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112TH CONGRESS
2D SESSION

S. 3301

[Report No. 112-177]

Making appropriations for financial services and general government for the fiscal year ending September 30, 2013, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 14, 2012

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

A BILL

Making appropriations for financial services and general government for the fiscal year ending September 30, 2013, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for fi-
5 nancial services and general government for the fiscal year
6 ending September 30, 2013, and for other purposes,
7 namely:

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

5 For necessary expenses of the Departmental Offices
6 including operation and maintenance of the Treasury
7 Building and Annex; hire of passenger motor vehicles;
8 maintenance, repairs, and improvements of, and purchase
9 of commercial insurance policies for, real properties leased
10 or owned overseas, when necessary for the performance
11 of official business, \$301,216,000, including for terrorism
12 and financial intelligence activities; executive direction
13 program activities; international affairs and economic pol-
14 icy activities; domestic finance and tax policy activities;
15 and Treasury-wide management policies and programs ac-
16 tivities: *Provided*, That of the amount appropriated under
17 this heading, not to exceed \$3,000,000, to remain avail-
18 able until September 30, 2014, is for information tech-
19 nology modernization requirements; not to exceed
20 \$350,000 is for official reception and representation ex-
21 penses; and not to exceed \$258,000 is for unforeseen
22 emergencies of a confidential nature, to be allocated and
23 expended under the direction of the Secretary of the
24 Treasury and to be accounted for solely on his certificate:
25 *Provided further*, That of the amount appropriated under

1 this heading, \$6,787,000, to remain available until Sep-
 2 tember 30, 2014, is for the Treasury-wide Financial State-
 3 ment Audit and Internal Control Program: *Provided fur-*
 4 *ther*, That of the amount appropriated under this heading,
 5 \$500,000, to remain available until September 30, 2014,
 6 is for secure space requirements: *Provided further*, That
 7 of the amount appropriated under this heading, up to
 8 \$3,400,000, to remain available until September 30, 2015,
 9 is to develop and implement programs within the Office
 10 of Critical Infrastructure Protection and Compliance Pol-
 11 icy, including entering into cooperative agreements: *Pro-*
 12 *vided further*, That notwithstanding any other provision of
 13 law, of the amount appropriated under this heading, up
 14 to \$1,000,000 may be contributed to the Organization for
 15 Economic Cooperation and Development for the Depart-
 16 ment's participation in programs related to global tax ad-
 17 ministration.

18 DEPARTMENT-WIDE SYSTEMS AND CAPITAL

19 INVESTMENTS PROGRAMS

20 (INCLUDING TRANSFER OF FUNDS)

21 For development and acquisition of automatic data
 22 processing equipment, software, and services for the De-
 23 partment of the Treasury, \$7,108,000, to remain available
 24 until September 30, 2015: *Provided*, That these funds
 25 shall be transferred to accounts and in amounts as nec-

1 essary to satisfy the requirements of the Department's of-
 2 fices, bureaus, and other organizations: *Provided further*,
 3 That this transfer authority shall be in addition to any
 4 other transfer authority provided in this Act: *Provided fur-*
 5 *ther*, That none of the funds appropriated under this head-
 6 ing shall be used to support or supplement "Internal Rev-
 7 enue Service, Operations Support" or "Internal Revenue
 8 Service, Business Systems Modernization".

9 OFFICE OF INSPECTOR GENERAL

10 SALARIES AND EXPENSES

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

21 TREASURY INSPECTOR GENERAL FOR TAX

22 ADMINISTRATION

23 SALARIES AND EXPENSES

24 For necessary expenses of the Treasury Inspector
 25 General for Tax Administration in carrying out the In-

1 spector General Act of 1978, including purchase (not to
 2 exceed 150 for replacement only for police-type use) and
 3 hire of passenger motor vehicles (31 U.S.C. 1343(b));
 4 services authorized by 5 U.S.C. 3109, at such rates as
 5 may be determined by the Inspector General for Tax Ad-
 6 ministration; \$153,834,000, of which not to exceed
 7 \$500,000 shall be available for unforeseen emergencies of
 8 a confidential nature, to be allocated and expended under
 9 the direction of the Inspector General for Tax Administra-
 10 tion; and of which not to exceed \$1,500 shall be available
 11 for official reception and representation expenses.

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

15 For necessary expenses of the Office of the Special
 16 Inspector General in carrying out the provisions of the
 17 Emergency Economic Stabilization Act of 2008 (Public
 18 Law 110–343), \$40,225,000.

19 FINANCIAL CRIMES ENFORCEMENT NETWORK
 20 SALARIES AND EXPENSES

21 For necessary expenses of the Financial Crimes En-
 22 forcement Network, including hire of passenger motor ve-
 23 hicles; travel and training expenses of non-Federal and
 24 foreign government personnel to attend meetings and
 25 training concerned with domestic and foreign financial in-

1 telligence activities, law enforcement, and financial regula-
 2 tion; not to exceed \$14,000 for official reception and rep-
 3 resentation expenses; and for assistance to Federal law en-
 4 forcement agencies, with or without reimbursement,
 5 \$108,307,000, of which not to exceed \$34,335,000 shall
 6 remain available until September 30, 2015: *Provided*,
 7 That funds appropriated in this account may be used to
 8 procure personal services contracts.

9 TREASURY FORFEITURE FUND

10 (RESCISSION)

11 Of the unobligated balances available under this
 12 heading, \$950,000,000 are rescinded.

13 ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

14 SALARIES AND EXPENSES

15 For necessary expenses of carrying out section 1111
 16 of the Homeland Security Act of 2002, including hire of
 17 passenger motor vehicles, \$100,378,000; of which not to
 18 exceed \$6,000 for official reception and representation ex-
 19 penses; not to exceed \$50,000 for cooperative research and
 20 development programs for laboratory services; and provi-
 21 sion of laboratory assistance to State and local agencies
 22 with or without reimbursement: *Provided*, That of the
 23 amount appropriated under this heading, \$2,000,000 shall
 24 be for the costs of special law enforcement agents to target
 25 tobacco smuggling and other criminal diversion activities.

1 UNITED STATES MINT

2 UNITED STATES MINT PUBLIC ENTERPRISE FUND

3 Pursuant to section 5136 of title 31, United States
4 Code, the United States Mint is provided funding through
5 the United States Mint Public Enterprise Fund for costs
6 associated with the production of circulating coins, numis-
7 matic coins, and protective services, including both oper-
8 ating expenses and capital investments. The aggregate
9 amount of new liabilities and obligations incurred during
10 fiscal year 2013 under such section 5136 for circulating
11 coinage and protective service capital investments of the
12 United States Mint shall not exceed \$19,000,000.

13 FISCAL SERVICE

14 SALARIES AND EXPENSES

15 For necessary expenses of operations of the Fiscal
16 Service, not including expenses of Departmental Offices,
17 \$360,531,000; of which not to exceed \$4,210,000, to re-
18 main available until September 30, 2015, is for informa-
19 tion systems modernization initiatives; of which not less
20 than \$5,000,000 is to reduce improper payments; and of
21 which \$5,000 shall be available for official reception and
22 representation expenses: *Provided*, That the sum appro-
23 priated herein from the general fund for fiscal year 2013
24 shall be reduced by not more than \$1,000,000 as definitive
25 security issue fees and Legacy Treasury Direct Investor

1 Account Maintenance fees are collected, so as to result in
 2 a final fiscal year 2013 appropriation from the general
 3 fund estimated at \$359,531,000. In addition, \$165,000,
 4 to be derived from the Oil Spill Liability Trust Fund to
 5 reimburse administrative and personnel expenses for fi-
 6 nancial management of the Fund, as authorized by section
 7 1012 of Public Law 101–380.

8 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS
 9 FUND PROGRAM ACCOUNT

10 To carry out the Community Development Banking
 11 and Financial Institutions Act of 1994 (Public Law 103–
 12 325), including services authorized by 5 U.S.C. 3109, but
 13 at rates for individuals not to exceed the per diem rate
 14 equivalent to the rate for EX–3, notwithstanding section
 15 4707(e) of title 12, United States Code with regard to
 16 Small and/or Emerging Community Development Finan-
 17 cial Institutions Assistance awards, \$233,000,000, to re-
 18 main available until September 30, 2014; of which
 19 \$12,000,000 shall be for financial assistance, technical as-
 20 sistance, training and outreach programs, designed to ben-
 21 efit Native American, Native Hawaiian, and Alaskan Na-
 22 tive communities and provided primarily through qualified
 23 community development lender organizations with experi-
 24 ence and expertise in community development banking and
 25 lending in Indian country, Native American organizations,

1 tribes and tribal organizations and other suitable pro-
 2 viders; of which, notwithstanding sections 4707(d) and
 3 4707(e) of title 12, United States Code, up to
 4 \$25,000,000 shall be for a Healthy Food Financing Initia-
 5 tive to provide financial assistance, training, and outreach
 6 to community development financial institutions for the
 7 purpose of offering affordable financing and technical as-
 8 sistance to expand the availability of healthy food options
 9 in distressed communities; of which up to \$20,000,000
 10 shall be for initiatives designed to enable individuals with
 11 low or moderate income levels to establish bank accounts
 12 and to improve access to the provision of bank accounts
 13 as authorized by sections 1204 and 1205 of Public Law
 14 111–203; of which \$18,000,000 shall be for the Bank En-
 15 terprise Award program; of which up to \$23,047,000 may
 16 be used for administrative expenses, including administra-
 17 tion of the New Markets Tax Credit Program and the
 18 CDFI Bond Guarantee Program, \$2,000,000 to enhance
 19 the capacity building initiative, and up to \$300,000 for
 20 the direct loan program; and of which up to \$8,337,500
 21 may be used for the cost of direct loans: *Provided*, That
 22 the cost of direct and guaranteed loans, including the cost
 23 of modifying such loans, shall be as defined in section 502
 24 of the Congressional Budget Act of 1974: *Provided fur-*
 25 *ther*, That these funds are available to subsidize gross obli-

1 gations for the principal amount of direct loans not to ex-
 2 ceed \$25,000,000: *Provided further*, That amounts pro-
 3 vided under this heading shall be available for the cost
 4 of guarantees pursuant to and as authorized by section
 5 114A of the Riegle Community Development and Regu-
 6 latory Improvement Act of 1994 (12 U.S.C. 4701 et seq.):
 7 *Provided further*, That funds for the cost of guarantees
 8 are available to subsidize total loan principal not to exceed
 9 \$1,000,000,000: *Provided further*, That, pursuant to such
 10 section 114A, up to \$1,000,000 collected from administra-
 11 tion fees may be used for administrative expenses of the
 12 CDFI Bond Guarantee Program, and shall be in addition
 13 to funds otherwise provided for administrative expenses of
 14 the CDFI Bond Guarantee Program.

15 INTERNAL REVENUE SERVICE

16 TAXPAYER SERVICES

17 For necessary expenses of the Internal Revenue Serv-
 18 ice to provide taxpayer services, including pre-filing assist-
 19 ance and education, filing and account services, taxpayer
 20 advocacy services, and other services as authorized by 5
 21 U.S.C. 3109, at such rates as may be determined by the
 22 Commissioner, \$2,253,133,000, of which not less than
 23 \$5,600,000 shall be for the Tax Counseling for the Elderly
 24 Program, of which not less than \$10,000,000 shall be
 25 available for low-income taxpayer clinic grants, of which

1 not less than \$12,000,000, to remain available until Sep-
2 tember 30, 2014, shall be available for a Community Vol-
3 unteer Income Tax Assistance matching grants program
4 for tax return preparation assistance, of which not less
5 than \$209,500,000 shall be available for operating ex-
6 penses of the Taxpayer Advocate Service: *Provided*, That
7 of the amounts appropriated under this heading such
8 sums as are necessary shall be available for expenses nec-
9 essary to implement the tax credit in title II of division
10 A of the Trade Act of 2002 (Public Law 107–210).

11 ENFORCEMENT

12 For necessary expenses for tax enforcement activities
13 of the Internal Revenue Service to determine and collect
14 owed taxes, to provide legal and litigation support, to con-
15 duct criminal investigations, to enforce criminal statutes
16 related to violations of internal revenue laws and other fi-
17 nancial crimes, to purchase (for police-type use, not to ex-
18 ceed 850) and hire passenger motor vehicles (31 U.S.C.
19 1343(b)), and to provide other services as authorized by
20 5 U.S.C. 3109, at such rates as may be determined by
21 the Commissioner, \$5,611,530,000, of which not less than
22 \$60,257,000 shall be for the Interagency Crime and Drug
23 Enforcement program.

OPERATIONS SUPPORT

1
2 For necessary expenses of the Internal Revenue Serv-
3 ice to support taxpayer services and enforcement pro-
4 grams, including rent payments; facilities services; print-
5 ing; postage; physical security; headquarters and other
6 IRS-wide administration activities; research and statistics
7 of income; telecommunications; information technology de-
8 velopment, enhancement, operations, maintenance, and se-
9 curity; the hire of passenger motor vehicles (31 U.S.C.
10 1343(b)); and other services as authorized by 5 U.S.C.
11 3109, at such rates as may be determined by the Commis-
12 sioner; \$4,324,211,000, of which up to \$250,000,000 shall
13 remain available until September 30, 2014, for informa-
14 tion technology support; of which up to \$65,000,000 shall
15 remain available until expended for acquisition of real
16 property, equipment, construction and renovation of facili-
17 ties; of which not to exceed \$1,000,000 shall remain avail-
18 able until September 30, 2015, for research; of which not
19 less than \$2,000,000 shall be for the Internal Revenue
20 Service Oversight Board; of which not to exceed \$25,000
21 shall be for official reception and representation expenses:
22 *Provided*, That not later than 14 days after the end of
23 each quarter of each fiscal year, the Internal Revenue
24 Service shall submit a report to the House and Senate
25 Committees on Appropriations and the Comptroller Gen-

1 eral of the United States detailing the cost and schedule
 2 performance for its major information technology invest-
 3 ments, including the purpose and life-cycle stages of the
 4 investments; the reasons for any cost and schedule
 5 variances; the risks of such investments and strategies the
 6 Internal Revenue Service is using to mitigate such risks;
 7 and the expected developmental milestones to be achieved
 8 and costs to be incurred in the next quarter: *Provided fur-*
 9 *ther*, That the Internal Revenue Service shall include, in
 10 its budget justification for fiscal year 2014, a summary
 11 of cost and schedule performance information for its major
 12 information technology systems.

13 BUSINESS SYSTEMS MODERNIZATION

14 For necessary expenses of the Internal Revenue Serv-
 15 ice's business systems modernization program,
 16 \$330,210,000, to remain available until September 30,
 17 2015, for the capital asset acquisition of information tech-
 18 nology systems, including management and related con-
 19 tractual costs of said acquisitions, including related Inter-
 20 nal Revenue Service labor costs, and contractual costs as-
 21 sociated with operations authorized by 5 U.S.C. 3109:
 22 *Provided*, That not later than 14 days after the end of
 23 each quarter of each fiscal year, the Internal Revenue
 24 Service shall submit a report to the House and Senate
 25 Committees on Appropriations and the Comptroller Gen-

1 eral of the United States detailing the cost and schedule
 2 performance for CADE2 and Modernized e-File informa-
 3 tion technology investments, including the purposes and
 4 life-cycle stages of the investments; the reasons for any
 5 cost and schedule variances; the risks of such investments
 6 and the strategies the Internal Revenue Service is using
 7 to mitigate such risks; and the expected developmental
 8 milestones to be achieved and costs to be incurred in the
 9 next quarter.

10 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

11 SERVICE

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 101. Not to exceed 5 percent of any appropria-
 14 tion made available in this Act to the Internal Revenue
 15 Service or not to exceed 3 percent of appropriations under
 16 the heading “Enforcement” may be transferred to any
 17 other Internal Revenue Service appropriation upon the ad-
 18 vance approval of the Committees on Appropriations.

19 SEC. 102. The Internal Revenue Service shall main-
 20 tain a training program to ensure that Internal Revenue
 21 Service employees are trained in taxpayers’ rights, in deal-
 22 ing courteously with taxpayers, and in cross-cultural rela-
 23 tions.

24 SEC. 103. The Internal Revenue Service shall insti-
 25 tute and enforce policies and procedures that will safe-

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

3 SEC. 104. Funds made available by this or any other
4 Act to the Internal Revenue Service shall be available for
5 improved facilities and increased staffing to provide suffi-
6 cient and effective 1–800 help line service for taxpayers.
7 The Commissioner shall continue to make improvements
8 to the Internal Revenue Service 1–800 help line service
9 a priority and allocate resources necessary to enhance the
10 reception and response time of taxpayer correspondence,
11 particularly with regard to victims of tax-related crimes.

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

17 ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE
18 TREASURY

19 (INCLUDING TRANSFERS OF FUNDS)

20 SEC. 106. Appropriations to the Department of the
21 Treasury in this Act shall be available for uniforms or al-
22 lowances therefor, as authorized by law (5 U.S.C. 5901),
23 including maintenance, repairs, and cleaning; purchase of
24 insurance for official motor vehicles operated in foreign
25 countries; purchase of motor vehicles without regard to the

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

7 SEC. 107. Not to exceed 2 percent of any appropria-
8 tions in this Act made available to the Departmental Of-
9 fices—Salaries and Expenses, Office of Inspector General,
10 Special Inspector General for the Troubled Asset Relief
11 Program, Fiscal Service, Alcohol and Tobacco Tax and
12 Trade Bureau, and Financial Crimes Enforcement Net-
13 work, may be transferred between such appropriations
14 upon the advance approval of the Committees on Appro-
15 priations: *Provided*, That no transfer may increase or de-
16 crease any such appropriation by more than 2 percent.

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

24 SEC. 109. Of the funds available for the purchase of
25 law enforcement vehicles, no funds may be obligated until

1 the Secretary of the Treasury certifies that the purchase
2 by the respective Treasury bureau is consistent with de-
3 partmental vehicle management principles: *Provided*, That
4 the Secretary may delegate this authority to the Assistant
5 Secretary for Management.

6 SEC. 110. None of the funds appropriated in this Act
7 or otherwise available to the Department of the Treasury
8 or the Bureau of Engraving and Printing may be used
9 to redesign the \$1 Federal Reserve note.

10 SEC. 111. The Secretary of the Treasury may trans-
11 fer funds from Fiscal Service, Salaries and Expenses to
12 the Debt Collection Fund as necessary to cover the costs
13 of debt collection: *Provided*, That such amounts shall be
14 reimbursed to such salaries and expenses account from
15 debt collections received in the Debt Collection Fund.

16 SEC. 112. Section 122(g)(1) of Public Law 105–119
17 (5 U.S.C. 3104 note), is further amended by striking “14
18 years” and inserting “16 years”.

19 SEC. 113. None of the funds appropriated or other-
20 wise made available by this or any other Act may be used
21 by the United States Mint to construct or operate any mu-
22 seum without the explicit approval of the Committees on
23 Appropriations of the House of Representatives and the
24 Senate, the House Committee on Financial Services, and

1 the Senate Committee on Banking, Housing and Urban
2 Affairs.

3 SEC. 114. None of the funds appropriated or other-
4 wise made available by this or any other Act or source
5 to the Department of the Treasury, the Bureau of Engrav-
6 ing and Printing, and the United States Mint, individually
7 or collectively, may be used to consolidate any or all func-
8 tions of the Bureau of Engraving and Printing and the
9 United States Mint without the explicit approval of the
10 House Committee on Financial Services; the Senate Com-
11 mittee on Banking, Housing, and Urban Affairs; the
12 House Committee on Appropriations; and the Senate
13 Committee on Appropriations.

14 SEC. 115. Funds appropriated by this Act, or made
15 available by the transfer of funds in this Act, for the De-
16 partment of the Treasury's intelligence or intelligence re-
17 lated activities are deemed to be specifically authorized by
18 the Congress for purposes of section 504 of the National
19 Security Act of 1947 (50 U.S.C. 414) during fiscal year
20 2013 until the enactment of the Intelligence Authorization
21 Act for Fiscal Year 2013.

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

1 SEC. 117. The Secretary of the Treasury shall submit
2 a Capital Investment Plan to the Committees on Appro-
3 priations of the Senate and the House of Representatives
4 not later than 30 days following the submission of the an-
5 nual budget for the Administration submitted by the
6 President: *Provided*, That such Capital Investment Plan
7 shall include capital investment spending from all accounts
8 within the Department of the Treasury, including but not
9 limited to the Department-wide Systems and Capital In-
10 vestment Programs account, the Working Capital Fund
11 account, and the Treasury Forfeiture Fund account: *Pro-*
12 *vided further*, That such Capital Investment Plan shall in-
13 clude expenditures occurring in previous fiscal years for
14 each capital investment project that has not been fully
15 completed.

16 SEC. 118. Section 1324 of title 31, United States
17 Code, is amended by adding at the end thereof the fol-
18 lowing new subsection:

19 “(c) Amounts appropriated under subsection (a) of
20 this section shall be administered, as appropriate, as if
21 they were made available through separate appropriations
22 to the Secretary of the Treasury, the Secretary of Home-
23 land Security, and the Attorney General. Funds so appro-
24 priated shall be available to the Secretary of the Treasury
25 for refunds by the Internal Revenue Service of taxes col-

1 lected pursuant to the Internal Revenue Code and related
 2 interest; separately to the Secretary of the Treasury for
 3 refunds and drawbacks of alcohol, tobacco, firearms and
 4 ammunition taxes and refunds of other taxes which may
 5 arise and any interest on such refunds, including payment
 6 of claims for prior fiscal years; to the Secretary of Home-
 7 land Security for refunds and drawbacks of receipts col-
 8 lected pursuant to the customs revenue functions adminis-
 9 tered by the Department of Homeland Security pursuant
 10 to delegation by the Secretary of the Treasury and any
 11 interest on such refunds, including payment of claims for
 12 prior fiscal years; and to the Attorney General for refunds
 13 of firearms taxes and refunds of other taxes which may
 14 arise and any interest on such refunds, including payment
 15 of claims for prior fiscal years.”.

16 SEC. 119. Section 3711 of title 31, United States
 17 Code, is amended by adding a new subsection (j) to read
 18 as follows:

19 “(j)(1) The Secretary of the Treasury (referred to in
 20 this subsection as the ‘Secretary’) may locate and recover
 21 assets of the United States Government on behalf of any
 22 executive, judicial, or legislative agency in accordance with
 23 such procedures as the Secretary considers appropriate.

24 “(2) Notwithstanding any other law concerning the
 25 depositing and collection of Federal payments, including

1 section 3302(b) of this title, the Secretary may retain a
2 portion of the amounts recovered pursuant to this sub-
3 section to cover the Secretary's administrative and oper-
4 ational costs associated with locating and recovering assets
5 of the United States. The amounts retained shall be de-
6 posited into an account established in the Treasury to be
7 known as the 'Unclaimed Assets Recovery Account' (re-
8 ferred to in this paragraph as the 'Account'). Amounts
9 deposited in the Account shall be available until expended
10 to cover costs associated with implementation and oper-
11 ation of the Secretary's asset recovery program established
12 under this subsection.

13 “(3) To carry out the purposes of this subsection, the
14 Secretary may:

15 “(A) Transfer to the Account from funds ap-
16 propriated to the Department of Treasury such
17 amounts as may be necessary to meet liabilities and
18 obligations incurred prior to the receipt of recovered
19 assets; and

20 “(B) Reimburse any appropriation from which
21 funds were transferred under this paragraph from
22 the amounts retained from recovered assets. Any re-
23 imbursement under this paragraph shall occur dur-
24 ing the period of availability of the funds originally
25 transferred from an appropriation and shall be avail-

1 able for the same time period and purposes as origi-
 2 nally appropriated.”.

3 This title may be cited as the “Department of the
 4 Treasury Appropriations Act, 2013”.

5 TITLE II

6 EXECUTIVE OFFICE OF THE PRESIDENT AND 7 FUNDS APPROPRIATED TO THE PRESIDENT

8 COMPENSATION OF THE PRESIDENT

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

15 THE WHITE HOUSE

16 SALARIES AND EXPENSES

17 For necessary expenses for the White House as au-
 18 thorized by law, including not to exceed \$3,850,000 for
 19 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;
 20 subsistence expenses as authorized by 3 U.S.C. 105, which
 21 shall be expended and accounted for as provided in that
 22 section; hire of passenger motor vehicles, newspapers,
 23 periodicals, teletype news service, and travel (not to exceed
 24 \$100,000 to be expended and accounted for as provided
 25 by 3 U.S.C. 103); and not to exceed \$19,000 for official

1 entertainment expenses, to be available for allocation with-
 2 in the Executive Office of the President; and for necessary
 3 expenses of the Office of Policy Development, including
 4 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107,
 5 \$56,974,000.

6 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

7 OPERATING EXPENSES

8 For the care, maintenance, repair and alteration, re-
 9 furnishing, improvement, heating, and lighting, including
 10 electric power and fixtures, of the Executive Residence at
 11 the White House and official entertainment expenses of
 12 the President, \$13,200,000, to be expended and accounted
 13 for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

14 REIMBURSABLE EXPENSES

15 For the reimbursable expenses of the Executive Resi-
 16 dence at the White House, such sums as may be nec-
 17 essary: *Provided*, That all reimbursable operating expenses
 18 of the Executive Residence shall be made in accordance
 19 with the provisions of this paragraph: *Provided further*,
 20 That, notwithstanding any other provision of law, such
 21 amount for reimbursable operating expenses shall be the
 22 exclusive authority of the Executive Residence to incur ob-
 23 ligations and to receive offsetting collections, for such ex-
 24 penses: *Provided further*, That the Executive Residence
 25 shall require each person sponsoring a reimbursable polit-

1 ical event to pay in advance an amount equal to the esti-
 2 mated cost of the event, and all such advance payments
 3 shall be credited to this account and remain available until
 4 expended: *Provided further*, That the Executive Residence
 5 shall require the national committee of the political party
 6 of the President to maintain on deposit \$25,000, to be
 7 separately accounted for and available for expenses relat-
 8 ing to reimbursable political events sponsored by such
 9 committee during such fiscal year: *Provided further*, That
 10 the Executive Residence shall ensure that a written notice
 11 of any amount owed for a reimbursable operating expense
 12 under this paragraph is submitted to the person owing
 13 such amount within 60 days after such expense is in-
 14 curred, and that such amount is collected within 30 days
 15 after the submission of such notice: *Provided further*, That
 16 the Executive Residence shall charge interest and assess
 17 penalties and other charges on any such amount that is
 18 not reimbursed within such 30 days, in accordance with
 19 the interest and penalty provisions applicable to an out-
 20 standing debt on a United States Government claim under
 21 31 U.S.C. 3717: *Provided further*, That each such amount
 22 that is reimbursed, and any accompanying interest and
 23 charges, shall be deposited in the Treasury as miscella-
 24 neous receipts: *Provided further*, That the Executive Resi-
 25 dence shall prepare and submit to the Committees on Ap-

1 appropriations, by not later than 90 days after the end of
2 the fiscal year covered by this Act, a report setting forth
3 the reimbursable operating expenses of the Executive Res-
4 idence during the preceding fiscal year, including the total
5 amount of such expenses, the amount of such total that
6 consists of reimbursable official and ceremonial events, the
7 amount of such total that consists of reimbursable political
8 events, and the portion of each such amount that has been
9 reimbursed as of the date of the report: *Provided further*,
10 That the Executive Residence shall maintain a system for
11 the tracking of expenses related to reimbursable events
12 within the Executive Residence that includes a standard
13 for the classification of any such expense as political or
14 nonpolitical: *Provided further*, That no provision of this
15 paragraph may be construed to exempt the Executive Res-
16 idence from any other applicable requirement of sub-
17 chapter I or II of chapter 37 of title 31, United States
18 Code.

19 WHITE HOUSE REPAIR AND RESTORATION

20 For the repair, alteration, and improvement of the
21 Executive Residence at the White House, \$750,000, to re-
22 main available until expended, for required maintenance,
23 resolution of safety and health issues, and continued pre-
24 ventative maintenance.

1 COUNCIL OF ECONOMIC ADVISERS

2 SALARIES AND EXPENSES

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

6 NATIONAL SECURITY COUNCIL AND HOMELAND

7 SECURITY COUNCIL

8 SALARIES AND EXPENSES

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

12 OFFICE OF ADMINISTRATION

13 SALARIES AND EXPENSES

14 For necessary expenses of the Office of Administra-
15 tion, including services as authorized by 5 U.S.C. 3109
16 and 3 U.S.C. 107, and hire of passenger motor vehicles,
17 \$114,952,000, of which \$10,403,000 shall remain avail-
18 able until expended for continued modernization of the in-
19 formation technology infrastructure within the Executive
20 Office of the President.

21 OFFICE OF MANAGEMENT AND BUDGET

22 SALARIES AND EXPENSES

23 For necessary expenses of the Office of Management
24 and Budget, including hire of passenger motor vehicles
25 and services as authorized by 5 U.S.C. 3109 and to carry

1 out the provisions of chapter 35 of title 44, United States
2 Code, \$91,542,000, of which not to exceed \$3,000 shall
3 be available for official representation expenses: *Provided*,
4 That none of the funds appropriated in this Act for the
5 Office of Management and Budget may be used for the
6 purpose of reviewing any agricultural marketing orders or
7 any activities or regulations under the provisions of the
8 Agricultural Marketing Agreement Act of 1937 (7 U.S.C.
9 601 et seq.): *Provided further*, That none of the funds
10 made available for the Office of Management and Budget
11 by this Act may be expended for the altering of the tran-
12 script of actual testimony of witnesses, except for testi-
13 mony of officials of the Office of Management and Budget,
14 before the Committees on Appropriations or their sub-
15 committees: *Provided further*, That none of the funds pro-
16 vided in this or prior Acts shall be used, directly or indi-
17 rectly, by the Office of Management and Budget, for eval-
18 uating or determining if water resource project or study
19 reports submitted by the Chief of Engineers acting
20 through the Secretary of the Army are in compliance with
21 all applicable laws, regulations, and requirements relevant
22 to the Civil Works water resource planning process: *Pro-*
23 *vided further*, That the Office of Management and Budget
24 shall have not more than 60 days in which to perform
25 budgetary policy reviews of water resource matters on

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

12 OFFICE OF NATIONAL DRUG CONTROL POLICY

13 SALARIES AND EXPENSES

14 For necessary expenses of the Office of National
 15 Drug Control Policy; for research activities pursuant to
 16 the Office of National Drug Control Policy Reauthoriza-
 17 tion Act of 2006 (Public Law 109–469); not to exceed
 18 \$10,000 for official reception and representation expenses;
 19 and for participation in joint projects or in the provision
 20 of services on matters of mutual interest with nonprofit,
 21 research, or public organizations or agencies, with or with-
 22 out reimbursement, \$24,500,000: *Provided*, That the Of-
 23 fice is authorized to accept, hold, administer, and utilize
 24 gifts, both real and personal, public and private, without

1 fiscal year limitation, for the purpose of aiding or faci-
2 tating the work of the Office.

3 FEDERAL DRUG CONTROL PROGRAMS

4 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

5 (INCLUDING TRANSFERS OF FUNDS)

6 For necessary expenses of the Office of National
7 Drug Control Policy's High Intensity Drug Trafficking
8 Areas Program, \$238,522,000, to remain available until
9 September 30, 2014, for drug control activities consistent
10 with the approved strategy for each of the designated
11 High Intensity Drug Trafficking Areas ("HIDTAs"), of
12 which not less than 51 percent shall be transferred to
13 State and local entities for drug control activities and shall
14 be obligated not later than 120 days after enactment of
15 this Act: *Provided*, That up to 49 percent may be trans-
16 ferred to Federal agencies and departments in amounts
17 determined by the Director of the Office of National Drug
18 Control Policy ("the Director"), of which up to
19 \$2,700,000 may be used for auditing services and associ-
20 ated activities: *Provided further*, That, notwithstanding
21 the requirements of Public Law 106-58, any unexpended
22 funds obligated prior to fiscal year 2011 may be used for
23 any other approved activities of that HIDTA, subject to
24 reprogramming requirements: *Provided further*, That each
25 HIDTA designated as of September 30, 2012, shall be

1 funded at not less than the fiscal year 2012 base level,
 2 unless the Director submits to the Committees on Appro-
 3 priations of the House of Representatives and the Senate
 4 justification for changes to those levels based on clearly
 5 articulated priorities and published Office of National
 6 Drug Control Policy performance measures of effective-
 7 ness: *Provided further*, That the Director shall notify the
 8 Committees on Appropriations of the initial allocation of
 9 fiscal year 2013 funding among HIDTAs not later than
 10 45 days after enactment of this Act, and shall notify the
 11 Committees of planned uses of discretionary HIDTA
 12 funding, as determined in consultation with the HIDTA
 13 Directors, not later than 90 days after enactment of this
 14 Act.

15 OTHER FEDERAL DRUG CONTROL PROGRAMS

16 (INCLUDING TRANSFERS OF FUNDS)

17 For other drug control activities authorized by the
 18 Office of National Drug Control Policy Reauthorization
 19 Act of 2006 (Public Law 109–469), \$128,584,000, to re-
 20 main available until expended, which shall be available as
 21 follows: \$20,000,000 for a drug prevention media pro-
 22 gram; \$95,134,000 for the Drug-Free Communities Pro-
 23 gram, of which \$2,000,000 shall be made available as di-
 24 rected by section 4 of Public Law 107–82, as amended
 25 by Public Law 109–469 (21 U.S.C. 1521 note);

1 \$1,400,000 for drug court training and technical assist-
 2 ance; \$9,000,000 for anti-doping activities; \$1,900,000 for
 3 the United States membership dues to the World Anti-
 4 Doping Agency; and \$1,150,000 shall be made available
 5 as directed by section 1105 of Public Law 109–469.

6 UNANTICIPATED NEEDS

7 For expenses necessary to enable the President to
 8 meet unanticipated needs, in furtherance of the national
 9 interest, security, or defense which may arise at home or
 10 abroad during the current fiscal year, as authorized by
 11 3 U.S.C. 108, \$1,000,000, to remain available until Sep-
 12 tember 30, 2014.

13 PARTNERSHIP FUND FOR PROGRAM INTEGRITY

14 INNOVATION

15 For administrative expenses of the Partnership Fund
 16 for Program Integrity Innovation, \$1,000,000.

17 INTEGRATED, EFFICIENT AND EFFECTIVE USES OF

18 INFORMATION TECHNOLOGY

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses for the furtherance of inte-
 21 grated, efficient and effective uses of information tech-
 22 nology in the Federal Government, \$5,000,000, to remain
 23 available until expended: *Provided*, That the Director of
 24 the Office of Management and Budget may transfer these
 25 funds to one or more other agencies to carry out projects

1 to meet these purposes: *Provided further*, That the Direc-
 2 tor of the Office of Management and Budget shall submit
 3 quarterly reports to the Committees on Appropriations of
 4 the House and the Senate identifying the savings achieved
 5 by the Office of Management and Budget's government-
 6 wide information technology reform efforts: *Provided fur-*
 7 *ther*, That such report shall include savings identified by
 8 fiscal year, agency and appropriation.

9 SPECIAL ASSISTANCE TO THE PRESIDENT

10 SALARIES AND EXPENSES

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

18 OFFICIAL RESIDENCE OF THE VICE PRESIDENT

19 OPERATING EXPENSES

20 (INCLUDING TRANSFER OF FUNDS)

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

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

6 ADMINISTRATIVE PROVISIONS—EXECUTIVE OFFICE OF
 7 THE PRESIDENT AND FUNDS APPROPRIATED TO
 8 THE PRESIDENT
 9 (INCLUDING TRANSFERS OF FUNDS)

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

1 increased by more than 50 percent by such transfers: *Pro-*
2 *vided further*, That no amount shall be transferred from
3 “Special Assistance to the President” or “Official Resi-
4 dence of the Vice President” without the approval of the
5 Vice President.

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

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

1 priated programs upon the advance approval of the Com-
2 mittees on Appropriations: *Provided*, That no transfer
3 may increase or decrease any such appropriation by more
4 than 3 percent.

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

10 SEC. 205. (a) Not later than 60 days after the date
11 of enactment of this Act, the Director of the Office of
12 Management and Budget shall submit a report to the
13 Committees on Appropriations and the Budget of the
14 House of Representatives and the Senate with respect to
15 a sequestration under section 251(a) of the Balanced
16 Budget and Emergency Deficit Control Act of 1985. Such
17 report shall—

18 (1) list each account that would be subject to
19 such a sequestration;

20 (2) list each account that would be subject to
21 such a sequestration but subject to a special rule
22 under section 255 or 256 of such Act (and the cita-
23 tion to such rule); and

24 (3) list each account that would be exempt from
25 such a sequestration

1 (b) The report required under this section shall cat-
2 egorize and group the listed accounts by the appropria-
3 tions Act covering such accounts

4 SEC. 206. (a) Not later than 30 days after the date
5 of the enactment of this Act, the President shall submit
6 to Congress a detailed report on the sequestration re-
7 quired by section 251A of the Balanced Budget and Emer-
8 gency Deficit Control Act of 1985 (2 U.S.C. 901a) for
9 January 2, 2013.

10 (b) The report required by subsection (a) shall in-
11 clude—

12 (1) for discretionary appropriations—

13 (A) an estimate for each category of the
14 sequestration percentages and amounts nec-
15 essary to achieve the required reduction; and

16 (B) an identification of each account to be
17 sequestered and estimates of the level of
18 sequestrable budgetary resources and resulting
19 outlays and the amount of budgetary resources
20 to be sequestered and resulting outlay reduc-
21 tions at the program, project, and activity level,
22 using enacted levels of appropriations for ac-
23 counts funded pursuant to an enacted regular
24 appropriations bill for fiscal year 2013, and es-
25 timates pursuant to a current rate continuing

1 resolution for accounts not funded through an
2 enacted appropriations measure for fiscal year
3 2013; and

4 (2) for direct spending—

5 (A) an estimate for the defense and non-
6 defense functions based on current law of the
7 sequestration percentages and amount nec-
8 essary to achieve the required reduction;

9 (B) a specific identification of the reduc-
10 tions required for each nonexempt direct spend-
11 ing account at the program, project, and activ-
12 ity level; and

13 (C) a specific identification of exempt di-
14 rect spending accounts at the program, project,
15 and activity level; and

16 (3) any other data and explanations that en-
17 hance public understanding of the sequester and ac-
18 tions to be taken under it.

19 This title may be cited as the “Executive Office of
20 the President Appropriations Act, 2013”.

1 TITLE III
2 THE JUDICIARY
3 SUPREME COURT OF THE UNITED STATES
4 SALARIES AND EXPENSES

5 For expenses necessary for the operation of the Su-
6 preme Court, as required by law, excluding care of the
7 building and grounds, including purchase or hire, driving,
8 maintenance, and operation of an automobile for the Chief
9 Justice, not to exceed \$10,000 for the purpose of trans-
10 porting Associate Justices, and hire of passenger motor
11 vehicles as authorized by 31 U.S.C. 1343 and 1344; not
12 to exceed \$10,000 for official reception and representation
13 expenses; and for miscellaneous expenses, to be expended
14 as the Chief Justice may approve, \$77,165,000, of which
15 \$2,000,000 shall remain available until expended.

16 CARE OF THE BUILDING AND GROUNDS

17 For such expenditures as may be necessary to enable
18 the Architect of the Capitol to carry out the duties im-
19 posed upon the Architect by 40 U.S.C. 6111 and 6112,
20 \$11,963,000, to remain available until expended.

1 UNITED STATES COURT OF APPEALS FOR THE FEDERAL
2 CIRCUIT

3 SALARIES AND EXPENSES

4 For salaries of the chief judge, judges, and other offi-
5 cers and employees, and for necessary expenses of the
6 court, as authorized by law, \$33,720,000.

7 UNITED STATES COURT OF INTERNATIONAL TRADE

8 SALARIES AND EXPENSES

9 For salaries of the chief judge and eight judges, sala-
10 ries of the officers and employees of the court, services,
11 and necessary expenses of the court, as authorized by law,
12 \$22,880,000.

13 COURTS OF APPEALS, DISTRICT COURTS, AND OTHER

14 JUDICIAL SERVICES

15 SALARIES AND EXPENSES

16 For the salaries of circuit and district judges (includ-
17 ing judges of the territorial courts of the United States),
18 justices and judges retired from office or from regular ac-
19 tive service, judges of the United States Court of Federal
20 Claims, bankruptcy judges, magistrate judges, and all
21 other officers and employees of the Federal Judiciary not
22 otherwise specifically provided for, and necessary expenses
23 of the courts, and the purchase, rental, repair, and clean-
24 ing of uniforms for Probation and Pretrial Services Office
25 staff, as authorized by law, \$5,142,005,000 (including the

1 purchase of firearms and ammunition); of which not to
2 exceed \$27,817,000 shall remain available until expended
3 for space alteration projects and for furniture and fur-
4 nishings related to new space alteration and construction
5 projects.

6 In addition, for expenses of the United States Court
7 of Federal Claims associated with processing cases under
8 the National Childhood Vaccine Injury Act of 1986 (Pub-
9 lic Law 99-660), not to exceed \$5,354,000, to be appro-
10 priated from the Vaccine Injury Compensation Trust
11 Fund.

12 DEFENDER SERVICES

13 For the operation of Federal Defender organizations;
14 the compensation and reimbursement of expenses of attor-
15 neys appointed to represent persons under 18 U.S.C.
16 3006A and 3599, and for the compensation and reim-
17 bursement of expenses of persons furnishing investigative,
18 expert, and other services for such representations as au-
19 thorized by law; the compensation (in accordance with the
20 maximums under 18 U.S.C. 3006A) and reimbursement
21 of expenses of attorneys appointed to assist the court in
22 criminal cases where the defendant has waived representa-
23 tion by counsel; the compensation and reimbursement of
24 expenses of attorneys appointed to represent jurors in civil
25 actions for the protection of their employment, as author-

1 ized by 28 U.S.C. 1875(d)(1); the compensation and reim-
 2 bursement of expenses of attorneys appointed under 18
 3 U.S.C. 983(b)(1) in connection with certain judicial civil
 4 forfeiture proceedings; the compensation and reimburse-
 5 ment of travel expenses of guardians ad litem appointed
 6 under 18 U.S.C. 4100(b); and for necessary training and
 7 general administrative expenses, \$1,048,517,000, to re-
 8 main available until expended.

9 FEES OF JURORS AND COMMISSIONERS

10 For fees and expenses of jurors as authorized by 28
 11 U.S.C. 1871 and 1876; compensation of jury commis-
 12 sioners as authorized by 28 U.S.C. 1863; and compensa-
 13 tion of commissioners appointed in condemnation cases
 14 pursuant to rule 71.1(h) of the Federal Rules of Civil Pro-
 15 cedure (28 U.S.C. Appendix Rule 71.1(h)), \$54,635,000,
 16 to remain available until expended: *Provided*, That the
 17 compensation of land commissioners shall not exceed the
 18 daily equivalent of the highest rate payable under 5 U.S.C.
 19 5332.

20 COURT SECURITY

21 (INCLUDING TRANSFERS OF FUNDS)

22 For necessary expenses, not otherwise provided for,
 23 incident to the provision of protective guard services for
 24 United States courthouses and other facilities housing
 25 Federal court operations, and the procurement, installa-

1 tion, and maintenance of security systems and equipment
 2 for United States courthouses and other facilities housing
 3 Federal court operations, including building ingress-egress
 4 control, inspection of mail and packages, directed security
 5 patrols, perimeter security, basic security services provided
 6 by the Federal Protective Service, and other similar activi-
 7 ties as authorized by section 1010 of the Judicial Improve-
 8 ment and Access to Justice Act (Public Law 100–702),
 9 \$512,673,000, of which not to exceed \$15,000,000 shall
 10 remain available until expended, to be expended directly
 11 or transferred to the United States Marshals Service,
 12 which shall be responsible for administering the Judicial
 13 Facility Security Program consistent with standards or
 14 guidelines agreed to by the Director of the Administrative
 15 Office of the United States Courts and the Attorney Gen-
 16 eral.

17 ADMINISTRATIVE OFFICE OF THE UNITED STATES

18 COURTS

19 SALARIES AND EXPENSES

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

1 where, \$85,148,000, of which not to exceed \$8,500 is au-
 2 thorized for official reception and representation expenses.

3 FEDERAL JUDICIAL CENTER

4 SALARIES AND EXPENSES

5 For necessary expenses of the Federal Judicial Cen-
 6 ter, as authorized by Public Law 90–219, \$27,519,000;
 7 of which \$1,800,000 shall remain available through Sep-
 8 tember 30, 2014, to provide education and training to
 9 Federal court personnel; and of which not to exceed
 10 \$1,500 is authorized for official reception and representa-
 11 tion expenses.

12 JUDICIAL RETIREMENT FUNDS

13 PAYMENT TO JUDICIARY TRUST FUNDS

14 For payment to the Judicial Officers' Retirement
 15 Fund, as authorized by 28 U.S.C. 377(o), \$95,664,294;
 16 to the Judicial Survivors' Annuities Fund, as authorized
 17 by 28 U.S.C. 376(c), \$22,500,000; and to the United
 18 States Court of Federal Claims Judges' Retirement Fund,
 19 as authorized by 28 U.S.C. 178(l), \$7,300,000.

20 UNITED STATES SENTENCING COMMISSION

21 SALARIES AND EXPENSES

22 For the salaries and expenses necessary to carry out
 23 the provisions of chapter 58 of title 28, United States
 24 Code, \$17,061,000, of which not to exceed \$1,000 is au-
 25 thorized for official reception and representation expenses.

1 ADMINISTRATIVE PROVISIONS—THE JUDICIARY

2 (INCLUDING TRANSFERS OF FUNDS)

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

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

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

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

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

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

19 SEC. 306. (a) Section 203(c) of the Judicial Improve-
20 ments Act of 1990 (Public Law 101–650; 28 U.S.C. 133
21 note), is amended—

22 (1) in the second sentence (relating to the East-
23 ern District of Missouri) by inserting “and six
24 months” immediately following “10 years” as it ap-
25 plies to section 203(c)(7);

1 (2) in the third sentence (relating to the Dis-
 2 trict of Kansas), by striking “21 years” and insert-
 3 ing “22 years and six months”; and

4 (3) in the seventh sentence (relating to the Dis-
 5 trict of Hawaii), by striking “18 years” and insert-
 6 ing “19 years and six months”.

7 (b) Section 312(c)(2) of the 21st Century Depart-
 8 ment of Justice Appropriations Authorization Act (Public
 9 Law 107–273; 28 U.S.C. 133 note), is amended by strik-
 10 ing “10 years” and inserting “11 years” as it applies to
 11 section 312(c)(1) (B), (D), and (E).

12 (c) Section 312(c)(2) of the 21st Century Depart-
 13 ment of Justice Appropriations Authorization Act (Public
 14 Law 107–273; 28 U.S.C. 133 note), is amended by insert-
 15 ing “and six months” immediately following “10 years”
 16 as it applies to section 312(c)(1)(C).

17 FEDERAL DISTRICT JUDGESHIPS

18 SEC. 307. (a) ADDITIONAL PERMANENT DISTRICT
 19 JUDGESHIPS.—The President shall appoint, by and with
 20 the advice and consent of the Senate—

21 (1) 2 additional district judges for the district
 22 of Arizona;

23 (2) 4 additional district judges for the eastern
 24 district of California;

1 (3) 1 additional district judge for the district of
2 Minnesota;

3 (4) 1 additional district judge for the southern
4 district of Texas; and

5 (5) 2 additional district judges for the western
6 district of Texas.

7 (b) CONVERSION OF TEMPORARY JUDGESHIPS.—The
8 existing judgeships for the district of Arizona and the cen-
9 tral district of California authorized by section 312(c) of
10 the 21st Century Department of Justice Appropriations
11 Authorization Act (28 U.S.C. 133 note; Public Law 107–
12 273; 116 Stat. 1788), as of the effective date of this Act,
13 shall be authorized under section 133 of title 28, United
14 States Code, and the incumbents in those offices shall hold
15 the office under section 133 of title 28, United States
16 Code, as amended by this Act.

17 (c) TECHNICAL AND CONFORMING AMENDMENTS.—
18 The table contained in section 133(a) of title 28, United
19 States Code, is amended—

20 (1) by striking the item relating to the district
21 of Arizona and inserting the following:

“Arizona 15”;

22 (2) by striking the item relating to California
23 and inserting the following:

“California:
Northern 14

Eastern	10
Central	28
Southern	13”;

1 (3) by striking the item relating to the district
2 of Minnesota and inserting the following:

“Minnesota 8”;

3 and

4 (4) by striking the item relating to Texas and
5 inserting the following:

“Texas:	
Northern	12
Southern	20
Eastern	7
Western	15”.

6 (d) INCREASE IN FILING FEES.—

7 (1) IN GENERAL.—Section 1914(a) of title 28,
8 United States Code, is amended by striking “\$350”
9 and inserting “\$360”.

10 (2) EXPENDITURE LIMITATION.—Incremental
11 amounts collected by reason of the enactment of this
12 subsection shall be deposited as offsetting receipts in
13 the “Judiciary Filing Fee” special fund in the
14 Treasury that was established pursuant to 28 U.S.C.
15 1931. Such amounts shall be available solely for the
16 purpose of facilitating the processing of civil cases,
17 but only to the extent specifically appropriated by an
18 Act of Congress enacted after the date of enactment
19 of this Act.

DISTRICT OF COLUMBIA

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

7 For a Federal payment to the District of Columbia,
8 to be deposited into a dedicated account, for a nationwide
9 program to be administered by the Mayor, for District of
10 Columbia resident tuition support, \$35,100,000, to remain
11 available until expended: *Provided*, That such funds, in-
12 cluding any interest accrued thereon, may be used on be-
13 half of eligible District of Columbia residents to pay an
14 amount based upon the difference between in-State and
15 out-of-State tuition at public institutions of higher edu-
16 cation, or to pay up to \$2,500 each year at eligible private
17 institutions of higher education: *Provided further*, That the
18 awarding of such funds may be prioritized on the basis
19 of a resident's academic merit, the income and need of
20 eligible students and such other factors as may be author-
21 ized: *Provided further*, That the District of Columbia gov-
22 ernment shall maintain a dedicated account for the Resi-
23 dent Tuition Support Program that shall consist of the
24 Federal funds appropriated to the Program in this Act
25 and any subsequent appropriations, any unobligated bal-

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

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

14 For a Federal payment of necessary expenses, as de-
 15 termined by the Mayor of the District of Columbia in writ-
 16 ten consultation with the elected county or city officials
 17 of surrounding jurisdictions, \$24,700,000, to remain
 18 available until expended and in addition any funds that
 19 remain available from prior year appropriations under this
 20 heading for the District of Columbia Government, for the
 21 costs of providing public safety at events related to the
 22 presence of the national capital in the District of Colum-
 23 bia, including support requested by the Director of the
 24 United States Secret Service Division in carrying out pro-
 25 tective duties under the direction of the Secretary of

1 Homeland Security, and for the costs of providing support
 2 to respond to immediate and specific terrorist threats or
 3 attacks in the District of Columbia or surrounding juris-
 4 dictions: *Provided*, That, of the amount provided under
 5 this heading, not less than \$9,800,000 shall be used for
 6 costs associated with the Presidential Inauguration.

7 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

8 COURTS

9 For salaries and expenses for the District of Colum-
 10 bia Courts, \$225,370,000 to be allocated as follows: for
 11 the District of Columbia Court of Appeals, \$13,118,000,
 12 of which not to exceed \$2,500 is for official reception and
 13 representation expenses; for the District of Columbia Su-
 14 perior Court, \$111,746,000, of which not to exceed \$2,500
 15 is for official reception and representation expenses; for
 16 the District of Columbia Court System, \$66,756,000, of
 17 which not to exceed \$2,500 is for official reception and
 18 representation expenses; and \$33,750,000, to remain
 19 available until September 30, 2014, for capital improve-
 20 ments for District of Columbia courthouse facilities: *Pro-*
 21 *vided*, That funds made available for capital improvements
 22 shall be expended consistent with the District of Columbia
 23 Courts master plan study and building evaluation report:
 24 *Provided further*, That notwithstanding any other provi-
 25 sion of law, all amounts under this heading shall be appor-

tioned quarterly by the Office of Management and Budget
 and obligated and expended in the same manner as funds
 appropriated for salaries and expenses of other Federal
 agencies: *Provided further*, That 30 days after providing
 written notice to the Committees on Appropriations of the
 House of Representatives and the Senate, the District of
 Columbia Courts may reallocate not more than
 \$3,000,000 of the funds provided under this heading
 among the items and entities funded under this heading,
 but no such allocation shall be increased by more than
 10 percent: *Provided further*, That the Joint Committee
 on Judicial Administration in the District of Columbia
 may, by regulation, establish a program substantially simi-
 lar to the program set forth in subchapter II of chapter
 35 of title 5, United States Code, for individuals serving
 the District of Columbia Courts.

FEDERAL PAYMENT FOR DEFENDER SERVICES IN
 DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and
 section 11–2605, D.C. Official Code (relating to represen-
 tation provided under the District of Columbia Criminal
 Justice Act), payments for counsel appointed in pro-
 ceedings in the Family Court of the Superior Court of the
 District of Columbia under chapter 23 of title 16, D.C.
 Official Code, or pursuant to contractual agreements to

1 provide guardian ad litem representation, training, tech-
 2 nical assistance, and such other services as are necessary
 3 to improve the quality of guardian ad litem representation,
 4 payments for counsel appointed in adoption proceedings
 5 under chapter 3 of title 16, D.C. Official Code, and pay-
 6 ments authorized under section 21–2060, D.C. Official
 7 Code (relating to services provided under the District of
 8 Columbia Guardianship, Protective Proceedings, and Du-
 9 rable Power of Attorney Act of 1986), \$50,000,000, to
 10 remain available until expended: *Provided*, That funds pro-
 11 vided under this heading shall be administered by the
 12 Joint Committee on Judicial Administration in the Dis-
 13 trict of Columbia: *Provided further*, That notwithstanding
 14 any other provision of law, this appropriation shall be ap-
 15 portioned quarterly by the Office of Management and
 16 Budget and obligated and expended in the same manner
 17 as funds appropriated for expenses of other Federal agen-
 18 cies.

19 FEDERAL PAYMENT TO THE COURT SERVICES AND OF-
 20 FENDER SUPERVISION AGENCY FOR THE DISTRICT
 21 OF COLUMBIA

22 For salaries and expenses, including the transfer and
 23 hire of motor vehicles, of the Court Services and Offender
 24 Supervision Agency for the District of Columbia, as au-
 25 thorized by the National Capital Revitalization and Self-

1 Government Improvement Act of 1997, \$215,506,000, of
2 which not to exceed \$2,000 is for official reception and
3 representation expenses related to Community Supervision
4 and Pretrial Services Agency programs; of which not to
5 exceed \$25,000 is for dues and assessments relating to
6 the implementation of the Court Services and Offender
7 Supervision Agency Interstate Supervision Act of 2002;
8 of which \$156,595,000 shall be for necessary expenses of
9 Community Supervision and Sex Offender Registration, to
10 include expenses relating to the supervision of adults sub-
11 ject to protection orders or the provision of services for
12 or related to such persons; of which \$58,911,000 shall be
13 available to the Pretrial Services Agency: *Provided*, That
14 notwithstanding any other provision of law, all amounts
15 under this heading shall be apportioned quarterly by the
16 Office of Management and Budget and obligated and ex-
17 pended in the same manner as funds appropriated for sal-
18 aries and expenses of other Federal agencies: *Provided fur-*
19 *ther*, That not less than \$1,500,000 shall be available for
20 re-entrant housing in the District of Columbia: *Provided*
21 *further*, That the Director is authorized to accept and use
22 gifts in the form of in-kind contributions of space and hos-
23 pitality to support offender and defendant programs; and
24 equipment, supplies, and vocational training services nec-
25 essary to sustain, educate, and train offenders and defend-

1 ants, including their dependent children: *Provided further*,
 2 That the Director shall keep accurate and detailed records
 3 of the acceptance and use of any gift or donation under
 4 the previous proviso, and shall make such records available
 5 for audit and public inspection: *Provided further*, That the
 6 Court Services and Offender Supervision Agency Director
 7 is authorized to accept and use reimbursement from the
 8 District of Columbia Government for space and services
 9 provided on a cost reimbursable basis.

10 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA

11 PUBLIC DEFENDER SERVICE

12 For salaries and expenses, including the transfer and
 13 hire of motor vehicles, of the District of Columbia Public
 14 Defender Service, as authorized by the National Capital
 15 Revitalization and Self-Government Improvement Act of
 16 1997, \$39,376,000: *Provided*, That notwithstanding any
 17 other provision of law, all amounts under this heading
 18 shall be apportioned quarterly by the Office of Manage-
 19 ment and Budget and obligated and expended in the same
 20 manner as funds appropriated for salaries and expenses
 21 of Federal agencies: *Provided further*, That, notwith-
 22 standing section 1342 of title 31, United States Code, and
 23 in addition to the authority provided by the District of
 24 Columbia Code Section 2-1607(b), upon approval of the
 25 Board of Trustees, the District of Columbia Public De-

1 fender Service may accept and use voluntary and uncom-
 2 pensated (gratuitous) services for the purpose of aiding
 3 or facilitating the work of the District of Columbia Public
 4 Defender Service.

5 FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA
 6 WATER AND SEWER AUTHORITY

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

13 FEDERAL PAYMENT TO THE CRIMINAL JUSTICE
 14 COORDINATING COUNCIL

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

20 FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

21 For a Federal payment, to remain available until
 22 September 30, 2014, to the Commission on Judicial Dis-
 23 abilities and Tenure, \$295,000, and for the Judicial Nomi-
 24 nation Commission, \$205,000.

1 FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

2 For a Federal payment for a school improvement pro-
 3 gram in the District of Columbia, \$53,500,000, to remain
 4 available until expended, for payments authorized under
 5 the Scholarships for Opportunity and Results Act (division
 6 C of Public Law 112–10), to be allocated as follows: for
 7 the District of Columbia Public Schools, \$20,000,000 to
 8 improve public school education in the District of Colum-
 9 bia; for the State Education Office, \$20,000,000 to ex-
 10 pand quality public charter schools in the District of Co-
 11 lumbia; and for the Secretary of Education, \$13,500,000
 12 for the Opportunity Scholarship Program.

13 FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA

14 NATIONAL GUARD

15 For a Federal payment to the District of Columbia
 16 National Guard, \$500,000, to remain available until ex-
 17 pended for the Major General David F. Wherley, Jr. Dis-
 18 trict of Columbia National Guard Retention and College
 19 Access Program.

20 FEDERAL PAYMENT FOR REDEVELOPMENT OF THE ST.

21 ELIZABETHS HOSPITAL CAMPUS

22 For a Federal payment to the District of Columbia,
 23 \$9,800,000, to remain available until expended, for activi-
 24 ties to support development of a center for innovation and

1 entrepreneurship at the site of the former St. Elizabeths
 2 Hospital in the District of Columbia.

3 FEDERAL PAYMENT FOR TESTING AND TREATMENT OF
 4 HIV/AIDS

5 For a Federal payment to the District of Columbia
 6 for the testing of individuals for, and the treatment of in-
 7 dividuals with, human immunodeficiency virus and ac-
 8 quired immunodeficiency syndrome in the District of Co-
 9 lumbia, \$5,000,000.

10 DISTRICT OF COLUMBIA FUNDS

11 The following amounts are appropriated for the Dis-
 12 trict of Columbia for the current fiscal year out of the
 13 General Fund of the District of Columbia (“General
 14 Fund”), except as otherwise specifically provided: *Pro-*
 15 *vided*, That notwithstanding any other provision of law,
 16 except as provided in section 450A of the District of Co-
 17 lumbia Home Rule Act, (114 Stat. 2440; D.C. Official
 18 Code, section 1–204.50a) and provisions of this Act, the
 19 total amount appropriated in this Act for operating ex-
 20 penses for the District of Columbia for fiscal year 2013
 21 under this heading shall not exceed the lesser of the sum
 22 of the total revenues of the District of Columbia for such
 23 fiscal year or \$11,356,050,000 (of which \$6,379,906,000
 24 shall be from local funds, (including \$402,984,000 from
 25 dedicated taxes), \$998,179,000 shall be from Federal

1 grant funds, \$1,672,243,000 from Medicaid payments,
 2 \$2,165,470,000 shall be from other funds, and \$9,352,000
 3 shall be from private funds, and \$130,900,000 shall be
 4 from funds previously appropriated in this Act as Federal
 5 payments): *Provided further*, That of the local funds, such
 6 amounts as may be necessary may be derived from the
 7 District's General Fund balance: *Provided further*, That
 8 of these funds the District's intra-District authority shall
 9 be \$579,594,000: in addition, for capital construction
 10 projects, an increase of \$1,702,797,000, of which
 11 \$1,194,327,000 shall be from local funds, \$64,817,000
 12 from the District of Columbia Highway Trust Fund,
 13 \$86,535,000 from the Local Transportation Fund,
 14 \$357,118,000 from Federal grant funds, and a rescission
 15 of \$609,739,000 of which \$357,317,000 shall be from
 16 local funds, \$10,619,000 from the Local Transportation
 17 Fund, \$58,442,000 from the District of Columbia High-
 18 way Trust Fund, and \$183,362,000 from Federal grant
 19 funds appropriated under this heading in prior fiscal
 20 years, for a net amount of \$1,093,058,000, to remain
 21 available until expended: *Provided further*, That the
 22 amounts provided under this heading are to be available,
 23 allocated, and expended as proposed under title III of the
 24 Fiscal Year 2013 Budget Request Act, at the rate set
 25 forth under "District of Columbia Funds Division of Ex-

1 penses” as included in the Fiscal Year 2013 Proposed
2 Budget and Financial Plan submitted to the Congress by
3 the District of Columbia: *Provided further*, That the
4 amounts provided under this heading may be increased by
5 proceeds of one-time transactions, which are expended for
6 emergency or unanticipated operating or capital needs:
7 *Provided further*, That such increases shall be approved
8 by enactment of local District law and shall comply with
9 all reserve requirements contained in the District of Co-
10 lumbia Home Rule Act as amended by the Fiscal Year
11 2013 Budget Request Act: *Provided further*, That the
12 Chief Financial Officer of the District of Columbia shall
13 take such steps as are necessary to assure that the Dis-
14 trict of Columbia meets these requirements, including the
15 apportioning by the Chief Financial Officer of the appro-
16 priations and funds made available to the District during
17 fiscal year 2013, except that the Chief Financial Officer
18 may not reprogram for operating expenses any funds de-
19 rived from bonds, notes, or other obligations issued for
20 capital projects.

21 This title may be cited as the “District of Columbia
22 Appropriations Act, 2013”.

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

5 For necessary expenses of the Administrative Con-
6 ference of the United States, authorized by 5 U.S.C. 591
7 et seq., \$3,200,000, to remain available until September
8 30, 2014, of which not to exceed \$1,000 is for official re-
9 ception and representation expenses.

10 CHRISTOPHER COLUMBUS FELLOWSHIP FOUNDATION
11 SALARIES AND EXPENSES

12 For payment to the Christopher Columbus Fellow-
13 ship Foundation, established by section 423 of Public Law
14 102–281, \$450,000, to remain available until expended.

15 COMMODITY FUTURES TRADING COMMISSION

16 For necessary expenses to carry out the provisions
17 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
18 cluding the purchase and hire of passenger motor vehicles,
19 and the rental of space (to include multiple year leases)
20 in the District of Columbia and elsewhere, \$308,000,000,
21 to remain available until September 30, 2014, including
22 not to exceed \$3,000 for official reception and representa-
23 tion expenses, and not to exceed \$25,000 for the expenses
24 for consultations and meetings hosted by the Commission
25 with foreign governmental and other regulatory officials.

1 CONSUMER PRODUCT SAFETY COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Consumer Product
 4 Safety Commission, including hire of passenger motor ve-
 5 hicles, services as authorized by 5 U.S.C. 3109, but at
 6 rates for individuals not to exceed the per diem rate equiv-
 7 alent to the maximum rate payable under 5 U.S.C. 5376,
 8 purchase of nominal awards to recognize non-Federal offi-
 9 cials' contributions to Commission activities, and not to
 10 exceed \$4,000 for official reception and representation ex-
 11 penses, \$122,425,000; of which \$6,000,000 to remain
 12 available until September 30, 2014, shall be for CPSC
 13 Headquarters relocation.

14 ADMINISTRATIVE PROVISIONS—CONSUMER PRODUCT

15 SAFETY COMMISSION

16 SEC. 501. The Virginia Graeme Baker Pool and Spa
 17 Safety Act (15 U.S.C. 8001 et seq.) is amended—

18 (1) in section 1405 (15 U.S.C. 8004)—

19 (A) in subsection (b)(1)(A), by striking

20 “all swimming pools constructed after the date

21 that is 6 months after the date of enactment of

22 the Financial Services and General Government

23 Appropriations Act, 2012 in the State” and in-

24 serting “all swimming pools constructed in the

25 State after the date the State submits an appli-

1 cation to the Commission for a grant under this
 2 section”; and

3 (B) in subsection (e)—

4 (i) by striking the first sentence and
 5 inserting the following: “There is author-
 6 ized to be appropriated to the Commission
 7 such sums as may be necessary to carry
 8 out this section through fiscal year 2014.”;
 9 and

10 (ii) in the second sentence, by striking
 11 “fiscal year 2012” and inserting “fiscal
 12 year 2014”; and

13 (2) in section 1406(a) (15 U.S.C. 8005(a))—

14 (A) in paragraph (1)(A)—

15 (i) in clause (i), by inserting “and”
 16 after the semicolon;

17 (ii) by striking clauses (ii), (iv), and
 18 (v) and redesignating clause (iii) as clause
 19 (ii); and

20 (iii) in clause (ii)(III) (as so redesign-
 21 ated), by inserting “and” after the semi-
 22 colon;

23 (B) by striking subsection (2) and redesign-
 24 ating subsections (3) and (4) as subsections
 25 (2) and (3), respectively; and

1 (C) in subsection (3) (as so redesignated),
2 by striking “paragraph (1)” and inserting
3 “paragraph (1)(B)”.

4 SEC. 502. Not later than 540 days after the date of
5 the enactment of this Act, the Consumer Product Safety
6 Commission shall—

7 (1) in consultation with representatives of con-
8 sumer groups, window blind manufacturers, and
9 independent engineers and experts, examine and as-
10 sess the effectiveness of the ANSI/WCMA A100.1–
11 2012 Proposed Standard, as in effect on the day be-
12 fore the date of the enactment of this Act; and

13 (2) if the Commission determines that a more
14 stringent standard for window coverings, or revised
15 version of the standard described in paragraph (1),
16 would eliminate or substantially reduce the stran-
17 gulation risk posed by corded window coverings, pro-
18 mulgate, in accordance with section 553 of title 5,
19 United States Code, a window covering safety stand-
20 ard that is more stringent than the standard de-
21 scribed in paragraph (1).

1 ELECTION ASSISTANCE COMMISSION

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses to carry out the Help Amer-
5 ica Vote Act of 2002 (Public Law 107–252), \$11,500,000,
6 of which \$2,750,000 shall be transferred to the National
7 Institute of Standards and Technology for election reform
8 activities authorized under the Help America Vote Act of
9 2002.

10 FEDERAL COMMUNICATIONS COMMISSION

11 SALARIES AND EXPENSES

12 For necessary expenses of the Federal Communica-
13 tions Commission, as authorized by law, including uni-
14 forms and allowances therefor, as authorized by 5 U.S.C.
15 5901–5902; not to exceed \$4,000 for official reception and
16 representation expenses; purchase and hire of motor vehi-
17 cles; special counsel fees; and services as authorized by
18 5 U.S.C. 3109, \$347,782,000, to remain available until
19 expended: *Provided*, That \$347,782,000 of offsetting col-
20 lections shall be assessed and collected pursuant to section
21 9 of title I of the Communications Act of 1934, shall be
22 retained and used for necessary expenses in this appro-
23 priation, and shall remain available until expended: *Pro-*
24 *vided further*, That the sum herein appropriated shall be
25 reduced as such offsetting collections are received during

1 fiscal year 2013 so as to result in a final fiscal year 2013
 2 appropriation estimated at \$0: *Provided further*, That any
 3 offsetting collections received in excess of \$347,782,000
 4 in fiscal year 2013 shall not be available for obligation:
 5 *Provided further*, That remaining offsetting collections
 6 from prior years collected in excess of the amount specified
 7 for collection in each such year and otherwise becoming
 8 available on October 1, 2012, shall not be available for
 9 obligation: *Provided further*, That notwithstanding 47
 10 U.S.C. 309(j)(8)(B), proceeds from the use of a competi-
 11 tive bidding system that may be retained and made avail-
 12 able for obligation shall not exceed \$99,000,000 for fiscal
 13 year 2013: *Provided further*, That of the amount appro-
 14 priated under this heading, not less than \$9,750,000 shall
 15 be for the salaries and expenses of the Office of Inspector
 16 General.

17 ADMINISTRATIVE PROVISIONS—FEDERAL

18 COMMUNICATIONS COMMISSION

19 SEC. 510. Section 302 of the Universal Service
 20 Antideficiency Temporary Suspension Act is amended by
 21 striking “December 31, 2013”, each place it appears and
 22 inserting “December 31, 2014”.

23 SEC. 511. None of the funds appropriated by this Act
 24 may be used by the Federal Communications Commission
 25 to modify, amend, or change its rules or regulations for

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

6 FEDERAL DEPOSIT INSURANCE CORPORATION

7 OFFICE OF THE INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector
 9 General in carrying out the provisions of the Inspector
 10 General Act of 1978, \$34,568,000, to be derived from the
 11 Deposit Insurance Fund or, only when appropriate, the
 12 FSLIC Resolution Fund.

13 FEDERAL ELECTION COMMISSION

14 SALARIES AND EXPENSES

15 For necessary expenses to carry out the provisions
 16 of the Federal Election Campaign Act of 1971,
 17 \$67,999,000, of which not to exceed \$5,000 shall be avail-
 18 able for reception and representation expenses.

19 FEDERAL LABOR RELATIONS AUTHORITY

20 SALARIES AND EXPENSES

21 For necessary expenses to carry out functions of the
 22 Federal Labor Relations Authority, pursuant to Reorga-
 23 nization Plan Numbered 2 of 1978, and the Civil Service
 24 Reform Act of 1978, including services authorized by 5
 25 U.S.C. 3109, and including hire of experts and consult-

1 ants, hire of passenger motor vehicles, and rental of con-
 2 ference rooms in the District of Columbia and elsewhere,
 3 \$25,200,000: *Provided*, That public members of the Fed-
 4 eral Service Impasses Panel may be paid travel expenses
 5 and per diem in lieu of subsistence as authorized by law
 6 (5 U.S.C. 5703) for persons employed intermittently in
 7 the Government service, and compensation as authorized
 8 by 5 U.S.C. 3109: *Provided further*, That notwithstanding
 9 31 U.S.C. 3302, funds received from fees charged to non-
 10 Federal participants at labor-management relations con-
 11 ferences shall be credited to and merged with this account,
 12 to be available without further appropriation for the costs
 13 of carrying out these conferences.

14 FEDERAL TRADE COMMISSION

15 SALARIES AND EXPENSES

16 For necessary expenses of the Federal Trade Com-
 17 mission, including uniforms or allowances therefor, as au-
 18 thorized by 5 U.S.C. 5901–5902; services as authorized
 19 by 5 U.S.C. 3109; hire of passenger motor vehicles; and
 20 not to exceed \$2,000 for official reception and representa-
 21 tion expenses, \$300,000,000, to remain available until ex-
 22 pended: *Provided*, That not to exceed \$300,000 shall be
 23 available for use to contract with a person or persons for
 24 collection services in accordance with the terms of 31
 25 U.S.C. 3718: *Provided further*, That, notwithstanding any

1 other provision of law, not to exceed \$115,000,000 of off-
2 setting collections derived from fees collected for
3 premerger notification filings under the Hart-Scott-Ro-
4 dino Antitrust Improvements Act of 1976 (15 U.S.C.
5 18a), regardless of the year of collection, shall be retained
6 and used for necessary expenses in this appropriation:
7 *Provided further*, That, notwithstanding any other provi-
8 sion of law, not to exceed \$15,000,000 in offsetting collec-
9 tions derived from fees sufficient to implement and enforce
10 the Telemarketing Sales Rule, promulgated under the
11 Telemarketing and Consumer Fraud and Abuse Preven-
12 tion Act (15 U.S.C. 6101 et seq.), shall be credited to this
13 account, and be retained and used for necessary expenses
14 in this appropriation: *Provided further*, That the sum here-
15 in appropriated from the general fund shall be reduced
16 as such offsetting collections are received during fiscal
17 year 2013, so as to result in a final fiscal year 2013 appro-
18 priation from the general fund estimated at not more than
19 \$170,000,000: *Provided further*, That none of the funds
20 made available to the Federal Trade Commission may be
21 used to implement subsection (e)(2)(B) of section 43 of
22 the Federal Deposit Insurance Act (12 U.S.C. 1831t).

1 GENERAL SERVICES ADMINISTRATION

2 REAL PROPERTY ACTIVITIES

3 FEDERAL BUILDINGS FUND

4 LIMITATIONS ON AVAILABILITY OF REVENUE

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

1 est, and any other obligations for public buildings acquired
 2 by installment purchase and purchase contract; in the ag-
 3 gregate amount of \$8,639,098,000, of which: (1)
 4 \$56,000,000 shall remain available until expended for con-
 5 struction and acquisition (including funds for sites and ex-
 6 penses, associated design and construction services, and
 7 purchase of currently leased facilities): *Provided*, That the
 8 General Services Administration shall submit a detailed
 9 plan, by project, regarding the use of funds to the Com-
 10 mittees on Appropriations of the House of Representatives
 11 and the Senate within 30 days of enactment of this section
 12 and will provide notification to the Committees within 15
 13 days prior to any changes regarding the use of these
 14 funds; (2) \$514,768,000 shall remain available until ex-
 15 pended for repairs and alterations, which includes associ-
 16 ated design and construction services, of which:
 17 \$20,000,000 is for a Judiciary Capital Security Program;
 18 \$16,100,000 is for Consolidation into Federally Owned
 19 Space; \$122,936,000 is for Exigent Needs; \$15,000,000
 20 is for Energy and Water Retrofit and Conservation Meas-
 21 ures; and \$340,732,000 is for Basic Repairs and Alter-
 22 ations: *Provided further*, That funds made available in this
 23 or any previous Act in the Federal Buildings Fund for
 24 Repairs and Alterations shall, for prospectus projects, be
 25 limited to the amount identified for each project, except

1 each project in this or any previous Act may be increased
2 by an amount not to exceed 10 percent unless advance
3 approval is obtained from the Committees on Appropria-
4 tions of a greater amount: *Provided further*, That addi-
5 tional projects for which prospectuses have been fully ap-
6 proved may be funded under this category only if advance
7 approval is obtained from the Committees on Appropria-
8 tions: *Provided further*, That the amounts provided in this
9 or any prior Act for “Repairs and Alterations” may be
10 used to fund costs associated with implementing security
11 improvements to buildings necessary to meet the minimum
12 standards for security in accordance with current law and
13 in compliance with the reprogramming guidelines of the
14 appropriate Committees of the House and Senate: *Pro-*
15 *vided further*, That the difference between the funds ap-
16 propriated and expended on any projects in this or any
17 prior Act, under the heading “Repairs and Alterations”,
18 may be transferred to Basic Repairs and Alterations or
19 used to fund authorized increases in prospectus projects:
20 *Provided further*, That all funds for repairs and alterations
21 prospectus projects shall expire on September 30, 2014
22 and remain in the Federal Buildings Fund except funds
23 for projects as to which funds for design or other funds
24 have been obligated in whole or in part prior to such date:
25 *Provided further*, That the amount provided in this or any

1 prior Act for Basic Repairs and Alterations may be used
2 to pay claims against the Government arising from any
3 projects under the heading “Repairs and Alterations” or
4 used to fund authorized increases in prospectus projects;
5 (3) \$119,589,000 for installment acquisition payments in-
6 cluding payments on purchase contracts which shall re-
7 main available until expended; (4) \$5,548,583,000 for
8 rental of space which shall remain available until ex-
9 pended; and (5) \$2,400,158,000 for building operations
10 which shall remain available until expended: *Provided fur-*
11 *ther*, That funds available to the General Services Admin-
12 istration shall not be available for expenses of any con-
13 struction, repair, alteration and acquisition project for
14 which a prospectus, if required by 40 U.S.C. 3307(a), has
15 not been approved, except that necessary funds may be
16 expended for each project for required expenses for the
17 development of a proposed prospectus: *Provided further*,
18 That funds available in the Federal Buildings Fund may
19 be expended for emergency repairs when advance approval
20 is obtained from the Committees on Appropriations: *Pro-*
21 *vided further*, That amounts necessary to provide reim-
22 bursable special services to other agencies under 40 U.S.C.
23 592(b)(2) and amounts to provide such reimbursable fenc-
24 ing, lighting, guard booths, and other facilities on private
25 or other property not in Government ownership or control

1 as may be appropriate to enable the United States Secret
 2 Service to perform its protective functions pursuant to 18
 3 U.S.C. 3056, shall be available from such revenues and
 4 collections: *Provided further*, That revenues and collections
 5 and any other sums accruing to this Fund during fiscal
 6 year 2013, excluding reimbursements under 40 U.S.C.
 7 592(b)(2) in excess of the aggregate new obligational au-
 8 thority authorized for Real Property Activities of the Fed-
 9 eral Buildings Fund in this Act shall remain in the Fund
 10 and shall not be available for expenditure except as au-
 11 thorized in appropriations Acts.

12 GENERAL ACTIVITIES

13 GOVERNMENT-WIDE POLICY

14 For expenses authorized by law, not otherwise pro-
 15 vided for, for Government-wide policy and evaluation ac-
 16 tivities associated with the management of real and per-
 17 sonal property assets and certain administrative services;
 18 Government-wide policy support responsibilities relating to
 19 acquisition, telecommunications, information technology
 20 management, and related technology activities; services as
 21 authorized by 5 U.S.C. 3109; and the Office of High Per-
 22 formance Green Buildings; \$78,182,000.

23 OPERATING EXPENSES

24 For expenses authorized by law, not otherwise pro-
 25 vided for, for Government-wide activities associated with

1 utilization and donation of surplus personal property; dis-
 2 posal of real property; agency-wide policy direction, man-
 3 agement, and communications; the Civilian Board of Con-
 4 tract Appeals; services as authorized by 5 U.S.C. 3109;
 5 and not to exceed \$7,500 for official reception and rep-
 6 resentation expenses; \$67,000,000.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector
 9 General and service authorized by 5 U.S.C. 3109,
 10 \$58,960,000: *Provided*, That not to exceed \$50,000 shall
 11 be available for payment for information and detection of
 12 fraud against the Government, including payment for re-
 13 covery of stolen Government property: *Provided further*,
 14 That not to exceed \$2,500 shall be available for awards
 15 to employees of other Federal agencies and private citizens
 16 in recognition of efforts and initiatives resulting in en-
 17 hanced Office of Inspector General effectiveness.

18 ELECTRONIC GOVERNMENT FUND

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses in support of interagency
 21 projects that enable the Federal Government to expand
 22 its ability to conduct activities electronically, through the
 23 development and implementation of innovative uses of the
 24 Internet and other electronic methods, \$16,665,000, to re-
 25 main available until expended: *Provided*, That these funds

For carrying out the provisions of the Act of August 25, 1958 (3 U.S.C. 102 note), and Public Law 95-138, \$3,779,000.

For expenses necessary to carry out the Presidential Transition Act of 1963, as amended, \$8,947,000, of which not to exceed \$1,000,000 is for activities authorized by subsections 3(a)(8) and (9) of the Act.

For necessary expenses of the Office of Citizen Services and Innovative Technologies, including services authorized by 5 U.S.C. 3109, \$31,751,000, to be deposited into the Federal Citizen Services Fund: *Provided*, That the appropriations, revenues, and collections deposited into the Fund shall be available for necessary expenses of Fed-

1 eral Citizen Services activities in the aggregate amount
 2 not to exceed \$90,000,000. Appropriations, revenues, and
 3 collections accruing to this Fund during fiscal year 2013
 4 in excess of such amount shall remain in the Fund and
 5 shall not be available for expenditure except as authorized
 6 in appropriations Acts.

7 ADMINISTRATIVE PROVISIONS—GENERAL SERVICES

8 ADMINISTRATION

9 (INCLUDING TRANSFERS OF FUNDS)

10 SEC. 520. Funds available to the General Services
 11 Administration shall be available for the hire of passenger
 12 motor vehicles.

13 SEC. 521. Funds in the Federal Buildings Fund
 14 made available for fiscal year 2013 for Federal Buildings
 15 Fund activities may be transferred between such activities
 16 only to the extent necessary to meet program require-
 17 ments: *Provided*, That any proposed transfers shall be ap-
 18 proved in advance by the Committees on Appropriations
 19 of the House of Representatives and the Senate.

20 SEC. 522. Except as otherwise provided in this title,
 21 funds made available by this Act shall be used to transmit
 22 a fiscal year 2014 request for United States Courthouse
 23 construction only if the request: (1) meets the design guide
 24 standards for construction as established and approved by
 25 the General Services Administration, the Judicial Con-

1 ference of the United States, and the Office of Manage-
2 ment and Budget; (2) reflects the priorities of the Judicial
3 Conference of the United States as set out in its approved
4 5-year construction plan; and (3) includes a standardized
5 courtroom utilization study of each facility to be con-
6 structed, replaced, or expanded.

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

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

24 SEC. 525. In any case in which the Committee on
25 Transportation and Infrastructure of the House of Rep-

1 representatives and the Committee on Environment and Pub-
2 lic Works of the Senate adopt a resolution granting lease
3 authority pursuant to a prospectus transmitted to Con-
4 gress by the Administrator of the General Services Admin-
5 istration under 40 U.S.C. 3307, the Administrator shall
6 ensure that the delineated area of procurement is identical
7 to the delineated area included in the prospectus for all
8 lease agreements, except that, if the Administrator deter-
9 mines that the delineated area of the procurement should
10 not be identical to the delineated area included in the pro-
11 spectus, the Administrator shall provide an explanatory
12 statement to each of such committees and the Committees
13 on Appropriations of the House of Representatives and the
14 Senate prior to exercising any lease authority provided in
15 the resolution.

16 HARRY S TRUMAN SCHOLARSHIP FOUNDATION

17 SALARIES AND EXPENSES

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

1 MERIT SYSTEMS PROTECTION BOARD

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses to carry out functions of the
5 Merit Systems Protection Board pursuant to Reorganiza-
6 tion Plan Numbered 2 of 1978, the Civil Service Reform
7 Act of 1978, and the Whistleblower Protection Act of
8 1989 (5 U.S.C. 5509 note), including services as author-
9 ized by 5 U.S.C. 3109, rental of conference rooms in the
10 District of Columbia and elsewhere, hire of passenger
11 motor vehicles, direct procurement of survey printing, and
12 not to exceed \$2,000 for official reception and representa-
13 tion expenses, \$41,055,000, to remain available until Sep-
14 tember 30, 2014, together with not to exceed \$2,345,000,
15 to remain available until September 30, 2014, for adminis-
16 trative expenses to adjudicate retirement appeals to be
17 transferred from the Civil Service Retirement and Dis-
18 ability Fund in amounts determined by the Merit Systems
19 Protection Board.

20 MORRIS K. UDALL AND STEWART L. UDALL

21 FOUNDATION

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

23 For payment to the Morris K. Udall and Stewart L.
24 Udall Trust Fund, pursuant to the Morris K. Udall and
25 Stewart L. Udall Foundation Act (20 U.S.C. 5601 et

1 seq.), \$2,200,000, to remain available until expended, of
 2 which, notwithstanding sections 8 and 9 of such Act: (1)
 3 up to \$900,000 may be expended for the necessary ex-
 4 penses described in Section 7(c) of Public Law 102–259
 5 (20 U.S.C. 5605(c)); (2) up to \$50,000 shall be used to
 6 conduct financial audits pursuant to the Accountability of
 7 Tax Dollars Act of 2002 (Public Law 107–289); and (3)
 8 up to \$1,000,000 shall be available to carry out the activi-
 9 ties authorized by section 6(7) of Public Law 102–259 and
 10 section 817(a) of Public Law 106–568 (20 U.S.C.
 11 5604(7)).

12 ENVIRONMENTAL DISPUTE RESOLUTION FUND

13 For payment to the Environmental Dispute Resolu-
 14 tion Fund to carry out activities authorized in the Envi-
 15 ronmental Policy and Conflict Resolution Act of 1998,
 16 \$3,800,000, to remain available until expended.

17 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

18 OPERATING EXPENSES

19 For necessary expenses in connection with the admin-
 20 istration of the National Archives and Records Adminis-
 21 tration and archived Federal records and related activities,
 22 as provided by law, and for expenses necessary for the re-
 23 view and declassification of documents, the activities of
 24 the Public Interest Declassification Board, and the oper-
 25 ations and maintenance of the electronic records archives,

1 and for the hire of passenger motor vehicles, and for uni-
 2 forms or allowances therefor, as authorized by law (5
 3 U.S.C. 5901 et seq.), including maintenance, repairs, and
 4 cleaning, \$371,675,000.

5 OFFICE OF INSPECTOR GENERAL

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

12 REPAIRS AND RESTORATION

13 For the repair, alteration, and improvement of ar-
 14 chives facilities, and to provide adequate storage for hold-
 15 ings, \$8,000,000, to remain available until expended.

16 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

17 COMMISSION

18 GRANTS PROGRAM

19 For necessary expenses for allocations and grants for
 20 historical publications and records as authorized by 44
 21 U.S.C. 2504, \$5,000,000, to remain available until ex-
 22 pended.

1 NATIONAL CREDIT UNION ADMINISTRATION

2 CENTRAL LIQUIDITY FACILITY

3 During fiscal year 2013, gross obligations of the Cen-
4 tral Liquidity Facility for the principal amount of new di-
5 rect loans to member credit unions, as authorized by 12
6 U.S.C. 1795 et seq., shall be the amount authorized by
7 section 307(a)(4)(A) of the Federal Credit Union Act (12
8 U.S.C. 1795f(a)(4)(A)): *Provided*, That administrative ex-
9 penses of the Central Liquidity Facility in fiscal year 2013
10 shall not exceed \$1,250,000.

11 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

12 For the Community Development Revolving Loan
13 Fund program as authorized by 42 U.S.C. 9812, 9822
14 and 9910, \$1,187,000 shall be available until September
15 30, 2014 for technical assistance to low-income designated
16 credit unions.

17 OFFICE OF GOVERNMENT ETHICS

18 SALARIES AND EXPENSES

19 For necessary expenses to carry out functions of the
20 Office of Government Ethics pursuant to the Ethics in
21 Government Act of 1978, and the Ethics Reform Act of
22 1989, including services as authorized by 5 U.S.C. 3109,
23 rental of conference rooms in the District of Columbia and
24 elsewhere, hire of passenger motor vehicles, and not to ex-
25 ceed \$1,500 for official reception and representation ex-

1 penses, \$20,164,000, of which \$6,500,000 shall remain
2 available until expended for development and deployment
3 of the centralized, publicly accessible database required by
4 Public Law 112–105.

5 OFFICE OF PERSONNEL MANAGEMENT

6 SALARIES AND EXPENSES

7 (INCLUDING TRANSFER OF TRUST FUNDS)

8 For necessary expenses to carry out functions of the
9 Office of Personnel Management (OPM) pursuant to Re-
10 organization Plan Numbered 2 of 1978 and the Civil Serv-
11 ice Reform Act of 1978, including services as authorized
12 by 5 U.S.C. 3109; medical examinations performed for
13 veterans by private physicians on a fee basis; rental of con-
14 ference rooms in the District of Columbia and elsewhere;
15 hire of passenger motor vehicles; not to exceed \$2,500 for
16 official reception and representation expenses; advances
17 for reimbursements to applicable funds of OPM and the
18 Federal Bureau of Investigation for expenses incurred
19 under Executive Order No. 10422 of January 9, 1953,
20 as amended; and payment of per diem and/or subsistence
21 allowances to employees where Voting Rights Act activities
22 require an employee to remain overnight at his or her post
23 of duty, \$90,541,000, of which \$6,004,000 shall remain
24 available until expended for the Enterprise Human Re-
25 sources Integration project, of which \$642,000 may be for

1 strengthening the capacity and capabilities of the acquisi-
2 tion workforce (as defined by the Office of Federal Pro-
3 curement Policy Act, as amended (41 U.S.C. 4001 et
4 seq.)), including the recruitment, hiring, training, and re-
5 tention of such workforce and information technology in
6 support of acquisition workforce effectiveness or for man-
7 agement solutions to improve acquisition management,
8 \$1,416,000 shall remain available until expended for the
9 Human Resources Line of Business project; and in addi-
10 tion \$114,708,000 for administrative expenses, to be
11 transferred from the appropriate trust funds of OPM
12 without regard to other statutes, including direct procure-
13 ment of printed materials, for the retirement and insur-
14 ance programs: *Provided*, That the provisions of this ap-
15 propriation shall not affect the authority to use applicable
16 trust funds as provided by sections 8348(a)(1)(B), and
17 9004(f)(2)(A) of title 5, United States Code: *Provided fur-*
18 *ther*, That no part of this appropriation shall be available
19 for salaries and expenses of the Legal Examining Unit of
20 OPM established pursuant to Executive Order No. 9358
21 of July 1, 1943, or any successor unit of like purpose:
22 *Provided further*, That the President's Commission on
23 White House Fellows, established by Executive Order No.
24 11183 of October 3, 1964, may, during fiscal year 2013,
25 accept donations of money, property, and personal serv-

1 ices: *Provided further*, That such donations, including
 2 those from prior years, may be used for the development
 3 of publicity materials to provide information about the
 4 White House Fellows, except that no such donations shall
 5 be accepted for travel or reimbursement of travel expenses,
 6 or for the salaries of employees of such Commission.

7 OFFICE OF INSPECTOR GENERAL

8 SALARIES AND EXPENSES

9 (INCLUDING TRANSFER OF TRUST FUNDS)

10 For necessary expenses of the Office of Inspector
 11 General in carrying out the provisions of the Inspector
 12 General Act of 1978, including services as authorized by
 13 5 U.S.C. 3109, hire of passenger motor vehicles,
 14 \$4,232,000, and in addition, not to exceed \$21,172,000
 15 for administrative expenses to audit, investigate, and pro-
 16 vide other oversight of the Office of Personnel Manage-
 17 ment's retirement and insurance programs, to be trans-
 18 ferred from the appropriate trust funds of the Office of
 19 Personnel Management, as determined by the Inspector
 20 General: *Provided*, That the Inspector General is author-
 21 ized to rent conference rooms in the District of Columbia
 22 and elsewhere.

1 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES

2 HEALTH BENEFITS

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

8 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE

9 LIFE INSURANCE

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

14 PAYMENT TO CIVIL SERVICE RETIREMENT AND

15 DISABILITY FUND

16 For financing the unfunded liability of new and in-
 17 creased annuity benefits becoming effective on or after Oc-
 18 tober 20, 1969, as authorized by 5 U.S.C. 8348, and an-
 19 nuities under special Acts to be credited to the Civil Serv-
 20 ice Retirement and Disability Fund, such sums as may
 21 be necessary: *Provided*, That annuities authorized by the
 22 Act of May 29, 1944, and the Act of August 19, 1950
 23 (33 U.S.C. 771–775), may hereafter be paid out of the
 24 Civil Service Retirement and Disability Fund.

1 OFFICE OF SPECIAL COUNSEL

2 SALARIES AND EXPENSES

3 For necessary expenses to carry out functions of the
4 Office of Special Counsel pursuant to Reorganization Plan
5 Numbered 2 of 1978, the Civil Service Reform Act of
6 1978 (Public Law 95-454), the Whistleblower Protection
7 Act of 1989 (Public Law 101-12), Public Law 107-304,
8 and the Uniformed Services Employment and Reemploy-
9 ment Rights Act of 1994 (Public Law 103-353), including
10 services as authorized by 5 U.S.C. 3109, payment of fees
11 and expenses for witnesses, rental of conference rooms in
12 the District of Columbia and elsewhere, and hire of pas-
13 senger motor vehicles; \$18,972,000.

14 POSTAL REGULATORY COMMISSION

15 SALARIES AND EXPENSES

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses of the Postal Regulatory
18 Commission in carrying out the provisions of the Postal
19 Accountability and Enhancement Act (Public Law 109-
20 435), \$14,450,000, to be derived by transfer from the
21 Postal Service Fund and expended as authorized by sec-
22 tion 603(a) of such Act.

1 PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

2 SALARIES AND EXPENSES

3 For necessary expenses of the Privacy and Civil Lib-
4 erties Oversight Board, as authorized by section 1061 of
5 the Intelligence Reform and Terrorism Prevention Act of
6 2004 (5 U.S.C. 601 note), \$1,000,000, to remain available
7 until September 30, 2014.

8 RECOVERY ACCOUNTABILITY AND TRANSPARENCY

9 BOARD

10 SALARIES AND EXPENSES

11 For necessary expenses of the Recovery Account-
12 ability and Transparency Board to carry out the provi-
13 sions of title XV of the American Recovery and Reinvest-
14 ment Act of 2009 (Public Law 111–5), and to develop and
15 test information technology resources and oversight mech-
16 anisms to enhance transparency of and detect and reme-
17 diate waste, fraud, and abuse in Federal spending
18 \$31,500,000.

19 SECURITIES AND EXCHANGE COMMISSION

20 SALARIES AND EXPENSES

21 For necessary expenses for the Securities and Ex-
22 change Commission, including services as authorized by
23 5 U.S.C. 3109, the rental of space (to include multiple
24 year leases) in the District of Columbia and elsewhere, and
25 not to exceed \$3,500 for official reception and representa-

1 tion expenses, \$1,566,000,000, to remain available until
 2 expended; of which not less than \$7,067,000 shall be for
 3 the Office of Inspector General; of which not to exceed
 4 \$50,000 may be used toward funding a permanent secre-
 5 tariat for the International Organization of Securities
 6 Commissions; and of which not to exceed \$100,000 shall
 7 be available for expenses for consultations and meetings
 8 hosted by the Commission with foreign governmental and
 9 other regulatory officials, members of their delegations
 10 and staffs to exchange views concerning securities mat-
 11 ters, such expenses to include necessary logistic and ad-
 12 ministrative expenses and the expenses of Commission
 13 staff and foreign invitees in attendance including: (1) inci-
 14 dental expenses such as meals; (2) travel and transpor-
 15 tation; and (3) related lodging or subsistence; *Provided*,
 16 That fees and charges authorized by section 31 of the Se-
 17 curities Exchange Act of 1934 (15 U.S.C. 78ee) shall be
 18 credited to this account as offsetting collections: *Provided*
 19 *further*, That not to exceed \$1,566,000,000 of such offset-
 20 ting collections shall be available until expended for nec-
 21 essary expenses of this account: *Provided further*, That the
 22 total amount appropriated under this heading from the
 23 general fund for fiscal year 2013 shall be reduced as such
 24 offsetting fees are received so as to result in a final total

1 fiscal year 2013 appropriation from the general fund esti-
2 mated at not more than \$0.

3 SELECTIVE SERVICE SYSTEM

4 SALARIES AND EXPENSES

5 For necessary expenses of the Selective Service Sys-
6 tem, including expenses of attendance at meetings and of
7 training for uniformed personnel assigned to the Selective
8 Service System, as authorized by 5 U.S.C. 4101–4118 for
9 civilian employees; hire of passenger motor vehicles; serv-
10 ices as authorized by 5 U.S.C. 3109; and not to exceed
11 \$750 for official reception and representation expenses;
12 \$24,400,000: *Provided*, That during the current fiscal
13 year, the President may exempt this appropriation from
14 the provisions of 31 U.S.C. 1341, whenever the President
15 deems such action to be necessary in the interest of na-
16 tional defense: *Provided further*, That none of the funds
17 appropriated by this Act may be expended for or in con-
18 nection with the induction of any person into the Armed
19 Forces of the United States.

20 SMALL BUSINESS ADMINISTRATION

21 SALARIES AND EXPENSES

22 For necessary expenses, not otherwise provided for,
23 of the Small Business Administration as authorized by
24 Public Law 108–447, including hire of passenger motor
25 vehicles as authorized by 31 U.S.C. 1343 and 1344, and

1 not to exceed \$3,500 for official reception and representa-
 2 tion expenses, \$445,499,000, of which not less than
 3 \$12,000,000 shall be available for examinations, reviews,
 4 and other lender oversight activities: *Provided*, That the
 5 Administrator is authorized to charge fees to cover the
 6 cost of publications developed by the Small Business Ad-
 7 ministration, and certain loan program activities, includ-
 8 ing fees authorized by section 5(b) of the Small Business
 9 Act: *Provided further*, That, notwithstanding 31 U.S.C.
 10 3302, revenues received from all such activities shall be
 11 credited to this account, to remain available until ex-
 12 pended, for carrying out these purposes without further
 13 appropriations: *Provided further*, That the Small Business
 14 Administration may accept gifts in an amount not to ex-
 15 ceed \$4,000,000 and may co-sponsor activities, each in ac-
 16 cordance with section 132(a) of division K of Public Law
 17 108–447, during fiscal year 2013: *Provided further*, That
 18 \$114,750,000 shall be available to fund grants for per-
 19 formance in fiscal year 2013 or fiscal year 2014 as author-
 20 ized by section 21 of the Small Business Act, to remain
 21 available until September 30, 2014, of which, notwith-
 22 standing the limitation under section
 23 21(a)(4)(C)(v)(I)(aa) of the Small Business Act, \$200,000
 24 shall be for the accreditation program authorized by sec-
 25 tion 21(k)(2) of such Act, \$50,000 shall be for the ex-

1 penses of the advisory board established by section
 2 21(i)(1) of such Act, and \$500,000 shall be for the infor-
 3 mation sharing network authorized under section 21(c)(8)
 4 of such Act: *Provided further*, That \$24,000,000 shall re-
 5 main available until September 30, 2014 for marketing,
 6 management, and technical assistance under section 7(m)
 7 of the Small Business Act (15 U.S.C. 636(m)(4)) by inter-
 8 mediaries that make microloans under the microloan pro-
 9 gram: *Provided further*, That \$7,100,000 shall be available
 10 for the Loan Modernization and Accounting System, to
 11 be available until September 30, 2014: *Provided further*,
 12 That \$2,000,000 shall be for the Federal and State Tech-
 13 nology Partnership Program under section 34 of the Small
 14 Business Act (15 U.S.C. 657d).

15 OFFICE OF INSPECTOR GENERAL

16 For necessary expenses of the Office of Inspector
 17 General in carrying out the provisions of the Inspector
 18 General Act of 1978, \$19,400,000.

19 OFFICE OF ADVOCACY

20 For necessary expenses of the Office of Advocacy in
 21 carrying out the provisions of title II of Public Law 94–
 22 305 (15 U.S.C. 634a et seq.) and the Regulatory Flexi-
 23 bility Act of 1980 (5 U.S.C. 601 et seq.), \$9,150,000, to
 24 remain available until expended.

1 BUSINESS LOANS PROGRAM ACCOUNT

2 (INCLUDING TRANSFER OF FUNDS)

3 For the cost of direct loans, \$4,000,000, to remain
4 available until expended, and for the cost of guaranteed
5 loans as authorized by section 7(a) of the Small Business
6 Act and section 503 of the Small Business Investment Act
7 of 1958, \$333,600,000, to remain available until ex-
8 pended: *Provided*, That such costs, including the cost of
9 modifying such loans, shall be as defined in section 502
10 of the Congressional Budget Act of 1974: *Provided fur-*
11 *ther*, That subject to section 502 of the Congressional
12 Budget Act of 1974, during fiscal year 2013 commitments
13 to guarantee loans under section 503 of the Small Busi-
14 ness Investment Act of 1958 shall not exceed
15 \$6,000,000,000: *Provided further*, That during fiscal year
16 2013 commitments for general business loans authorized
17 under section 7(a) of the Small Business Act shall not
18 exceed \$16,000,000,000 for a combination of amortizing
19 term loans and the aggregated maximum line of credit
20 provided by revolving loans: *Provided further*, That during
21 fiscal year 2013 commitments to guarantee loans for de-
22 bentures under section 303(b) of the Small Business In-
23 vestment Act of 1958 shall not exceed \$4,000,000,000:
24 *Provided further*, That during fiscal year 2013, guarantees
25 of trust certificates authorized by section 5(g) of the Small

1 Business Act shall not exceed a principal amount of
 2 \$12,000,000,000. In addition, for administrative expenses
 3 to carry out the direct and guaranteed loan programs,
 4 \$145,060,000, which may be transferred to and merged
 5 with the appropriations for Salaries and Expenses.

6 DISASTER LOANS PROGRAM ACCOUNT

7 (INCLUDING TRANSFER OF FUNDS)

8 For the administrative costs of direct loans author-
 9 ized by section 7(b) of the Small Business Act,
 10 \$167,000,000, to remain available until expended, of
 11 which \$1,000,000 is for the Office of Inspector General
 12 of the Small Business Administration for audits and re-
 13 views of disaster loans and the disaster loan programs and
 14 shall be transferred to and merged with the appropriations
 15 for the Office of Inspector General; of which \$157,000,000
 16 is for direct administrative expense of loan making and
 17 servicing to carry out the direct loan program, which may
 18 be transferred to and merged with the appropriations for
 19 Salaries and Expenses; of which \$9,000,000 is for indirect
 20 administrative expenses for the direct loan program, which
 21 may be transferred to and merged with the appropriations
 22 for Salaries and Expenses: *Provided*, That such amount
 23 is for major disasters declared pursuant to the Robert T.
 24 Stafford Disaster Relief and Emergency Assistance Act
 25 (42 U.S.C. 5121 et seq.) and is designated by the Con-

gress as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS

ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

SEC. 530. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 608 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 531. Section 1122(b) of Public Law 111–240 is amended by striking “2 years” and inserting “3 years”.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, \$89,092,000, which shall not be available for obligation until October 1, 2013: *Provided*, That mail for

1 overseas voting and mail for the blind shall continue to
2 be free: *Provided further*, That 6-day delivery and rural
3 delivery of mail shall continue at not less than the 1983
4 level: *Provided further*, That none of the funds made avail-
5 able to the Postal Service by this Act shall be used to im-
6 plement any rule, regulation, or policy of charging any of-
7 ficer or employee of any State or local child support en-
8 forcement agency, or any individual participating in a
9 State or local program of child support enforcement, a fee
10 for information requested or provided concerning an ad-
11 dress of a postal customer: *Provided further*, That none
12 of the funds provided in this Act shall be used to consoli-
13 date or close small rural and other small post offices in
14 fiscal year 2013: *Provided further*, That the Postal Service
15 may not close or consolidate a mail processing facility
16 prior to fiscal year 2014 if the Postal Service (1) did not
17 close or consolidate the mail processing facility before May
18 15, 2012; and (2) conducted an area mail processing study
19 with respect to the postal facility after January 1, 2006
20 that was either terminated or concluded that no signifi-
21 cant cost savings or efficiencies would result from closing
22 or consolidating the mail processing facility: *Provided fur-*
23 *ther*, That the foregoing restriction shall not apply with
24 respect to a mail processing facility for which (1) an audit
25 by the Postal Service Inspector General concludes that the

1 mail volume and operations of the facility have changed
 2 since the date of termination or completion of an area mail
 3 processing study to such an extent that the outcome of
 4 the previous study is no longer valid; and (2) an area mail
 5 processing study concludes that the closing or consolida-
 6 tion of the mail processing facility is justified, taking into
 7 consideration the savings to the Postal Service and the
 8 impact of the closing or consolidation on postal customers.

9 OFFICE OF INSPECTOR GENERAL

10 SALARIES AND EXPENSES

11 (INCLUDING TRANSFER OF FUNDS)

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

18 UNITED STATES TAX COURT

19 SALARIES AND EXPENSES

20 For necessary expenses, including contract reporting
 21 and other services as authorized by 5 U.S.C. 3109,
 22 \$53,103,429: *Provided*, That travel expenses of the judges
 23 shall be paid upon the written certificate of the judge.

TITLE VI

GENERAL PROVISIONS—THIS ACT

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

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

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

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

SEC. 605. None of the funds made available by this Act shall be available for any activity or for paying the

1 salary of any Government employee where funding an ac-
2 tivity or paying a salary to a Government employee would
3 result in a decision, determination, rule, regulation, or pol-
4 icy that would prohibit the enforcement of section 307 of
5 the Tariff Act of 1930 (19 U.S.C. 1307).

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

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

14 SEC. 608. Except as otherwise provided in this Act,
15 none of the funds provided in this Act, provided by pre-
16 vious appropriations Acts to the agencies or entities fund-
17 ed in this Act that remain available for obligation or ex-
18 penditure in fiscal year 2013, or provided from any ac-
19 counts in the Treasury derived by the collection of fees
20 and available to the agencies funded by this Act, shall be
21 available for obligation or expenditure through a re-
22 programming of funds that: (1) creates a new program;
23 (2) eliminates a program, project, or activity; (3) increases
24 funds or personnel for any program, project, or activity
25 for which funds have been denied or restricted by the Con-

gress; (4) proposes to use funds directed for a specific activity by the Committee on Appropriations of either the House of Representatives or the Senate for a different purpose; (5) augments existing programs, projects, or activities in excess of \$5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by \$5,000,000 or 10 percent, whichever is less; or (7) creates or reorganizes offices, programs, or activities unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate: *Provided*, That prior to any significant reorganization or restructuring of offices, programs, or activities, each agency or entity funded in this Act shall consult with the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That not later than 60 days after the date of enactment of this Act, each agency funded by this Act shall submit a report to the Committees on Appropriations of the House of Representatives and the Senate to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year: *Provided further*, That at a minimum, the report shall include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year

1 enacted level; (2) a delineation in the table for each appro-
2 priation both by object class and program, project, and
3 activity as detailed in the budget appendix for the respec-
4 tive appropriation; and (3) an identification of items of
5 special congressional interest: *Provided further*, That the
6 amount appropriated or limited for salaries and expenses
7 for an agency shall be reduced by \$100,000 per day for
8 each day after the required date that the report has not
9 been submitted to the Congress.

10 SEC. 609. Except as otherwise specifically provided
11 by law, not to exceed 50 percent of unobligated balances
12 remaining available at the end of fiscal year 2013 from
13 appropriations made available for salaries and expenses
14 for fiscal year 2013 in this Act, shall remain available
15 through September 30, 2014, for each such account for
16 the purposes authorized: *Provided*, That a request shall
17 be submitted to the Committees on Appropriations of the
18 House of Representatives and the Senate for approval
19 prior to the expenditure of such funds: *Provided further*,
20 That these requests shall be made in compliance with re-
21 programming guidelines.

22 SEC. 610. None of the funds made available in this
23 Act may be used by the Executive Office of the President
24 to request from the Federal Bureau of Investigation any

1 official background investigation report on any individual,
2 except when—

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

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

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

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

22 SEC. 613. In order to promote Government access to
23 commercial information technology, the restriction on pur-
24 chasing nondomestic articles, materials, and supplies set
25 forth in chapter 83 of title 41, United States Code (popu-

1 larly known as the Buy American Act), shall not apply
2 to the acquisition by the Federal Government of informa-
3 tion technology (as defined in section 11101 of title 40,
4 United States Code), that is a commercial item (as defined
5 in section 103 of title 41, United States Code).

6 SEC. 614. Notwithstanding section 1353 of title 31,
7 United States Code, no officer or employee of any regu-
8 latory agency or commission funded by this Act may ac-
9 cept on behalf of that agency, nor may such agency or
10 commission accept, payment or reimbursement from a
11 non-Federal entity for travel, subsistence, or related ex-
12 penses for the purpose of enabling an officer or employee
13 to attend and participate in any meeting or similar func-
14 tion relating to the official duties of the officer or em-
15 ployee when the entity offering payment or reimbursement
16 is a person or entity subject to regulation by such agency
17 or commission, or represents a person or entity subject
18 to regulation by such agency or commission, unless the
19 person or entity is an organization described in section
20 501(c)(3) of the Internal Revenue Code of 1986 and ex-
21 empt from tax under section 501(a) of such Code.

22 SEC. 615. The Public Company Accounting Oversight
23 Board shall have authority to obligate funds for the schol-
24 arship program established by section 109(c)(2) of the
25 Sarbanes-Oxley Act of 2002 (Public Law 107–204) in an

1 aggregate amount not exceeding the amount of funds col-
2 lected by the Board as of December 31, 2012, including
3 accrued interest, as a result of the assessment of monetary
4 penalties. Funds available for obligation in fiscal year
5 2013 shall remain available until expended.

6 SEC. 616. Notwithstanding section 708 of this Act,
7 funds made available to the Commodity Futures Trading
8 Commission and the Securities and Exchange Commission
9 by this or any other Act may be used for the interagency
10 funding and sponsorship of a joint advisory committee to
11 advise on emerging regulatory issues.

12 SEC. 617. None of the funds appropriated by this or
13 any other Act shall be available for the purpose of con-
14 veying the headquarters building of the Federal Trade
15 Commission (located at 600 Pennsylvania Avenue, North-
16 west, in the District of Columbia) to any entity unless the
17 Administrator of General Services determines that such
18 transaction is made in the best interest of the taxpayer.
19 In making a final determination, the Administrator shall
20 consider if the Federal Government would be compensated
21 at least the Fair Market Value of such building as deter-
22 mined by the Administrator of the General Services. The
23 Administrator shall determine the property's Fair Market
24 Value through an appraisal conducted by a licensed, inde-
25 pendent appraiser. The appraisal shall be based on the

1 property's highest and best use. The Administrator shall
2 also consider cost to the taxpayer for acquiring replace-
3 ment space for the headquarters building of the Federal
4 Trade Commission and for moving staff and operations
5 to such replacement space. The determination of the Ad-
6 ministrator shall be final.

7 SEC. 618. The Department of the Treasury, the Ex-
8 ecutive Office of the President, the Judiciary, the Federal
9 Communications Commission, the Federal Trade Commis-
10 sion, the General Services Administration, the National
11 Archives and Records Administration, the Securities and
12 Exchange Commission, and the Small Business Adminis-
13 tration shall provide the Committees on Appropriations of
14 the House and the Senate a quarterly accounting of the
15 cumulative balances of any unobligated funds that were
16 received by such agency during any previous fiscal year.

17 SEC. 619. (a)(1) Notwithstanding any other provision
18 of law, an Executive agency covered by this Act otherwise
19 authorized to enter into contracts for either leases or the
20 construction or alteration of real property for office, meet-
21 ing, storage, or other space must consult with the General
22 Services Administration before issuing a solicitation for of-
23 fers of new leases or construction contracts, and in the
24 case of succeeding leases, before entering into negotiations
25 with the current lessor.

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

5 (b) For purposes of this section, the term “Executive
6 agency covered by this Act” means any Executive agency
7 provided funds by this Act, but does not include the Gen-
8 eral Services Administration or the United States Postal
9 Service.

10 SEC. 620. None of the funds made available by this
11 Act may be used to enter into a contract, memorandum
12 of understanding, or cooperative agreement with, make a
13 grant to, or provide a loan or loan guarantee to, any cor-
14 poration with respect to which any unpaid Federal tax li-
15 ability has been assessed, for which all judicial and admin-
16 istrative remedies have been exhausted or have lapsed, and
17 that is not being paid in a timely manner pursuant to an
18 agreement with the authority responsible for collecting the
19 tax liability, where the awarding agency is aware of the
20 unpaid tax liability, unless the agency has considered sus-
21 pension or debarment of the corporation and made a de-
22 termination that this further action is not necessary to
23 protect the interests of the Government.

24 SEC. 621. None of the funds made available by this
25 Act may be used to enter into a contract, memorandum

1 of understanding, or cooperative agreement with, make a
2 grant to, or provide a loan or loan guarantee to, any cor-
3 poration that was convicted or had an officer or agent of
4 such corporation acting on behalf of the corporation con-
5 victed of a felony criminal violation under any Federal law
6 within the preceding 24 months, where the awarding agen-
7 cy is aware of the conviction, unless the agency has consid-
8 ered suspension or debarment of the corporation, or such
9 officer or agent and made a determination that this fur-
10 ther action is not necessary to protect the interests of the
11 Government.

12 SEC. 622. Section 302(g) of the Federal Election
13 Campaign Act of 1971 (2 U.S.C. 432(g)) is amended to
14 read as follows:

15 “(g) FILING WITH THE COMMISSION.—All designa-
16 tions, statements, and reports required to be filed under
17 this Act shall be filed with the Commission.”.

18 SEC. 623. (a) Section 7 of the Abraham Lincoln
19 Commemorative Coin Act (31 U.S.C. 5112 note) is
20 amended in each of subsections (b) and (c), by striking
21 “Commission” each place that term appears and inserting
22 “Foundation”.

23 (b) Section 7(b) of the Abraham Lincoln Commemo-
24 rative Coin Act (31 U.S.C. 5112 note) is amended—

1 (1) by striking “Subject to” and all that follows
2 through “all surcharges” and inserting “All sur-
3 charges”; and

4 (2) by adding at the end the following: “Pay-
5 ment of surcharges under this Act shall be subject
6 to subsection (f)(1) of section 5134 of title 31,
7 United States Code, except that, for purposes of this
8 Act—

9 “(1) subparagraph (A)(ii) of that subsection
10 (f)(1) shall be read as follows:

11 “(ii) the designated recipient organi-
12 zation submits an audited financial state-
13 ment that demonstrates, to the satisfaction
14 of the Secretary, that, with respect to all
15 projects or purposes for which the proceeds
16 of such surcharge may be used, the organi-
17 zation has raised funds from private
18 sources for such projects and purposes.’;
19 and

20 “(2) subparagraph (B) of that subsection (f)(1)
21 shall be read by striking ‘2-year period’ in the mat-
22 ter preceding clause (i) and inserting ‘3-year and 9
23 month period’.”.

24 SEC. 624. (a) In this section—

1 (1) the term “agency” has the meaning given
2 the term “Executive agency” under section 105 of
3 title 5, United States Code; and

4 (2) the term “conference” has the meaning
5 given that term under section 300–3.1 of title 41,
6 Code of Federal Regulations, or any successor there-
7 to.

8 (b) A grant or contract funded by amounts made
9 available under this Act may not be used for the purpose
10 of defraying the cost of a conference that is not directly
11 and programmatically related to the purpose of the pro-
12 gram under which the grant or contract was awarded.

13 (c)(1) Except as provided in paragraph (3), an agen-
14 cy may not sponsor or host a conference for which the
15 cost to the agency is expected to be more than \$100,000
16 using amounts made available under this Act, unless the
17 Deputy Secretary (or equivalent) of the agency approves
18 sponsoring or hosting the conference.

19 (2)(A) Except as provided in subparagraph (B) or
20 paragraph (3), an agency may not sponsor or host a con-
21 ference for which the cost to the agency is expected to
22 be more than \$500,000 using amounts made available
23 under this Act.

24 (B) The head of an agency may waive the prohibition
25 under subparagraph (A) if the head of the agency deter-

1 mines that, because of exceptional circumstances, spend-
2 ing more than \$500,000 on a conference is the most cost-
3 effective means of achieving a compelling purpose.

4 (3) For purposes of a conference sponsored or hosted
5 by the Office of the Inspector General of an agency, the
6 Inspector General shall discharge the authorities and re-
7 sponsibilities of the head and Deputy Secretary of the
8 agency under this subsection.

9 (4) The authorities and responsibilities under this
10 subsection may not be delegated.

11 (d) Not later than October 31, 2013, each agency
12 that receives funds under this Act that sponsors or hosts
13 a conference during fiscal year 2013 for which the cost
14 to the agency is more than \$100,000 using amounts made
15 available under this Act or any other Act shall issue a
16 publicly available report which—

17 (1) shall include, for each such conference—

18 (A) the cost to the agency of the con-
19 ference;

20 (B) the location of the conference;

21 (C) the date of the conference;

22 (D) a brief explanation of how the con-
23 ference advanced the mission of the agency;

1 (E) the total number of individuals whose
2 travel expenses or other conference expenses
3 were paid by the agency; and

4 (F) any waiver made under subsection
5 (c)(2)(B); and

6 (2) shall not include any confidential or simi-
7 larly sensitive information.

8 TITLE VII

9 GENERAL PROVISIONS—GOVERNMENT-WIDE

10 DEPARTMENTS, AGENCIES, AND CORPORATIONS

11 SEC. 701. No department, agency, or instrumentality
12 of the United States receiving appropriated funds under
13 this or any other Act for fiscal year 2013 shall obligate
14 or expend any such funds, unless such department, agen-
15 cy, or instrumentality has in place, and will continue to
16 administer in good faith, a written policy designed to en-
17 sure that all of its workplaces are free from the illegal
18 use, possession, or distribution of controlled substances
19 (as defined in the Controlled Substances Act (21 U.S.C.
20 802)) by the officers and employees of such department,
21 agency, or instrumentality.

22 SEC. 702. Unless otherwise specifically provided, the
23 maximum amount allowable during the current fiscal year
24 in accordance with subsection 1343(c) of title 31, United
25 States Code, for the purchase of any passenger motor ve-

1 hicle (exclusive of buses, ambulances, law enforcement,
2 and undercover surveillance vehicles), is hereby fixed at
3 \$13,197 except station wagons for which the maximum
4 shall be \$13,631: *Provided*, That these limits may be ex-
5 ceeded by not to exceed \$3,700 for police-type vehicles,
6 and by not to exceed \$4,000 for special heavy-duty vehi-
7 cles: *Provided further*, That the limits set forth in this sec-
8 tion may not be exceeded by more than 5 percent for elec-
9 tric or hybrid vehicles purchased for demonstration under
10 the provisions of the Electric and Hybrid Vehicle Re-
11 search, Development, and Demonstration Act of 1976:
12 *Provided further*, That the limits set forth in this section
13 may be exceeded by the incremental cost of clean alter-
14 native fuels vehicles acquired pursuant to Public Law
15 101-549 over the cost of comparable conventionally fueled
16 vehicles: *Provided further*, That the limits set forth in this
17 section shall not apply to any vehicle that is a commercial
18 item and which operates on emerging motor vehicle tech-
19 nology, including but not limited to electric, plug-in hybrid
20 electric, and hydrogen fuel cell vehicles.

21 SEC. 703. Appropriations of the executive depart-
22 ments and independent establishments for the current fis-
23 cal year available for expenses of travel, or for the ex-
24 penses of the activity concerned, are hereby made available

1 for quarters allowances and cost-of-living allowances, in
2 accordance with 5 U.S.C. 5922–5924.

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

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

21 SEC. 705. Appropriations available to any depart-
22 ment or agency during the current fiscal year for nec-
23 essary expenses, including maintenance or operating ex-
24 penses, shall also be available for payment to the General
25 Services Administration for charges for space and services

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

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

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

18 (2) Other Federal agency environmental man-
19 agement programs, including, but not limited to, the
20 development and implementation of hazardous waste
21 management and pollution prevention programs.

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

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

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

23 SEC. 709. None of the funds made available pursuant
24 to the provisions of this Act shall be used to implement,
25 administer, or enforce any regulation which has been dis-

1 approved pursuant to a joint resolution duly adopted in
2 accordance with the applicable law of the United States.

3 SEC. 710. During the period in which the head of
4 any department or agency, or any other officer or civilian
5 employee of the Federal Government appointed by the
6 President of the United States, holds office, no funds may
7 be obligated or expended in excess of \$5,000 to furnish
8 or redecorate the office of such department head, agency
9 head, officer, or employee, or to purchase furniture or
10 make improvements for any such office, unless advance
11 notice of such furnishing or redecoration is transmitted
12 to the Committees on Appropriations of the House of Rep-
13 resentatives and the Senate. For the purposes of this sec-
14 tion, the term “office” shall include the entire suite of of-
15 fices assigned to the individual, as well as any other space
16 used primarily by the individual or the use of which is
17 directly controlled by the individual.

18 SEC. 711. Notwithstanding 31 U.S.C. 1346, or sec-
19 tion 708 of this Act, funds made available for the current
20 fiscal year by this or any other Act shall be available for
21 the interagency funding of national security and emer-
22 gency preparedness telecommunications initiatives which
23 benefit multiple Federal departments, agencies, or enti-
24 ties, as provided by Executive Order No. 12472 (April 3,
25 1984).

1 SEC. 712. (a) None of the funds appropriated by this
2 or any other Act may be obligated or expended by any
3 Federal department, agency, or other instrumentality for
4 the salaries or expenses of any employee appointed to a
5 position of a confidential or policy-determining character
6 excepted from the competitive service pursuant to 5
7 U.S.C. 3302, without a certification to the Office of Per-
8 sonnel Management from the head of the Federal depart-
9 ment, agency, or other instrumentality employing the
10 Schedule C appointee that the Schedule C position was
11 not created solely or primarily in order to detail the em-
12 ployee to the White House.

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

16 (1) the Central Intelligence Agency;

17 (2) the National Security Agency;

18 (3) the Defense Intelligence Agency;

19 (4) the National Geospatial-Intelligence Agency;

20 (5) the offices within the Department of De-

21 fense for the collection of specialized national foreign

22 intelligence through reconnaissance programs;

23 (6) the Bureau of Intelligence and Research of

24 the Department of State;

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

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

11 SEC. 713. No part of any appropriation contained in
12 this or any other Act shall be available for the payment
13 of the salary of any officer or employee of the Federal
14 Government, who—

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

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

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

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

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

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

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

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

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

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

15 SEC. 715. (a) No funds appropriated in this or any
16 other Act may be used to implement or enforce the agree-
17 ments in Standard Forms 312 and 4414 of the Govern-
18 ment or any other nondisclosure policy, form, or agree-
19 ment if such policy, form, or agreement does not contain
20 the following provisions: “These restrictions are consistent
21 with and do not supersede, conflict with, or otherwise alter
22 the employee obligations, rights, or liabilities created by
23 Executive Order No. 13526 (75 Fed. Reg. 707), or any
24 successor thereto; section 7211 of title 5, United States
25 Code (governing disclosures to Congress); section 1034 of

1 title 10, United States Code, as amended by the Military
 2 Whistleblower Protection Act (governing disclosure to
 3 Congress by members of the military); section 2302(b)(8)
 4 of title 5, United States Code, as amended by the Whistle-
 5 blower Protection Act of 1989 (governing disclosures of
 6 illegality, waste, fraud, abuse or public health or safety
 7 threats); the Intelligence Identities Protection Act of 1982
 8 (50 U.S.C. 421 et seq.) (governing disclosures that could
 9 expose confidential Government agents); sections 7(c) and
 10 8H of the Inspector General Act of 1978 (5 U.S.C. App.)
 11 (relating to disclosures to an inspector general, the inspec-
 12 tors general of the Intelligence Community, and Con-
 13 gress); section 103H(g)(3) of the National Security Act
 14 of 1947 (50 U.S.C. 403–3h(g)(3) (relating to disclosures
 15 to the inspector general of the Intelligence Community);
 16 sections 17(d)(5) and 17(e)(3) of the Central Intelligence
 17 Agency Act of 1949 (50 U.S.C. 403q(d)(5) and
 18 403q(e)(3)) (relating to disclosures to the Inspector Gen-
 19 eral of the Central Intelligence Agency and Congress); and
 20 the statutes which protect against disclosure that may
 21 compromise the national security, including sections 641,
 22 793, 794, 798, and 952 of title 18, United States Code,
 23 and section 4(b) of the Subversive Activities Control Act
 24 of 1950 (50 U.S.C. 783(b)). The definitions, require-
 25 ments, obligations, rights, sanctions, and liabilities created

1 by said Executive order and listed statutes are incor-
2 porated into this agreement and are controlling.”: *Pro-*
3 *vided*, That notwithstanding the preceding provision of
4 this section, a nondisclosure policy form or agreement that
5 is to be executed by a person connected with the conduct
6 of an intelligence or intelligence-related activity, other
7 than an employee or officer of the United States Govern-
8 ment, may contain provisions appropriate to the particular
9 activity for which such document is to be used. Such form
10 or agreement shall, at a minimum, require that the person
11 will not disclose any classified information received in the
12 course of such activity unless specifically authorized to do
13 so by the United States Government. Such nondisclosure
14 forms shall also make it clear that they do not bar disclo-
15 sures to Congress, or to an authorized official of an execu-
16 tive agency or the Department of Justice, that are essen-
17 tial to reporting a substantial violation of law.

18 (b) A nondisclosure agreement may continue to be
19 implemented and enforced notwithstanding subsection (a)
20 if it complies with the requirements for such agreement
21 that were in effect when the agreement was entered into.

22 SEC. 716. No part of any funds appropriated in this
23 or any other Act shall be used by an agency of the execu-
24 tive branch, other than for normal and recognized execu-
25 tive-legislative relationships, for publicity or propaganda

1 purposes, and for the preparation, distribution or use of
2 any kit, pamphlet, booklet, publication, radio, television,
3 or film presentation designed to support or defeat legisla-
4 tion pending before the Congress, except in presentation
5 to the Congress itself.

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

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

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

24 SEC. 720. (a) In this section, the term "agency"—

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

21 (TRANSFERS OF FUNDS)

•S 3301 PCS

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

1 year 2013 shall remain available for obligation through
2 September 30, 2014: *Provided further*, That such transfers
3 or reimbursements may only be made after 15 days fol-
4 lowing notification of the Committees on Appropriations
5 by the Director of the Office of Management and Budget.

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

11 SEC. 724. Notwithstanding 31 U.S.C. 1346, or sec-
12 tion 708 of this Act, funds made available for the current
13 fiscal year by this or any other Act shall be available for
14 the interagency funding of specific projects, workshops,
15 studies, and similar efforts to carry out the purposes of
16 the National Science and Technology Council (authorized
17 by Executive Order No. 12881), which benefit multiple
18 Federal departments, agencies, or entities: *Provided*, That
19 the Office of Management and Budget shall provide a re-
20 port describing the budget of and resources connected with
21 the National Science and Technology Council to the Com-
22 mittees on Appropriations, the House Committee on
23 Science and Technology, and the Senate Committee on
24 Commerce, Science, and Transportation 90 days after en-
25 actment of this Act.

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

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

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

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

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

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

5 (2) any voluntary submission of personally iden-
6 tifiable information;

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

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

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

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

20 (2) The term “supervisory” means examina-
21 tions of the agency’s supervised institutions, includ-
22 ing assessing safety and soundness, overall financial
23 condition, management practices and policies and
24 compliance with applicable standards as provided in
25 law.

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

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

8 (1) any of the following religious plans:

9 (A) Personal Care's HMO; and

10 (B) OSF HealthPlans, Inc.; and

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

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

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

22 SEC. 728. The United States is committed to ensur-
 23 ing the health of its Olympic, Pan American, and
 24 Paralympic athletes, and supports the strict adherence to
 25 anti-doping in sport through testing, adjudication, edu-

1 cation, and research as performed by nationally recognized
2 oversight authorities.

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

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

21 SEC. 731. Notwithstanding any other provision of
22 law, no executive branch agency shall purchase, construct,
23 and/or lease any additional facilities, except within or con-
24 tiguous to existing locations, to be used for the purpose
25 of conducting Federal law enforcement training without

1 the advance approval of the Committees on Appropriations
2 of the House of Representatives and the Senate, except
3 that the Federal Law Enforcement Training Center is au-
4 thorized to obtain the temporary use of additional facilities
5 by lease, contract, or other agreement for training which
6 cannot be accommodated in existing Center facilities.

7 SEC. 732. (a) For fiscal year 2013, no funds shall
8 be available for transfers or reimbursements to the E-gov-
9 ernment initiatives sponsored by the Office of Manage-
10 ment and Budget prior to 15 days following submission
11 of a report to the Committees on Appropriations of the
12 House of Representatives and the Senate by the Director
13 of the Office of Management and Budget and receipt of
14 approval to transfer funds by the Committees on Appro-
15 priations of the House of Representatives and the Senate.

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

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

23 (2) the total development cost of each initiative
24 by fiscal year including costs to date, the estimated
25 costs to complete its development to full operational

1 capability, and estimated annual operations and
2 maintenance costs; and

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

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

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

18 SEC. 734. Unless otherwise authorized by existing
19 law, none of the funds provided in this Act or any other
20 Act may be used by an executive branch agency to produce
21 any prepackaged news story intended for broadcast or dis-
22 tribution in the United States, unless the story includes
23 a clear notification within the text or audio of the pre-
24 packaged news story that the prepackaged news story was
25 prepared or funded by that executive branch agency.

1 SEC. 735. None of the funds made available in this
2 Act may be used in contravention of section 552a of title
3 5, United States Code (popularly known as the Privacy
4 Act) and regulations implementing that section.

5 SEC. 736. Each executive department and agency
6 shall evaluate the creditworthiness of an individual before
7 issuing the individual a government travel charge card.
8 Such evaluations for individually billed travel charge cards
9 shall include an assessment of the individual's consumer
10 report from a consumer reporting agency as those terms
11 are defined in section 603 of the Fair Credit Reporting
12 Act (Public Law 91-508): *Provided*, That the department
13 or agency may not issue a government travel charge card
14 to an individual that either lacks a credit history or is
15 found to have an unsatisfactory credit history as a result
16 of this evaluation: *Provided further*, That this restriction
17 shall not preclude issuance of a restricted-use charge,
18 debit, or stored value card made in accordance with agency
19 procedures to: (1) an individual with an unsatisfactory
20 credit history where such card is used to pay travel ex-
21 penses and the agency determines there is no suitable al-
22 ternative payment mechanism available before issuing the
23 card; or (2) an individual who lacks a credit history. Each
24 executive department and agency shall establish guidelines
25 and procedures for disciplinary actions to be taken against

1 agency personnel for improper, fraudulent, or abusive use
2 of government charge cards, which shall include appro-
3 priate disciplinary actions for use of charge cards for pur-
4 poses, and at establishments, that are inconsistent with
5 the official business of the Department or agency or with
6 applicable standards of conduct.

7 SEC. 737. (a) For purposes of this section the fol-
8 lowing definitions apply:

9 (1) The terms “Great Lakes” and “Great
10 Lakes State” have the same meanings as such terms
11 have in section 506 of the Water Resources Develop-
12 ment Act of 2000 (42 U.S.C. 1962d–22).

13 (2) The term “Great Lakes restoration activi-
14 ties” means any Federal or State activity primarily
15 or entirely within the Great Lakes watershed that
16 seeks to improve the overall health of the Great
17 Lakes ecosystem.

18 (b) Not later than 45 days after submission of the
19 budget of the President to Congress, the Director of the
20 Office of Management and Budget, in coordination with
21 the Governor of each Great Lakes State and the Great
22 Lakes Interagency Task Force, shall submit to the appro-
23 priate authorizing and appropriating committees of the
24 Senate and the House of Representatives a financial re-
25 port, certified by the Secretary of each agency that has

1 budget authority for Great Lakes restoration activities,
2 containing—

3 (1) an interagency budget crosscut report
4 that—

5 (A) displays the budget proposed, including
6 any planned interagency or intra-agency trans-
7 fer, for each of the Federal agencies that car-
8 ries out Great Lakes restoration activities in
9 the upcoming fiscal year, separately reporting
10 the amount of funding to be provided under ex-
11 isting laws pertaining to the Great Lakes eco-
12 system; and

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

17 (2) a detailed accounting of all funds received
18 and obligated by all Federal agencies and, to the ex-
19 tent available, State agencies using Federal funds,
20 for Great Lakes restoration activities during the cur-
21 rent and previous fiscal years;

22 (3) a budget for the proposed projects (includ-
23 ing a description of the project, authorization level,
24 and project status) to be carried out in the upcom-

1 ing fiscal year with the Federal portion of funds for
2 activities; and

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

6 SEC. 738. (a) IN GENERAL.—None of the funds ap-
7 propriated or otherwise made available by this or any
8 other Act may be used for any Federal Government con-
9 tract with any foreign incorporated entity which is treated
10 as an inverted domestic corporation under section 835(b)
11 of the Homeland Security Act of 2002 (6 U.S.C. 395(b))
12 or any subsidiary of such an entity.

13 (b) WAIVERS.—

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

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

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

1 SEC. 739. None of the funds made available by this
2 or any other Act may be used to implement, administer,
3 enforce, or apply the rule entitled “Competitive Area”
4 published by the Office of Personnel Management in the
5 Federal Register on April 15, 2008 (73 Fed. Reg. 20180
6 et seq.).

7 SEC. 740. Section 743 of the Consolidated Appropria-
8 tions Act, 2010 (Public Law 111–117; 31 U.S.C. 501
9 note) is amended in subsection (e)(2)(B), by striking the
10 text and inserting the following: “to the maximum extent
11 practicable, the agency is not using contractor employees
12 to perform any functions closely associated with inherently
13 governmental functions;”.

14 SEC. 741. The Office of Management and Budget
15 shall issue guidance, consistent with section 735 of divi-
16 sion D of the Omnibus Appropriations Act, 2009, Public
17 Law 111–8, and section 739(a)(1) of division D of the
18 Consolidated Appropriations Act, 2008 (Public Law 110–
19 161), and section 327 of the 2008 National Defense Au-
20 thorization Act (Public Law 110–181), to prohibit the use
21 of direct conversions to contract out, in whole or in part,
22 activities or functions last performed by any number of
23 Federal employees by an executive agency without first
24 conducting a public-private competition. Such guidance
25 shall ensure that—

1 (1) activities or functions performed by an execu-
2 utive agency and are reengineered, reorganized,
3 modernized, upgraded, expanded, or changed to be-
4 come more efficient, but still essentially providing
5 the same service, shall not be contracted out without
6 first conducting a public-private competition;

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

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

18 SEC. 742. During fiscal year 2013, for each employee
19 who—

20 (1) retires under section 8336(d)(2) or
21 8414(b)(1)(B) of title 5, United States Code, or

22 (2) retires under any other provision of sub-
23 chapter III of chapter 83 or chapter 84 of such title
24 5 and receives a payment as an incentive to sepa-
25 rate, the separating agency shall remit to the Civil

1 Service Retirement and Disability Fund an amount
2 equal to the Office of Personnel Management’s aver-
3 age unit cost of processing a retirement claim for
4 the preceding fiscal year. Such amounts shall be
5 available until expended to the Office of Personnel
6 Management and shall be deemed to be an adminis-
7 trative expense under section 8348(a)(1)(B) of title
8 5, United States Code.

9 SEC. 743. (a) DEFINITIONS.—In this section—

10 (1) the term “agency”—

11 (A) means an Executive agency as defined
12 under section 105 of title 5, United States
13 Code; and

14 (B) does not apply to the Department of
15 Defense; and

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

19 (b) PROHIBITION OF CERTAIN PERSONNEL MANAGE-
20 MENT LIMITATIONS.—

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

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

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

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

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

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

13 (i) necessary due to a reduction in
14 funds available to the agency; or

15 (ii) required under a statute that—

16 (I) is enacted after the date of
17 enactment of this Act; and

18 (II) specifically refers to this sec-
19 tion.

20 SEC. 744. (a) Notwithstanding any other provision
21 of law, and except as otherwise provided in this section,
22 no part of any of the funds appropriated for fiscal year
23 2013, by this or any other Act, may be used to pay any
24 prevailing rate employee described in section
25 5342(a)(2)(A) of title 5, United States Code—

1 (1) during the period from the date of expira-
2 tion of the limitation imposed by the comparable sec-
3 tion for previous fiscal years until the normal effec-
4 tive date of the applicable wage survey adjustment
5 that is to take effect in fiscal year 2013, in an
6 amount that exceeds the rate payable for the appli-
7 cable grade and step of the applicable wage schedule
8 in accordance with such section; and

9 (2) during the period consisting of the remain-
10 der of fiscal year 2013, in an amount that exceeds,
11 as a result of a wage survey adjustment, the rate
12 payable under paragraph (1) by more than the sum
13 of—

14 (A) the percentage adjustment taking ef-
15 fect in fiscal year 2013 under section 5303 of
16 title 5, United States Code, in the rates of pay
17 under the General Schedule; and

18 (B) the difference between the overall aver-
19 age percentage of the locality-based com-
20 parability payments taking effect in fiscal year
21 2013 under section 5304 of such title (whether
22 by adjustment or otherwise), and the overall av-
23 erage percentage of such payments which was
24 effective in the previous fiscal year under such
25 section.

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

9 (c) For the purposes of this section, the rates payable
10 to an employee who is covered by this section and who
11 is paid from a schedule not in existence on September 30,
12 2012, shall be determined under regulations prescribed by
13 the Office of Personnel Management.

14 (d) Notwithstanding any other provision of law, rates
15 of premium pay for employees subject to this section may
16 not be changed from the rates in effect on September 30,
17 2012, except to the extent determined by the Office of
18 Personnel Management to be consistent with the purpose
19 of this section.

20 (e) This section shall apply with respect to pay for
21 service performed after September 30, 2012.

22 (f) For the purpose of administering any provision
23 of law (including any rule or regulation that provides pre-
24 mium pay, retirement, life insurance, or any other em-
25 ployee benefit) that requires any deduction or contribu-

tion, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

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

SEC. 745. (a) The Vice President may not receive a pay raise in calendar year 2013, notwithstanding section 104 of title 3, United States Code, or any other provision of law.

(b) An individual serving in an Executive Schedule position, or in a position for which the rate of pay is fixed by statute at an Executive Schedule rate, may not receive a pay rate increase in calendar year 2013, notwithstanding schedule adjustments made under section 5318 of title 5, United States Code, or any other provision of law, except as provided in subsection (g) or (h). The preceding sentence applies only to individuals who are holding

1 a position in which they serve at the pleasure of the Presi-
2 dent or other appointing official.

3 (c) A chief of mission or ambassador at large may
4 not receive a pay rate increase in calendar year 2013, not-
5 withstanding section 401 of the Foreign Service Act of
6 1980 (Public Law 96–465) or any other provision of law,
7 except as provided in subsection (g) or (h).

8 (d) A noncareer appointee in the Senior Executive
9 Service may not receive a pay rate increase in calendar
10 year 2013, notwithstanding sections 5382 and 5383 of
11 title 5, United States Code.

12 (e) Any employee paid a rate of basic pay (including
13 locality-based payments under section 5304 of title 5,
14 United States Code, or similar authority) at or above level
15 IV of the Executive Schedule who serves at the pleasure
16 of the appointing official may not receive a pay rate in-
17 crease in calendar year 2013, notwithstanding any other
18 provision of law, except as provided in subsection (g) or
19 (h). This subsection does not apply to employees in the
20 General Schedule pay system or the Foreign Service pay
21 system, or to employees appointed under 5 U.S.C. 3161,
22 or to employees in another pay system whose position
23 would be classified at GS–15 or below if chapter 51 of
24 title 5, United States Code, applied to them.

1 (f) Nothing in this section shall prevent employees
2 who do not serve at the pleasure of the appointing official
3 from receiving pay increases as otherwise provided under
4 applicable law.

5 (g) A career appointee in the Senior Executive Serv-
6 ice who receives a Presidential appointment and who
7 makes an election to retain Senior Executive Service basic
8 pay entitlements under section 3392 of title 5, United
9 States Code, is not subject to this section.

10 (h) A member of Senior Foreign Service who receives
11 a Presidential appointment to any position in the executive
12 branch and who makes an election to retain Senior For-
13 eign Service pay entitlements under section 302(b) of the
14 Foreign Service Act of 1980 (Public Law 96–465) is not
15 subject to this section.

16 SEC. 746. (a) Not later than September 30, 2013,
17 the Administrator of General Services shall submit to the
18 Committee on Appropriations of the Senate and the Com-
19 mittee on Appropriations of the House of Representatives
20 a report relating to the Automated External Defibrillators
21 of the Federal Government, which shall include, for each
22 agency—

23 (1) a complete inventory of the Automated Ex-
24 ternal Defibrillators of the agency, including

1 itemization of the Automated External Defibrillators
 2 purchased by the agency during fiscal year 2011;

3 (2) an itemization of the total cost of the main-
 4 tenance, purchasing, and leasing of the Automated
 5 External Defibrillators of the agency; and

6 (3) a detailed discussion of the program of the
 7 agency for providing Automated External
 8 Defibrillator at worksites of the agency, which shall
 9 include a discussion of the compliance of the agency
 10 with the with the guidelines entitled “Guidelines for
 11 Public Access Defibrillation Programs in Federal
 12 Facilities” (74 Fed. Reg. 41133, August 14, 2009).

13 (b) The head of each agency shall submit to the Ad-
 14 ministrator of General Services such information as the
 15 Administrator requires to prepare the report required
 16 under subsection (a).

17 SEC. 747. (a)(1) Section 2324(e)(1)(P) of title 10,
 18 United States Code, is amended—

19 (A) by inserting “(i)” after “(P)”;

20 (B) in clause (i), as designated by subpara-
 21 graph (P)—

22 (i) by inserting “or subcontractor” after
 23 “any contractor”; and

24 (ii) by striking “the benchmark” and all
 25 that follows through “section 1127 of title 41”

1 and inserting “the annual amount paid to the
2 President of the United States in accordance
3 with section 102 of title 3”; and

4 (C) by adding at the end the following new
5 clause:

6 “(ii) In this subparagraph:

7 “(I) The term ‘compensation’, in the case
8 of an employee, includes the total amount of
9 wages, salary, bonuses, and deferred compensa-
10 tion for the employee for a fiscal year, whether
11 paid, earned, or otherwise accruing, as recorded
12 in an employer’s cost accounting records for the
13 fiscal year.

14 “(II) The term ‘fiscal year’ means a fiscal
15 year a contractor or subcontractor establishes
16 for accounting purposes.”.

17 (2) Paragraph (16) of section 4304(a) of title 41,
18 United States Code, is amended to read as follows:

19 “(16) Costs of compensation of any contractor
20 or subcontractor employee for a fiscal year, regard-
21 less of the contract funding source, to the extent
22 that such compensation exceeds the annual amount
23 paid to the President of the United States in accord-
24 ance with section 102 of title 3, except that the head
25 of an executive agency may establish one or more

1 narrowly targeted exceptions for scientists, engi-
2 neers, and other specialist positions upon a deter-
3 mination that such exceptions are needed to ensure
4 that the executive agency has continued access to
5 needed skills and capabilities.”.

6 (3) The amendments made by this subsection shall
7 take effect on the date that is 180 days after the date
8 of the enactment of this Act, and shall apply with respect
9 to contracts entered into on or after such effective date.

10 (b)(1) Section 1127 of title 41, United States Code,
11 is repealed.

12 (2) The table of sections at the beginning of chapter
13 11 of such title is amended by striking the item relating
14 to section 1127.

15 (3) The amendments made by this subsection shall
16 take effect on the date that is 180 days after the date
17 of the enactment of this Act.

18 SEC. 748. Except as expressly provided otherwise,
19 any reference to “this Act” contained in any title other
20 than title IV or VIII shall not apply to such title IV or
21 VIII.

1 TITLE VIII
2 GENERAL PROVISIONS—DISTRICT OF
3 COLUMBIA

4 (INCLUDING TRANSFER OF FUNDS)

5 SEC. 801. There are appropriated from the applicable
6 funds of the District of Columbia such sums as may be
7 necessary for making refunds and for the payment of legal
8 settlements or judgments that have been entered against
9 the District of Columbia government.

10 SEC. 802. None of the Federal funds provided in this
11 Act shall be used for publicity or propaganda purposes or
12 implementation of any policy including boycott designed
13 to support or defeat legislation pending before Congress
14 or any State legislature.

15 SEC. 803. (a) None of the Federal funds provided
16 under this Act to the agencies funded by this Act, both
17 Federal and District government agencies, that remain
18 available for obligation or expenditure in fiscal year 2013,
19 or provided from any accounts in the Treasury of the
20 United States derived by the collection of fees available
21 to the agencies funded by this Act, shall be available for
22 obligation or expenditures for an agency through a re-
23 programming of funds which—

24 (1) creates new programs;

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

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

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

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

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

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

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

20 (b) The District of Columbia government is author-
21 ized to approve and execute reprogramming and transfer
22 requests of local funds under this title through November
23 1, 2013.

24 SEC. 804. None of the Federal funds provided in this
25 Act may be used by the District of Columbia to provide

1 for salaries, expenses, or other costs associated with the
2 offices of United States Senator or United States Rep-
3 resentative under section 4(d) of the District of Columbia
4 Statehood Constitutional Convention Initiatives of 1979
5 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

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

15 (1) an officer or employee of the Metropolitan
16 Police Department who resides in the District of Co-
17 lumbia or a District of Columbia government em-
18 ployee as may otherwise be designated by the Chief
19 of the Department;

20 (2) at the discretion of the Fire Chief, an offi-
21 cer or employee of the District of Columbia Fire and
22 Emergency Medical Services Department who re-
23 sides in the District of Columbia and is on call 24
24 hours a day or is otherwise designated by the Fire
25 Chief;

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

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

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

10 SEC. 806. (a) None of the Federal funds contained
11 in this Act may be used by the District of Columbia Attor-
12 ney General or any other officer or entity of the District
13 government to provide assistance for any petition drive or
14 civil action which seeks to require Congress to provide for
15 voting representation in Congress for the District of Co-
16 lumbia.

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

21 SEC. 807. None of the Federal funds contained in
22 this Act may be used to distribute any needle or syringe
23 for the purpose of preventing the spread of blood borne
24 pathogens in any location that has been determined by the

1 local public health or local law enforcement authorities to
2 be inappropriate for such distribution.

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

10 SEC. 809. None of the Federal funds contained in
11 this Act may be used to enact or carry out any law, rule,
12 or regulation to legalize or otherwise reduce penalties asso-
13 ciated with the possession, use, or distribution of any
14 schedule I substance under the Controlled Substances Act
15 (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols de-
16 rivative.

17 SEC. 810. None of the Federal funds appropriated
18 under this Act shall be expended for any abortion except
19 where the life of the mother would be endangered if the
20 fetus were carried to term or where the pregnancy is the
21 result of an act of rape or incest.

22 SEC. 811. (a) No later than 30 calendar days after
23 the date of the enactment of this Act, the Chief Financial
24 Officer for the District of Columbia shall submit to the
25 appropriate committees of Congress, the Mayor, and the

1 Council of the District of Columbia, a revised appropriated
2 funds operating budget in the format of the budget that
3 the District of Columbia government submitted pursuant
4 to section 442 of the District of Columbia Home Rule Act
5 (D.C. Official Code, sec. 1–204.42), for all agencies of the
6 District of Columbia government for fiscal year 2013 that
7 is in the total amount of the approved appropriation and
8 that realigns all budgeted data for personal services and
9 other-than-personal services, respectively, with anticipated
10 actual expenditures.

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

15 SEC. 812. No later than 30 calendar days after the
16 date of the enactment of this Act, the Chief Financial Offi-
17 cer for the District of Columbia shall submit to the appro-
18 priate committees of Congress, the Mayor, and the Council
19 for the District of Columbia, a revised appropriated funds
20 operating budget for the District of Columbia Public
21 Schools that aligns schools budgets to actual enrollment.
22 The revised appropriated funds budget shall be in the for-
23 mat of the budget that the District of Columbia govern-
24 ment submitted pursuant to section 442 of the District

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

3 SEC. 813. (a) Amounts appropriated in this Act as
4 operating funds may be transferred to the District of Co-
5 lumbia’s enterprise and capital funds and such amounts,
6 once transferred, shall retain appropriation authority con-
7 sistent with the provisions of this Act.

8 (b) The District of Columbia government may repro-
9 gram or transfer for operating expenses any local funds
10 transferred or reprogrammed from operating expenses to
11 capital funds in this or in the 4 prior fiscal years, and
12 such amounts, once transferred or reprogrammed, shall
13 retain appropriation authority consistent with the provi-
14 sions of this Act.

15 (c) The District of Columbia government may not
16 transfer or reprogram for operating expenses any funds
17 derived from bonds, notes, or other obligations issued for
18 capital projects.

19 SEC. 814. Hereafter, notwithstanding any other laws,
20 for this and succeeding fiscal years, the Director of the
21 District of Columbia Public Defender Service shall, to the
22 extent the Director considers appropriate, provide rep-
23 resentation for and hold harmless, or provide liability in-
24 surance for, any person who is an employee, member of
25 the Board of Trustees, or officer of the District of Colum-

1 bia Public Defender Service for money damages arising
2 out of any claim, proceeding, or case at law relating to
3 the furnishing of representational services or management
4 services or related services while acting within the scope
5 of that person's office or employment, including, but not
6 limited to such claims, proceedings, or cases at law involv-
7 ing employment actions, injury, loss of liberty, property
8 damage, loss of property, or personal injury, or death aris-
9 ing from malpractice or negligence of any such officer or
10 employee.

11 SEC. 815. Section 446 of the Home Rule Act (D.C.
12 Official Code sec. 1-204.46) is amended by adding the fol-
13 lowing at the end of its fourth sentence, before the period
14 “: *Provided*, That, notwithstanding any other provision of
15 this Act, effective for fiscal year 2013, and for each suc-
16 ceeding fiscal year, during a period in which there is an
17 absence of a Federal appropriations Act authorizing the
18 expenditure of District of Columbia local funds, the Dis-
19 trict of Columbia may obligate and expend local funds for
20 programs and activities at the rate set forth in the Budget
21 Request Act adopted by the Council, or a reprogramming
22 adopted pursuant to this section.”.

23 SEC. 816. (a) If the Attorney General of the District
24 of Columbia enters into a contract with private counsel
25 for the provision of legal services in claims and other legal

1 matters affecting the interests of the District of Columbia
2 and the contract includes a contingency fee arrangement,
3 the District of Columbia may make payments pursuant
4 to such arrangement without regard to whether the funds
5 used for the payments are deposited in accounts of the
6 District of Columbia or provided in an appropriation, not-
7 withstanding any provision of title 31, United States Code,
8 the fourth sentence of section 446 of the District of Co-
9 lumbia Home Rule Act (sec. 1–204.46, D.C. Official
10 Code), or any other District of Columbia law.

11 (b) Any contract described in subsection (a) shall be
12 subject to the requirements of the Procurement Practices
13 Reform Act of 2010 (sec. 2–351.01 et seq., D.C. Official
14 Code). The amount of the fee payable for legal services
15 furnished under any such contract may not exceed the fee
16 that counsel engaged in the private practice of law in the
17 District of Columbia typically charges clients for fur-
18 nishing similar legal services, as determined by the Attor-
19 ney General of the District of Columbia.

20 (c) The District of Columbia may not enter into a
21 contingency fee arrangement in a claim or other legal mat-
22 ter seeking the recovery of Federal funds.

23 (d) In this section, a “contingency fee arrangement”
24 means a provision in a contract described in subsection
25 (a) under which the costs, expenses, and fees the private

1 counsel charges for legal services are payable from the
2 amount recovered.

3 (e) This section shall apply with respect to fiscal year
4 2013 and each succeeding fiscal year.

5 SEC. 817. Except as expressly provided otherwise,
6 any reference to “this Act” contained in this title or in
7 title IV shall be treated as referring only to the provisions
8 of this title or of title IV.

9 SEC. 818. (a) Not later than 2 years after the date
10 of the enactment of this Act, the Joint Committee on the
11 Library shall accept the donation from the District of Co-
12 lumbia of a statue depicting Frederick Douglass, subject
13 to such terms and conditions as the Joint Committee con-
14 siders appropriate.

15 (b) The Joint Committee shall place the statue ac-
16 cepted under subsection (a) in a suitable permanent loca-
17 tion in the United States Capitol.

18 (c) The District of Columbia shall pay all costs asso-
19 ciated with the donation, including transportation of the
20 statue to, and placement in, the Capitol.

21 This Act may be cited as the “Financial Services and
22 General Government Appropriations Act, 2013”.

Calendar No. 429

112TH CONGRESS
2^D Session

S. 3301

[Report No. 112-177]

A BILL

Making appropriations for financial services and
general government for the fiscal year ending
September 30, 2013, and for other purposes.

JUNE 14, 2012

Read twice and placed on the calendar