of congressionally directed spending items included in the Senate recommendation discussed in this report, along with the name of each Senator who submitted a request to the Committee of jurisdiction for each item so identified. Neither the Committee recommendation nor this report contains any limited tax benefits or limited tariff benefits as defined in rule XLIV.

CONGRESSIONALLY DIRECTED SPENDING ITEMS

Account	Project	Funding	Member
DC	Children's National Medical Center	\$1,000,000	Senators Thad Cochran, Richard Durbin
SBA	Alaska Manufacturing Extension Partnership for the AMBIT Youth Entrepreneurship Curriculum, Anchorage, AK	\$200,000	Senator Lisa Murkowski
SBA	Alcorn State University for the Systems Research Institute, MS	\$250,000	Senator Thad Cochran
SBA	Amoskeag Business Incubator, Manchester, NH	\$120,000	Senator Jeanne Shaheen
SBA	Bennett College for Women, The Center for Women's Entrepreneurship, Greensboro, NC	\$100,000	Senator Kay Hagan
SBA	Boise State University for a research, economic development and entrepreneurial initiative, ID	\$200,000	Senators Mike Crapo, James Risch
SBA	Brewer Business and Commerce Park, Brewer, ME	\$1,050,000	Senators Susan Collins, Olympia Snowe
SBA	Center for Economic Growth, Watervliet Innovation Center, Albany, NY	\$117,500	Senators Kirsten Gillibrand, Charles Schumer
SBA	Central Connecticut State University, for a manufacturing workforce initiative and technical assistance program, New Britain, CT	\$100,000	Senator Christopher Dodd
SBA	Champlain Valley Office of Economic Opportunity, Chittenden Emergency Food Shelf's Community Kitchen Expansion Project, Burlington, VT	\$100,000	Senator Bernard Sanders
SBA	City of Buffalo, Buffalo clean energy incubator, Buffalo, NY	\$117,500	Senators Kirsten Gillibrand, Charles Schumer
SBA	City of Jai, renovation of Burke Junior High School to house business ventures, Jai, NM	\$85,000	Senators Jeff Bingaman, Tom Udall
SBA	City of Los Angeles, Port of Los Angeles Technology Advancement Program and Clean Technology Development Center, Los Angeles, CA	\$250,000	Senator Dianne Feinstein
SBA	City of Providence, Department of Planning and Development, Rhode Island Center for Life Sciences, research, development and commercialization, Providence, RI	\$300,000	Senators Jack Reed, Sheldon Whitehouse
SBA	City of Salem, downtown revitalization "toolbox" program, Salem, OR	\$200,000	Senators Jeff Merkley, Ron Wyden
SBA	City of Santa Rosa, Ifield Warehouse business incubator, Santa Rosa, NM	\$170,000	Senators Jeff Bingaman, Tom Udall
SBA	College of Notre Dame of Maryland, for lab facilities, Baltimore, MD	\$100,000	Senator Benjamin Cardin
SBA	Colorado State University, Sustainable Biofuels Development Center, Fort Collins, CO	\$200,000	Senator Mark Udall
SBA	Community College of Philadelphia, Northeast Regional Center for small business education, growth, and training, Philadelphia, PA	\$100,000	Senator Robert Casey
SBA	Community Economic Development Fund Foundation, Small Business Institute, for training and technical assistance to stabilize small business operations, Meriden, CT	\$100,000	Senators Christopher Dodd, Joseph Lieberman
SBA	Community Links Hawaii for planning and development of Oahu Technology and Innovation Park, Oahu, HI	\$250,000	Senators Daniel Akaka, Daniel Inouye
SBA	Community Service Society of New York, financial education project, New York, NY	\$117,500	Senators Kirsten Gillibrand, Charles Schumer
SBA	Council for Native Hawaiian Advancement, Entrepreneurial Development and Government Procurement Center, Honolulu, HI	\$300,000	Senators Daniel Akaka, Daniel Inouye
SBA	Cuyahoga Community College, veterans outreach and business development program, Cleveland, OH	\$200,000	Senators Sherrod Brown, George Voinovich

SBA	Delaware Valley Industrial Resource Center [DVIIRC] for small business succession planning services, Philadelphia, PA	\$175,000	Senators Robert Casey, Arlen Specter
SBA	Department of Community Affairs, Division on Women, New Jersey Women's Microbusiness Credit Program, for training and mentoring activities, Trenton, NJ	\$100,000	Senators Frank Lautenberg, Robert Menendez
SBA	Detroit Renaissance, Detroit Creative Corridor Center, Detroit, MI	\$200,000	Senators Carl Levin, Debbie Stabenow
SBA	Eastern Washington University for accelerating economic development in rural and underserved communities of the Inland Pacific Northwest, Spokane, WA	\$200,000	now Murray
SBA	Entrepreneurial Development Center Program, College Park, GA	\$125,000	Senators Maria Cantwell, Patty Murray
SBA	Fitzsimons Redevelopment Authority, Colorado Drug, Device, and Diagnostic Development Institute, Aurora, CO	\$220,000	Senators Saxby Chambliss, Johnny Isakson
SBA	Florida Institute of Technology, Florida Advanced Combustion Center, Brevard County, FL	\$200,000	Senator Michael Bennet
SBA	Great Falls Development Authority, to support the administrative costs of the Central Montana Growth Fund, Great Falls, MT	\$137,500	Senator Bill Nelson
SBA	Greater Syracuse Chamber of Commerce, Space Alliance Technology Outreach Program [SATOP], Syracuse, NY	\$117,500	Senators Max Baucus, Jon Tester
SBA	Hannah Grimes Center, business incubator renovation and expansion, Keene, NH	\$80,000	Senators Kirsten Gillibrand, Charles Schumer
SBA	Haymarket Center for a workforce development initiative, Chicago, IL	\$700,000	Senator Jeanne Shaheen
SBA	HOPE Community Development Corporation for an economic development initiative, Charleston, WV	\$137,500	Senator Richard Durbin
SBA	Illinois Eastern Community Colleges for the Small Business Development Center, Olney, IL	\$200,000	Senator Robert Byrd
SBA	Illinois Institute of Technology for University Technology Park, Chicago, IL	\$600,000	Senator Richard Durbin
SBA	Illinois State Library to expand access to Illinois public libraries, Springfield, IL	\$300,000	Senator Richard Durbin
SBA	Illinois State University for the McLean County Business Incubator, Normal, IL	\$500,000	Senator Richard Durbin
SBA	Jackson State University for Economic and Community Development through Heritage Tourism, MS	\$500,000	Senator Thad Cochran
SBA	Kansas World Trade Center for the Wichita EcoPartnership, Wichita, KS	\$400,000	Senators Sam Brownback, Pat Roberts
SBA	Kelley Road Business Park, Orono, ME	\$200,000	Senator Susan Collins
SBA	Latin Chamber of Commerce, Hispanic Leadership Program, Las Vegas, NV	\$213,333	Senator Harry Reid
SBA	Lawrence CommunityWorks, Union Crossing Mill Redevelopment, Lawrence, MA	\$200,000	Senators Edward Kennedy, John Kerry
SBA	Leavenworth Technology and Research Park, Leavenworth, KS	\$300,000	Senator Sam Brownback
SBA	Loring Commerce Centre Infrastructure Development for the Loring Development Authority, Limestone, ME	\$975,700	Senators Susan Collins, Olympia Snowe
SBA	Louisiana Office of Social Entrepreneurship for administrative costs of a business planning initiative, Baton Rouge, LA	\$137,500	Senator Mary Landrieu
SBA	Lutheran Social Service of Minnesota, Credit Counseling Capacity Building, St. Paul, MN	\$200,000	Senators Al Franken, Amy Klobuchar
SBA	McNeese State University, Southwest Louisiana Entrepreneurial and Economic Development Center [SEED], Lake Charles, LA	\$137,500	Senator Mary Landrieu
SBA	Minot State University-Bottineau, Entrepreneurial Center for Horticulture, Bottineau, ND	\$250,000	Senators Kent Conrad, Byron Dorgan
SBA	Mississippi Biotechnology Association for Capacity Building for the Mississippi Biotechnology Industry, Ridgeland, MS	\$250,000	Senator Thad Cochran

CONGRESSIONALLY DIRECTED SPENDING ITEMS—Continued

Account	Project	Funding	Member
SBA .....	Mississippi State University for the Entrepreneurship Center to Develop New Entity Creation [ECDEC], MS .....	\$500,000	Senators Thad Cochran, Roger Wicker
SBA .....	Mississippi Technology Alliance for the Center for Innovation and Entrepreneurship, MS .....	\$850,000	Senators Thad Cochran, Roger Wicker
SBA .....	Missouri Chamber Education Foundation to develop a small business technology, training and outreach center, Jefferson City, MO .....	\$1,000,000	Senator Christopher Bond
SBA .....	Montana Technology Venture Center, for expansion and operations of the TechRanch next step program, Bozeman, MT .....	\$137,500	Senators Max Baucus, Jon Tester
SBA .....	Nebraska Community Foundation, HomeTown Competitiveness, Lincoln, NE .....	\$275,000	Senator Ben Nelson
SBA .....	Neighborhood Development Center, Midtown Global Market business technical assistance, St. Paul, MN .....	\$200,000	Senators Al Franken, Amy Klobuchar
SBA .....	Nevada Center for Entrepreneurship and Technology [NCEET], small business and entrepreneurship development, NV .....	\$213,333	Senator Harry Reid
SBA .....	Nevada Small Business Development Center, for Imagine 2012, an Hispanic business development initiative, Reno, NV .....	\$213,334	Senator Harry Reid
SBA .....	North Carolina Rural Economic Development Center for a Rural Business Finance Program, Raleigh, NC .....	\$250,000	Senators Richard Burr, Kay Hagan
SBA .....	North Carolina School of the Arts/Winston-Salem State University, The Center for Design Innovation, Winston-Salem, NC .....	\$100,000	Senator Kay Hagan
SBA .....	Northern Virginia Community College for retraining displaced workers in Geographic Information Systems, Richmond, VA .....	\$200,000	Senators Mark Warner, James Webb
SBA .....	Northwest Pennsylvania Incubator Association for an incubator project, Erie County, PA .....	\$100,000	Senator Robert Casey
SBA .....	Pellissippi Research Centre on the Oak Ridge Corridor, Alcoa, TN .....	\$750,000	Senators Lamar Alexander, Bob Corker
SBA .....	Phillips County Economic Development for a Entrepreneur Business Enhancement Program [EBEP], Phillips County, KS .....	\$300,000	Senator Sam Brownback
SBA .....	Pittsburgh Life Sciences Greenhouse for the Tech Belt Biosciences Initiative, Pittsburgh, PA .....	\$50,000	Senators Robert Casey, Arlen Specter
SBA .....	Port of Clarkston, Asotin County industrial Park infrastructure completion, Asotin County, WA .....	\$300,000	Senator Patty Murray
SBA .....	Portland Community College, sustainable careers for a green economic recovery, Portland, OR .....	\$200,000	Senators Jeff Merkley, Ron Wyden
SBA .....	Prospera (Gallatin Valley Development Corporation), Accelerated Entrepreneur Program, Bozeman, MT .....	\$200,000	Senator Max Baucus
SBA .....	Rhode Island School of Design and Brown University, Partnership for Sustainable Development/Rhode Island Center for Innovation and Entrepreneurship [RI-CIE], for technical assistance to small businesses on green product design and marketing and on developing and commercializing innovative products and services, Providence, RI .....	\$150,000	Senators Jack Reed, Sheldon Whitehouse
SBA .....	Rural Business Energizer Program, Milbridge, ME .....	\$150,000	Senators Susan Collins, Olympia Snowe
SBA .....	Rural Enterprises of Oklahoma, Inc, for a Women and Veteran's Business Resource Center at Seminole State College, Durant, OK .....	\$200,000	Senator James Inhofe
SBA .....	Rutgers, The State University of New Jersey, New Jersey urban entrepreneurship development initiative, New Brunswick, NJ .....	\$271,050	Senators Frank Lautenberg, Robert Menendez
SBA .....	Shawnee Community College for the Small Business Development Center, Ullin, IL .....	\$200,000	Senator Richard Durbin
SBA .....	Souris Basin Regional Planning Center, North Dakota REAP Zones, ND .....	\$250,000	Senators Kent Conrad, Byron Dorgan
SBA .....	South Dakota Rural Enterprise, Dakota Rising for an entrepreneur development system, SD .....	\$250,000	Senator Tim Johnson

SBA	The Cuban American National Council [CNC] New Jersey Regional Office, Latino financial education, foreclosure prevention, and home ownership program, Union City, NJ.	\$100,000	Senators Frank Lautenberg, Robert Menendez
SBA	The University of Mississippi for the Technology Commercialization Initiative, Oxford, MS	\$250,000	Senator Thad Cochran
SBA	The University of Southern Mississippi for the Early Stage Entrepreneur and Commercialization Development, Hattiesburg, MS	\$500,000	Senator Thad Cochran
SBA	Ulrich Children's Advantage Network for job training, placement and relocation services, Chicago, IL	\$400,000	Senator Richard Durbin
SBA	University of Wisconsin-Milwaukee for business development related to clean water technologies, Milwaukee, WI	\$250,000	Senator Herb Kohl
SBA	University of Alabama for a Business Development Research Project, Tuscaloosa, AL	\$1,000,000	Senators Jeff Sessions, Richard Shelby
SBA	University of Alaska, Small Business Development Center, Ketchikan, AK	\$300,000	Senators Mark Begich, Lisa Murkowski
SBA	University of Arkansas at Little Rock, Small Business Innovation Center, Little Rock, AR	\$225,000	Senators Blanche Lincoln, Mark Pryor
SBA	University of Arkansas Technology Development Foundation, Arkansas Research and Technology Park, Fayetteville, AR	\$225,000	Senators Blanche Lincoln, Mark Pryor
SBA	University of Connecticut for the Avery Point Technology Center, Groton, CT	\$200,000	Senators Christopher Dodd, Joseph Lieberman
SBA	University of Delaware, Delaware Small Business and Technology Development Center, Newark, DE	\$350,000	Senators Thomas Carper, Edward Kaufman
SBA	University of Maryland-Baltimore BioPark, Baltimore, MD	\$100,000	Senator Benjamin Cardin
SBA	University of Northern Iowa for iMyEntreNet, a national rural entrepreneurship development system, IA	\$250,000	Senators Charles Grassley, Tom Harkin
SBA	University of Southern Maine for the Science Technology Research Center, Portland, ME	\$850,000	Senator Susan Collins
SBA	Urban League of Eastern Massachusetts, economic development center expansion, Boston, MA	\$200,000	Senators Edward Kennedy, John Kerry
SBA	Urban League of Philadelphia Entrepreneurship Center, Philadelphia, PA	\$50,000	Senators Robert Casey, Arlen Specter
SBA	Valencia County IT program, upgrade and training, Valencia County, NM	\$145,000	Senators Jeff Bingaman, Tom Udall
SBA	Vermont Businesses for Social Responsibility, the 50 for 25 Demonstration Project, Burlington, VT	\$50,000	Senator Bernard Sanders
SBA	Vermont Farms Association for an agritourism best practices and standards project, Rochester, VT	\$50,000	Senator Bernard Sanders
SBA	Vermont Small Business Development Center, technical assistance to high-tech small businesses and emerging businesses, Randolph, VT.	\$250,000	Senator Patrick Leahy
SBA	Virginia's Center for Innovative Technology, Mine safety technology and communication improvements, Herndon, VA	\$200,000	Senators Mark Warner, James Webb
SBA	Wayne State University for the Law School's Small Business Clinic, Detroit, MI	\$200,000	Senators Carl Levin, Debbie Stabenow
SBA	West Virginia Northern Community College, Center for Economic and Workforce Advancement, Weirton, WV	\$137,500	Senator Robert Byrd
SBA	Western Illinois University for the Small Business Development Center, Macomb, IL	\$400,000	Senator Richard Durbin
SBA	Western Kentucky University Bowling Green Data Center, Bowling Green, KY	\$1,100,000	Senator Mitch McConnell
SBA	Women's Business Development Center, for entrepreneurial small business training & assistance, Stamford, CT	\$100,000	Senators Christopher Dodd, Joseph Lieberman

CONGRESSIONALLY DIRECTED SPENDING ITEMS—Continued

Account	Project	Funding	Member
SBA	World Trade Center Institute Delaware, for the export assistance webinar series for business education, Wilmington, DE	\$50,000	Senators Thomas Carper, Edward Kaufman
Treasury	Financial Education and Pre-home Ownership Counseling Demonstration Project, HI	\$3,150,000	Senators Daniel Akaka, Daniel Inouye

JUDICIALLY DIRECTED SPENDING ITEMS

Account	Project	Funding	Member
GSA	Georgia, Savannah, United States Courthouse	\$7,900,000	The Judiciary, Senator Saxby Chambliss
GSA	Texas, San Antonio, United States Courthouse	\$4,000,000	The Judiciary, Senator Kay Bailey Hutchison
GSA	Utah, Salt Lake City, United States Courthouse	\$2,111,000,000	The Judiciary, Senators Robert Bennett, Orrin Hatch

PRESIDENTIALLY DIRECTED SPENDING ITEMS

Account	Project	Funding	Member
GSA	California, Calexico, West Land Port of Entry	\$9,437,000	The President
GSA	Colorado, Lakewood, Denver Federal Center Remediation	\$9,962,000	The President
GSA	District of Columbia, Southeast Federal Center Remediation	\$15,000,000	The President
GSA	Florida, Miami, Federal Bureau of Investigation Field Office Consolidation	\$190,675,000	The President
GSA	Maine, Madawaska, Land Port of Entry	\$50,127,000	The President
GSA	Maryland, White Oak, Food and Drug Administration Consolidation	\$137,871,000	The President, Senators Barbara Mikulski, Benjamin Cardin, Orrin Hatch
GSA	Pennsylvania, Lancaster United States Courthouse	\$6,500,000	The President, Senator Arlen Specter
GSA	Texas, El Paso, Tornillo-Guadalupe, Land Port of Entry	\$91,565,000	The President, Senator Kay Bailey Hutchison
GSA	District of Columbia, East Wing Infrastructure Systems Replacement	\$114,500,000	The President
GSA	District of Columbia, Eisenhower Executive Office Building Courtyard Replacement	\$10,000,000	The President
GSA	District of Columbia, Eisenhower Executive Office Building Roof Replacement	\$15,000,000	The President

GSA .....	District of Columbia, New Executive Office Building .....	\$30,276,000	The President
NARA .....	FDR Presidential Library and Museum Renovation .....	\$17,500,000	The President, Senator Kirsten Gillibrand
ONDCP .....	National Alliance for Model State Drug Laws .....	\$1,250,000	The President
ONDCP .....	National Drug Court Institute .....	\$1,000,000	The President

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2009 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL FOR FISCAL YEAR 2010  
 [In thousands of dollars]

Item	2009 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2009 appropriation	Budget estimate
TITLE I—DEPARTMENT OF THE TREASURY					
Departmental Offices					
Salaries and expenses .....	278,870	302,388	305,712	+ 26,842	+ 3,324
Executive direction .....	(21,619)	(22,383)	(22,383)	(+ 764)	.....
Economic policies and programs .....	(45,910)	(44,749)	(47,249)	(+ 1,339)	(+ 2,500)
Financial policies and programs .....	(36,039)	(47,580)	(48,580)	(+ 12,541)	(+ 1,000)
Terrorism and Financial Intelligence .....	(62,098)	(64,611)	(64,611)	(+ 2,513)	.....
Treasury-wide management .....	(21,600)	(22,779)	(22,779)	(+ 1,179)	.....
Administration .....	(91,604)	(100,286)	(100,110)	(+ 8,506)	(- 176)
Department-wide systems and capital investments programs .....	26,975	9,544	9,544	- 17,431	.....
Office of Inspector General .....	26,125	26,700	29,700	+ 3,575	+ 3,000
Treasury Inspector General for Tax Administration .....	146,083	149,000	152,000	+ 5,917	+ 3,000
Emergency appropriations (Public Law 111-5) .....	7,000	.....	.....	- 7,000	.....
Subtotal .....	153,083	149,000	152,000	- 1,083	+ 3,000
Financial Crimes Enforcement Network .....	91,465	102,760	104,260	+ 12,795	+ 1,500
Treasury forfeiture fund (rescission) .....	- 30,000	- 50,000	- 50,000	- 20,000	.....
Total, Departmental Offices .....	546,518	540,392	551,216	+ 4,698	+ 10,824
Non-emergency .....	(569,518)	(590,392)	(601,216)	(+ 31,698)	(+ 10,824)
Emergency .....	(7,000)	.....	.....	(- 7,000)	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2009 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2010—Continued

(In thousands of dollars)

Item	2009 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2009 appropriation	Budget estimate
Financial Management Service .....	239,785	244,132	244,132	+ 4,347	.....
Alcohol and Tobacco Tax and Trade Bureau:					
Salaries and expenses .....	99,065	105,000	103,000	+ 3,935	- 2,000
Offsetting collections .....	.....	- 75,000	.....	.....	+ 75,000
Direct appropriation .....	99,065	30,000	103,000	+ 3,935	+ 73,000
Bureau of the Public Debt .....	177,352	182,244	182,244	+ 4,892	.....
Community development financial institutions fund program account .....	107,000	243,600	246,750	+ 139,750	+ 3,150
Capital Magnet Fund .....	.....	(80,000)	(80,000)	(+ 80,000)	.....
Emergency appropriations (Public Law 111-5) .....	100,000	.....	.....	- 100,000	.....
Subtotal .....	207,000	243,600	246,750	+ 39,750	+ 3,150
Payment of Government losses in shipment .....	2,000	2,000	2,000	.....	.....
Total, Department of the Treasury, non-IRS .....	1,271,720	1,242,368	1,329,342	+ 57,622	+ 86,974
Non-emergency .....	(1,194,720)	(1,292,368)	(1,379,342)	(+ 184,622)	(+ 86,974)
Emergency .....	(107,000)	.....	.....	(- 107,000)	.....
Internal Revenue Service					
Taxpayer services .....	2,293,000	2,269,830	2,275,830	- 17,170	+ 6,000
Enforcement .....	5,117,267	4,904,000	5,504,000	+ 386,733	+ 600,000
Enhanced tax enforcement activities .....	.....	600,000	.....	.....	- 600,000
Operations support .....	3,867,011	4,082,984	4,082,984	+ 215,973	.....
Business systems modernization .....	229,914	253,674	274,119	+ 44,205	+ 20,445
Health Insurance Tax Credit Administration .....	15,406	15,512	15,512	+ 106	.....
Emergency appropriations (Public Law 111-5) .....	80,000	.....	.....	- 80,000	.....

Subtotal .....	95,406	15,512	15,512	- 79,894	.....
Total, Internal Revenue Service .....	11,602,598	12,126,000	12,152,445	+ 549,847	+ 26,445
Total, title I, Department of the Treasury .....	12,874,318	13,368,368	13,481,787	+ 607,469	+ 113,419
Appropriations .....	(12,717,318)	(13,418,368)	(13,531,787)	(+ 814,469)	(+ 113,419)
Rescissions .....	(- 30,000)	(- 50,000)	(- 50,000)	(- 20,000)	.....
Emergency appropriations .....	(187,000)	.....	.....	(- 187,000)	.....
(Mandatory) .....	(2,000)	(2,000)	(2,000)	.....	.....
(Discretionary less emergencies) .....	(12,685,318)	(13,366,368)	(13,479,787)	(+ 794,469)	(+ 113,419)
TITLE II—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT					
The White House					
Salaries and expenses .....	53,899	59,319	59,319	+ 5,420	.....
Compensation of the President .....	450	450	450	.....	.....
Total, Salaries and expenses .....	54,349	59,769	59,769	+ 5,420	.....
Executive Residence at the White House:					
Operating expenses .....	13,363	13,838	13,838	+ 475	.....
White House repair and restoration .....	1,600	2,500	2,500	+ 900	.....
Council of Economic Advisers .....	4,118	4,200	4,200	+ 82	.....
Office of Policy Development .....	3,550	.....	.....	- 3,550	.....
National Security Council .....	9,029	12,231	12,231	+ 3,202	.....
Emergency appropriations (Public Law 111-32) .....	2,936	.....	.....	- 2,936	.....
Office of Administration .....	101,333	115,280	115,280	+ 13,947	.....
Total, The White House .....	190,278	207,818	207,818	+ 17,540	.....
Office of Management and Budget .....	87,972	92,687	92,687	+ 4,715	.....
Office of National Drug Control Policy					
Salaries and expenses .....	27,200	27,575	28,575	+ 1,375	+ 1,000
Counterdrug Technology Assessment Center .....	3,000	1,000	1,000	- 2,000	.....
High intensity drug trafficking areas program .....	234,000	220,000	234,000	.....	+ 14,000
Other Federal drug control programs .....	174,700	174,000	174,750	+ 50	+ 750
Total, Office of National Drug Control Policy .....	438,900	422,575	438,325	- 575	+ 15,750
Unanticipated needs .....	1,000	1,000	1,000	.....	.....

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR FISCAL YEAR 2009 AND BUDGET ESTIMATES AND AMOUNTS RECOMMENDED IN THE BILL  
FOR FISCAL YEAR 2010—Continued

[In thousands of dollars]

Item	2009 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2009 appropriation	Budget estimate
Partnership fund for program integrity innovation .....	8,000	175,000	40,000	+ 40,000	- 135,000
Presidential transition administrative support .....				- 8,000	
Special Assistance to the President and Official Residence of the Vice President:					
Salaries and expenses .....	4,496	4,604	4,604	+ 108	
Operating expenses .....	323	330	330	+ 7	
Total, title II, Executive Office of the President and Funds Appropriated to the President .....	730,969	904,014	784,764	+ 53,795	- 119,250
Appropriations .....	(730,969)	(904,014)	(784,764)	(+ 53,795)	(- 119,250)
(Mandatory) .....	(450)	(450)	(450)		
(Discretionary) .....	(730,519)	(903,564)	(784,314)	(+ 53,795)	(- 119,250)
TITLE III—THE JUDICIARY					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices .....	2,119	2,166	2,166	+ 47	
Other salaries and expenses .....	67,658	72,574	71,915	+ 4,257	- 659
Subtotal .....	69,777	74,740	74,081	+ 4,304	- 659
Care of the building and grounds .....	18,447	14,568	14,525	- 3,922	- 43
Total, Supreme Court of the United States .....	88,224	89,308	88,606	+ 382	- 702
United States Court of Appeals for the Federal Circuit					
Salaries and expenses:					
Salaries of judges .....	2,356	2,491	2,491	+ 135	
Other salaries and expenses .....	28,028	34,490	29,809	+ 1,781	- 4,681
Total, United States Court of Appeals for the Federal Circuit .....	30,384	36,981	32,300	+ 1,916	- 4,681



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(In thousands of dollars)

Item	2009 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2009 appropriation	Budget estimate
<b>TITLE IV—DISTRICT OF COLUMBIA</b>					
<b>FEDERAL FUNDS</b>					
Federal payment for Resident Tuition Support .....	35,100	35,100	35,100		
Federal payment for Emergency Planning and Security Costs in the District of Columbia .....	39,177	15,000	15,350	-23,827	+350
Federal payment to the District of Columbia Courts .....	248,409	248,952	258,517	+10,108	+9,565
Defender Services in District of Columbia Courts .....	52,475	52,475	55,000	+2,525	+2,525
Federal payment to the Court Services and Offender Supervision Agency for the District of Columbia .....	203,490	212,408	212,408	+8,918	
Federal payment to the District of Columbia Public Defender Service .....	35,659	37,316	37,316	+1,657	
Federal payment to the District of Columbia Water and Sewer Authority .....	16,000	20,000	20,000	+4,000	
Federal payment to the Criminal Justice Coordinating Council .....	1,774	1,774	1,774		
Federal payment for Judicial Commissions .....	4,888	500	500	+500	
Federal payment to the Office of the Chief Financial Officer of the District of Columbia .....	54,000	74,400	1,000	-3,888	+1,000
Federal payment for School Improvement .....	20,000		75,400	+21,400	+1,000
Federal payment to jump start public school reform .....	21,000	15,000	15,000	-6,000	
Federal payment for consolidated laboratory facility .....		2,000			-2,000
Federal payment for the D.C. National Guard .....		19,200			-19,200
Federal payment for permanent supportive housing .....		5,000			-5,000
Federal payment for reconnecting disconnected youth .....	7,000			-7,000	
Federal payment for Central Library/branch locations .....	3,388			-3,388	
Federal payment to the Executive Office of the Mayor .....					
Total, title IV, District of Columbia .....	742,360	739,125	727,365	-14,995	-11,760
<b>TITLE V—OTHER INDEPENDENT AGENCIES</b>					
Administrative Conference of the United States .....	1,500	2,625	1,500		-1,125
Christopher Columbus Fellowship Foundation .....	1,000		1,000		+1,000
Commodity Futures Trading Commission .....	146,000	160,600	177,000	+31,000	+16,400
Consumer Product Safety Commission .....	105,404	107,000	115,000	+9,596	+8,000

Election Assistance Commission								
Salaries and expenses .....	17,959	16,530	16,530	16,530	-1,429			
Election reform programs .....	106,000	52,000	52,000	52,000	-54,000			
Total, Election Assistance Commission .....	123,959	68,530	68,530	68,530	-55,429			
Federal Communications Commission								
Salaries and expenses .....	341,875	335,794	335,794	335,794	-6,081			
Transfer from USF for OIG audits .....	(25,480)				(-25,480)			
Offsetting fee collections—current year .....	-341,875	-334,794	-335,794	-335,794	+6,081			-1,000
Direct appropriation .....		1,000						-1,000
Federal Deposit Insurance Corporation: Office of Inspector General (by transfer) .....	(27,495)	(37,942)	(37,942)	(37,942)	(+10,447)			
Federal Election Commission .....	63,618	64,000	64,000	64,000	+3,382			+3,000
Federal Labor Relations Authority .....	22,674	24,773	24,773	24,773	+2,099			
Federal Trade Commission								
Salaries and expenses .....	259,200	287,200	289,300	289,300	+30,100			+2,100
Offsetting fee collections—current year .....	-168,000	-102,000	-102,000	-102,000	+66,000			
Offsetting fee collections, Telephone database .....	-21,000	-19,000	-21,000	-21,000				-2,000
Direct appropriation .....	70,200	166,200	166,300	166,300	+96,100			+100
Financial Crisis Inquiry Commission								
Emergency appropriations (Public Law 111-32) .....	8,000				-8,000			
General Services Administration								
Federal Buildings Fund								
Appropriations .....	(651,198)	(525,000)	(482,900)	(482,900)	(-168,298)			(-42,100)
Limitations on availability of revenue:								
Construction and acquisition of facilities .....	746,317	657,637	734,037	734,037	-12,280			+76,400
Repairs and alterations .....	692,374	496,276	453,776	453,776	-238,598			-42,500
Installment acquisition payments .....	149,570	140,525	140,525	140,525	-9,045			
Rental of space .....	4,642,156	4,879,871	4,829,871	4,829,871	+187,715			-50,000
Building operations .....	2,197,354	2,356,376	2,330,376	2,330,376	+133,022			-26,000
Subtotal, Limitations on availability of revenue .....	8,427,771	8,530,685	8,488,585	8,488,585	+60,814			-42,100
Repayment of debt .....	56,865	66,360	66,360	66,360	+9,495			

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[In thousands of dollars]

Item	2009 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2009 appropriation	Budget estimate
Rental income to fund .....	-8,134,239	-8,223,000	-8,223,000	-88,761	.....
Emergency appropriations (Public Law 111-5) .....	5,550,000	.....	.....	-5,550,000	.....
Total, Federal Buildings Fund .....	5,900,397	374,045	331,945	-5,568,452	-42,100
Non-emergency .....	(350,397)	(374,045)	(331,945)	(-18,452)	(-42,100)
Emergency .....	(5,550,000)	.....	.....	(-5,550,000)	.....
Energy-efficient Federal motor vehicle fleet procurement (emergency) (Public Law 111-5) .....	300,000	.....	.....	-300,000	.....
Government-wide policy .....	54,578	65,165	61,165	+6,587	-4,000
Operating expenses .....	70,645	71,881	71,881	+1,236	.....
Office of Inspector General .....	54,000	60,080	58,000	+4,000	-2,080
Emergency appropriations (Public Law 111-5) .....	7,000	.....	.....	-7,000	.....
Subtotal .....	61,000	60,080	58,000	-3,000	-2,080
Electronic Government Fund .....	.....	33,000	35,000	+35,000	+2,000
Allowances and Office Staff for Former Presidents .....	2,934	3,756	3,756	+822	.....
Expenses, Presidential transition .....	8,520	.....	.....	-8,520	.....
Federal Citizen Services Fund .....	36,096	36,515	36,515	+419	.....
Total, General Services Administration .....	6,434,170	644,442	598,262	-5,835,908	-46,180
Non-emergency .....	(577,170)	(644,442)	(598,262)	(+21,092)	(-46,180)
Emergency .....	(5,857,000)	.....	.....	(-5,857,000)	.....
Harry S Truman Scholarship Foundation .....	500	.....	660	+160	+660
Merit Systems Protection Board .....	.....	.....	.....	.....	.....
Salaries and expenses .....	38,811	40,339	40,339	+1,528	.....
Limitation on administrative expenses .....	2,579	2,579	2,579	.....	.....
Total, Merit Systems Protection Board .....	41,390	42,918	42,918	+1,528	.....

Morris K. Udall Trust Fund .....	3,750	2,200	3,850	+100	+1,650
Environmental Dispute Resolution Fund .....	2,100	3,800	3,000	+900	-800
Total, Morris K. Udall Foundation .....	5,850	6,000	6,850	+1,000	+850
National Archives and Records Administration					
Operating expenses .....	330,308	339,770	339,770	+9,462	
Reduction of debt .....	-11,842	-13,000	-13,000	-1,158	
Office of the Inspector General .....		4,100	4,100	+4,100	
Electronic records archive .....	67,008	85,500	85,500	+18,492	
Repairs and restoration .....	50,711	27,500	27,500	-23,211	
National Historical Publications and Records Commission: Grants program .....	11,250	10,000	12,000	+750	+2,000
Total, National Archives and Records Administration .....	447,435	453,870	455,870	+8,435	+2,000
National Credit Union Administration					
Central liquidity facility:					
(Limitation on admin expenses, corporate funds) .....	(1,250)	(1,250)	(1,250)		
Community development credit union revolving loan fund .....	1,000	1,000	1,000		
Office of Government Ethics .....	13,000	13,665	13,665	+665	
Office of Personnel Management					
Salaries and expenses .....	92,829	94,970	94,970	+2,141	
Limitation on administrative expenses .....	118,082	113,238	112,738	-5,344	-500
Office of Inspector General .....	1,828	2,136	2,136	+308	
Limitation on administrative expenses .....	18,755	20,428	20,428	+1,673	
Govt Payment for Annuitants, Employees Health Benefits .....	9,533,000	9,814,000	9,814,000	+281,000	
Govt Payment for Annuitants, Employee Life Insurance .....	46,000	48,000	48,000	+2,000	
Payment to Civil Svc Retirement and Disability Fund .....	10,550,000	10,276,000	10,276,000	-274,000	
Total, Office of Personnel Management .....	20,360,494	20,368,772	20,368,272	+778	-500
Mandatory .....	(20,129,000)	(20,138,000)	(20,138,000)	(+9,000)	
Discretionary .....	(231,494)	(230,772)	(230,272)	(-1,222)	(-500)
Office of Special Counsel .....	17,468	18,495	18,495	+1,027	
Postal Regulatory Commission .....	14,043	14,333	14,333	+290	
Privacy and Civil Liberties Oversight Board .....	1,500	2,000	1,500		-500
Recovery Act Accountability and Transparency Board (emergency appropriations Public Law 111-5) .....	84,000			-84,000	

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Item	2009 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2009 appropriation	Budget estimate
Securities and Exchange Commission					
Salaries and expenses .....	960,000	1,026,000	1,126,000	+ 166,000	+ 100,000
Prior year unobligated balances .....	-65,644	-10,220	-10,220	+55,424	.....
Emergency appropriations (Public Law 111-32) .....	10,000	.....	.....	-10,000	.....
Direct appropriation .....	904,356	1,015,780	1,115,780	+ 211,424	+ 100,000
Selective Service System .....	22,000	24,400	24,400	+ 2,400	.....
Small Business Administration					
Salaries and expenses .....	386,896	422,000	444,000	+ 57,104	+ 22,000
Emergency appropriations (Public Law 111-5) .....	69,000	.....	.....	-69,000	.....
Subtotal .....	455,896	422,000	444,000	-11,896	+ 22,000
Office of Inspector General .....	16,750	16,300	16,300	-450	.....
Emergency appropriations (Public Law 111-5) .....	10,000	.....	.....	-10,000	.....
Subtotal .....	26,750	16,300	16,300	-10,450	.....
Surety bond guarantees revolving fund .....	2,000	1,000	1,000	-1,000	.....
Emergency appropriations (Public Law 111-5) .....	15,000	.....	.....	-15,000	.....
Subtotal .....	17,000	1,000	1,000	-16,000	.....
Business Loans Program Account:					
Direct loans subsidy .....	2,500	3,000	3,000	+ 500	.....
Emergency appropriations (Public Law 111-5) .....	6,000	.....	.....	-6,000	.....
Subtotal .....	8,500	3,000	3,000	-5,500	.....
Guaranteed loans subsidy .....	.....	80,000	80,000	+ 80,000	.....



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[In thousands of dollars]

Item	2009 appropriation	Budget estimate	Committee recommendation	Senate Committee recommendation compared with (+ or -)	
				2009 appropriation	Budget estimate
Grand total .....	51,470,576	46,439,230	46,479,193	- 4,991,383	+ 39,963
Appropriations .....	(44,528,809)	(46,399,902)	(46,439,865)	(+ 1,911,056)	(+ 39,963)
Rescissions .....	(- 30,000)	(- 50,000)	(- 50,000)	(- 20,000)	.....
Emergency appropriations .....	(6,888,936)	.....	.....	(- 6,888,936)	.....
Advances .....	(82,831)	(89,328)	(89,328)	(+ 6,497)	.....
(by transfer) .....	(52,975)	(117,942)	(117,942)	(+ 64,967)	.....