AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

112TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
112–550

FINANCIAL SERVICES AND GENERAL GOVERNMENT APPROPRIATIONS BILL, 2013

JUNE 26, 2012.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mrs. EMERSON, from the Committee on Appropriations, submitted the following

R E P O R T

together with

MINORITY VIEWS

[To accompany H.R. 6020]

The Committee on Appropriations submits the following report in explanation of the accompanying bill making appropriations for financial services and general government for the fiscal year ending September 30, 2013.

INDEX TO BILL AND REPORT

	Page number Bill	Report
Title I—Department of the Treasury	2	5
Title II—Executive Office of the President and Funds Appropriated to the President	20	21
Title III—The Judiciary	36	31
Title IV—District of Columbia	48	37
Title V—Independent Agencies	58	43
Bureau of Consumer Financial Protection	58	43
Consumer Product Safety Commission	59	43
Election Assistance Commission	60	44
Federal Communications Commission	61	45
Federal Deposit Insurance Corporation	62	48
Federal Election Commission	62	48
Federal Labor Relations Authority	62	49
Federal Trade Commission	63	49
General Services Administration	65	51
Harry S Truman Scholarship Foundation	80	63

74–712

	Page number Bill	Report
Merit Systems Protection Board	81	64
Morris K. Udall and Stewart L. Udall Foundation	81	64
National Archives and Records Administration	82	65
National Credit Union Administration	83	67
Office of Government Ethics	84	67
Office of Personnel Management	84	68
Office of Special Counsel	87	70
Postal Regulatory Commission	87	71
Recovery Accountability and Transparency Board	88	71
Securities and Exchange Commission	88	72
Selective Service System	90	75
Small Business Administration	90	75
United States Postal Service	95	79
United States Tax Court	96	80
Title VI—General Provisions—This Act	96	81
Title VII—General Provisions—Government-wide: Departments, Agencies, and Corporations	115	84
Title VIII—General Provisions—District of Columbia	142	87
Title IX—Additional General Provisions—Spending Reduction Account	149	88
House of Representatives Reporting Requirements	.....	88
Minority Views	.....	140

HIGHLIGHTS OF THE BILL

The Financial Services and General Government Subcommittee has jurisdiction over a diverse group of agencies responsible for regulating the financial and telecommunications industries; collecting taxes and providing taxpayer assistance; supporting the operations of the White House, the Federal Judiciary, and the District of Columbia; managing Federal buildings; and overseeing the Federal workforce. The activities of these agencies impact nearly every American and are integral to the operations of our government.

However, with the Federal debt nearing $16 trillion, the Subcommittee is committed to reducing the cost and size of government. The bill provides a total of $21,150,000,000 in discretionary budget authority which is 1.7 percent less than fiscal year 2012 and 12.6 percent less than fiscal year 2010. The discretionary budget authority provided is $2,041,000,000 less than the President's request.

TOTAL BUDGET AUTHORITY

($ in millions)	FY 2012 Enacted	FY 2013 Request	FY 2013 Recommendation
Discretionary	21,526	23,191	21,150
Mandatory	21,460	21,240	21,240

The funding priorities in the bill include the Small Business Administration's (SBA) business and disaster loan programs, drug task forces, public safety and education in the District of Columbia, and Treasury's antiterrorism and financial intelligence activities.

In order to assist small business, the bill provides an increase of $191,368,000 for SBA's business loan program over fiscal year 2012. In addition, the bill requires the Office of Management and Budget and certain regulatory agencies to report to the Committee

on their efforts to eliminate duplicative, outdated and burdensome regulations.

For the Office of National Drug Control Policy, the bill provides $238,522,000 for High Intensity Drug Trafficking Areas which is $38,522,000 more than the request. In addition, the bill provides $92,000,000 for the Drug-Free Communities program which is an increase of $3,400,000 above the request.

For the District of Columbia, the bill fully funds the request for emergency planning and security which includes security funding for the Presidential inauguration. In addition, the bill supports the operations of DC Superior Court and the Court Services and Offender Supervision Agency. The bill continues the Committee's commitment to education in the City by providing $60,000,000 for school improvement, as authorized by the Scholarships for Opportunity and Results Act, and $30,000,000 for resident tuition support.

For Treasury's Office of Terrorism and Financial Intelligence, the bill provides $102,117,000 to combat drug lords, terrorists, weapons of mass destruction proliferators, rogue nations and other threats. This amount is $2,117,000 above the request. Recognizing the importance of these activities, funding for this office is provided in a separate appropriation from other Treasury offices.

In order to pay for these priorities while reducing overall spending, the Committee has reduced the operating expenses for several Department of Treasury offices and bureaus, all of the salaries and expenses accounts within the Executive Office of the President, the Judiciary, the United States Sentencing Commission, the Election Assistance Commission, the Federal Trade Commission, the General Services Administration, the Merit Systems Protection Board, the National Archives and Records Administration, the Office of Personnel Management, the Postal Regulatory Commission and the Selective Service System.

In addition, the bill terminates several programs such as the Administrative Conference of the United States, the Christopher Columbus Fellowship Foundation, a Federal payment for the District of Columbia Water and Sewer Authority and the Public Company and Accounting Oversight Board's scholarship program.

The bill does not provide the nearly one billion dollars of requested increases for the Internal Revenue Service (IRS). In addition, the bill prohibits the IRS from receiving transfers from the Department of Health and Human Services to implement the Patient Protection and Affordable Care Act.

The bill also provides for increased transparency and Congressional oversight of mandatory spending that is outside of the appropriations process for activities such as the Office of Financial Stability, the Office of Financial Research, the Bureau of Consumer Financial Protection, and the Judgment Fund. These reforms will allow Congress and the American people to better understand the activities of these organizations which currently have significant authority to spend taxpayer funds without Congressional oversight.

GENERAL SERVICES ADMINISTRATION

In order to prevent the disturbing and illegal activities that culminated in the General Services Administration's (GSA) Public Buildings Service 2010 Western Regional Conference, the bill:

• Prohibits GSA from spending $1.8 billion of funds estimated to be collected in the Federal Buildings Fund.

• Reduces estimated obligations in the Federal Buildings Fund by $101 million compared to fiscal year 2012 and $702 million compared to the request.

• Restructures GSA appropriation accounts to separate the cost of administrative expenses from program activities.

• Reduces obligations in the Federal Buildings Fund for administrative expenses by 15 percent compared to fiscal year 2012.

• Requires GSA to provide quarterly spending reports.

• Caps the total square footage in the GSA inventory and the number of FTE funded in the Federal Buildings Fund.

• Limits awards that can be provided to GSA employees.

• Requires the GSA Administrator to certify that spending on a conference complies with all travel and conference laws and regulations.

• Includes a bill-wide prohibition on travel, conferences and employee awards that are not in compliance with laws and regulations.

• Requires agency Inspectors General to report whether agencies funded in the bill have appropriate procedures in place to ensure compliance with laws and regulations on travel, conferences and awards.

• Requires the Office of Management and Budget (OMB) to submit a report to the Committee on how they will ensure that all Executive Branch agencies are complying with laws and regulations on travel, conferences and employee awards.

• Increases funding for the GSA Inspector General by $10,000,000 above fiscal year 2012.

OPERATING PLAN AND REPROGRAMMING PROCEDURES

The Committee will continue to evaluate reprogrammings proposed by agencies. Although reprogrammings may not change either the total amount available in an account or any of the purposes for which the appropriation is legally available, they represent a significant departure from budget plans presented to the Committee in an agency's budget justification and supporting documents, which are the basis of this appropriations Act. The Committee expects agencies' reprogramming requests to explain thoroughly the reasons for the reprogramming and to include an assessment of whether the reprogramming will affect budget requirements for the subsequent fiscal year.

Section 608 of this Act requires agencies or entities funded by the Act to notify the Committee and obtain prior approval from the Committee for any reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) creates or reorganizes offices, programs, or activities.

Additionally, the Committee expects to be promptly notified of all reprogramming actions which involve less than the above-mentioned amounts if such actions would have the effect of significantly changing an agency's funding requirements in future years, or if programs or projects specifically cited in the Committee's reports are affected by the reprogramming. Reprogrammings meeting these criteria must be approved by the Committee regardless of the amount proposed to be reallocated.

Section 608 also requires agencies to consult with the Committees on Appropriations prior to any significant reorganization or restructuring of offices, programs, or activities. This provision applies regardless of whether the reorganization or restructuring involves a reprogramming of funds. Agencies are encouraged to consult with the Committees early in the process so that any questions or concerns the Committees may have can be addressed in a timely manner.

Agencies are directed under section 608 to submit operating plans for the Committee's review within 60 days of the bill's enactment. Each operating plan should include: (1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level; (2) a delineation in the table for each appropriation both by object class and program, project, and activity as detailed in the budget appendix for the respective appropriation; and (3) an identification of items of special congressional interest.

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$308,388,000
Budget request, fiscal year 2013	301,216,000
Recommended in the bill	202,555,000
Bill compared with:	
Appropriation, fiscal year 2012	−105,833,000
Budget request, fiscal year 2013	−98,661,000

The Departmental Offices' function in the Treasury Department is to support the Secretary of the Treasury in his capacity as the chief operating executive of the Department and in his role in determining the tax, economic, and financial management policies of the Federal government. The Secretary's responsibilities funded by the Salaries and Expenses appropriation include: recommending and implementing domestic and international economic and tax policy; providing recommendations regarding fiscal policy; governing the fiscal operations of the government; managing the public debt; managing development of financial policy; representing the U.S. on international monetary, trade and investment issues; overseeing Treasury Department overseas operations; directing the administrative operations of the Treasury Department; and providing executive oversight of the bureaus within the Treasury Department.

COMMITTEE RECOMMENDATION

The Committee recommends $202,555,000 for Departmental Offices, Salaries and Expenses, which is $105,833,000 less than fiscal year 2012 and $98,661,000 less than the request. The recommendation fully funds the Secretary's security and travel costs.

Beginning fiscal year 2013, the Committee provides the Office of Terrorism and Financial Intelligence (TFI) with an appropriation separate from the "Departmental Offices, Salaries and Expenses" account.

Operating Plan.—The Committee requires an operating plan for the fiscal year 2013 resources provided to the Department, including all offices and bureaus, no later than 60 days after enactment of this Act. The plan must include information on program changes and major procurements at the Department.

Judgment Fund.—The Committee appreciates the Department's on-going effort to prepare and make available on its public website the first annual report about payments made under 31 U.S.C. 1304 as required by the statement of managers accompanying P.L. 112–74. The Committee expects the first annual report to cover payments made during 2011. The Committee further expects the second annual report to cover payments made during 2012 and directs the Department to also report about all judgment fund payments since 2008 unless the disclosure of such information is otherwise prohibited by law or court order. The report shall consist of: (1) the name of the plaintiff or claimant, (2) the name of the counsel for the plaintiff or claimant; (3) the name of the agency that submitted the claim; (4) a brief description of the facts that gave rise to the claim; and (5) the amount paid representing principal, attorney fees, and interest, if applicable. The report regarding all judgment fund payments since 2008 is due within 60 days of enactment of this Act.

Detailees.—The Committee has observed the Department's use of both reimbursable and non-reimbursable detailees. A detail is a temporary assignment of an employee to another position, within or outside the Department, for a specified time period. At the end of the assignment, the employee is expected to return to his or her official position. During the detail, the employee's salary and benefits are paid by either their official employer (non-reimbursable) or by their temporary employer (reimbursable).

The Committee reminds the Department that agencies may not use non-reimbursable detailees to augment its appropriations and that appropriated funds may only be used for the purpose for which they were appropriated. The Committee further reminds the Department that it is inappropriate to use reimbursable detailees to avoid Congressional controls and limitations, such as section 608, especially with regards to creating, reorganizing, or moving offices or programs.

Manufacturing.—The Committee directs the Department to submit a list of the products that it purchases, but that are not manufactured in the United States to the President's Manufacturing Council, the Manufacturing Extension Partnership Administrator, and the Committee not later than 180 days after enactment of this Act.

Federal Insurance Office.—The Committee supports the work of the Federal Insurance Office (FIO), which includes, among other things, monitoring all aspects of the insurance industry, administering the Terrorism Insurance program, representing the United States at global forums such as the International Association of Insurance Supervisors, and consulting with States about insurance matters of national importance and prudential insurance matters of international importance. In order for the FIO to accomplish its mission effectively, the Committee expects the Department to provide the FIO with sufficient staffing and resources.

Volcker Rule.—In the Dodd-Frank Wall Street Reform and Consumer Protection Act, subsequent to a study issued by the Financial Stability Oversight Council (FSOC), Congress directed the FSOC to coordinate the efforts of the appropriate Federal banking regulators to promulgate regulations that appropriately accommodate the business of insurance, known as the "Volcker Rule". The Committee believes that the traditional investment activities of State-regulated insurance companies for their general accounts, including investing in both sponsored and third-party funds, are preserved by the law without constraint. The Committee looks forward to reviewing the revised regulations to ensure that Congressional intent is fulfilled.

Financial Literacy.—The Committee shares the Government Accountability Office's conclusion that multiple Federal agency involvement in financial literacy offers advantages and presents risks. Specialization can serve specific populations with specific issues, but large amounts of ineffective activity by multiple agencies are careless expenditures. The Committee directs the Financial Literacy and Education Commission, chaired by the Secretary of the Treasury, to continue to streamline and improve financial education and literacy programs. In the process, the Commission should take special care that the financial literacy activities of the Bureau of Consumer Financial Protection are transferred successfully from certain agencies, such as the Federal Trade Commission, but are not duplicative of other agencies, such as the Department of Labor and the Social Security Administration. In addition, the Committee expects the Commission's research to identify effective approaches that result in proven training, curriculum and teaching modules for teachers throughout the country.

Economic Warfare and Financial Terrorism.—The Committee appreciates the effort that the Department is putting into the report on economic warfare and financial terrorism as required by the 2012 conference report. The Committee directs the Department to provide an update to the report not later than May 24, 2013, to the House and Senate Appropriations Committees, the House Financial Services Committee, the Senate Banking Committee and other Committees the Department deems necessary.

Additional Child Tax Credit.—The Committee directs the Treasury Office of Tax Policy and Internal Revenue Service (IRS) to provide not later than 30 days after enactment of this Act a detailed analysis of whether the IRS has the authority to require individuals filing tax returns with an individual taxpayer identification number (ITIN) and claiming the Additional Child Tax Credit (ACTC) to provide specific, verifiable documentation to support that the child claimed meets the eligibility requirements for the credit,

including residency and whether or not the ACTC may be paid to those who are not authorized to work in the United States, under current law.

OFFICE OF TERRORISM AND FINANCIAL INTELLIGENCE

SALARIES AND EXPENSES

Appropriation, fiscal year 2012*	$– – –
Budget request, fiscal year 2013*	– – –
Recommended in the bill	102,117,000
Bill compared with:	
Appropriation, fiscal year 2012	+102,117,000
Budget request, fiscal year 2013	+102,117,000

*Funding for the Office of Terrorism and Financial Intelligence was previously provided and requested within the Departmental Office heading.

Economic and trade sanctions issued and enforced by Office of Terrorism and Financial Intelligence's (TFI) Office of Foreign Assets Control protect the financial system from being polluted with criminal and illicit activities and counteract national security threats from drug lords, terrorists, weapons of mass destruction proliferators, and rogue nations, among others. In addition to the enforcement of sanctions, TFI also produces vital analysis with regards to foreign intelligence and counterintelligence across all elements of the national security community.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $102,117,000 for the Office of Terrorism and Financial Intelligence to carry out TFI's central role in detecting and defeating security threats and separates its appropriation from the "Departmental Offices" account, where it was previously funded. The recommended level is $2,117,000 above the amount provided for these activities within "Departmental Offices, Salaries and Expenses" in fiscal year 2012 and the request. The recommended level includes support for the Treasury Attaché Program.

The Committee provides resources to the Department's Office of Terrorism and Financial Intelligence and the Financial Crimes Enforcement Network (FinCEN) to collect and analyze financial records in order to support the investigations of the U.S. intelligence and law enforcement communities. Ending the atrocities in Sudan should be a high priority for the Department. The Committee recommends that the Department and all parts of the U.S. Government, including the intelligence community, work closely together to deprive the Government of Sudan of the resources to repress the people of Sudan and South Sudan. Sharing relevant intelligence and analysis will help ensure that Sudan does not evade sanctions. Finally, the Committee recommends that the Department of the Treasury seek to strengthen the multilateral approach to enforcing and strengthening sanctions against Sudan internationally.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$29,641,000
Budget request, fiscal year 2013	28,593,000
Recommended in the bill	28,512,000
Bill compared with:	
Appropriation, fiscal year 2012	−1,129,000
Budget request, fiscal year 2013	−81,000

The Office of Inspector General (OIG) provides agency-wide audit and investigative functions to identify and correct operational and administrative deficiencies that create conditions for fraud, waste, and mismanagement. The audit function provides contract, program, and financial statement audit services. Contract audits provide professional advice to agency contracting officials on accounting and financial matters relative to negotiation, award, administration, repricing, and settlement of contracts. Program audits review and evaluate all facets of agency operations. Financial statement audits assess whether financial statements fairly present the agency's financial condition and results of operations, the adequacy of accounting controls, and compliance with laws and regulations. The investigative function provides for the detection and investigation of improper and illegal activities involving programs, personnel, and operations.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $28,512,000 for the OIG, which is $1,129,000 less than fiscal year 2012 and $81,000 less than the request.

The Committee appreciates the work that the OIG has planned with regard to the Department's capital planning and investment control program, especially with regards to the Financial Crimes Enforcement Network's BSA Modernization and Department's Enterprise Content Management system. The Committee expects the OIG to review and report on the proposed consolidation of the Financial Management Service and the Bureau of the Public Debt when the Department has a detailed merger plan explaining, for example, how current responsibilities will be divided or shared, how customers will be affected, and how the management structure and staffing needs will change.

Separation of Funds and Activities.—The Committee directs the OIG to report not later than 90 days after enactment of this Act on the separation of funds and activities between mandatory-funded offices, such as the Office of Financial Research or the Office of Financial Stability, and discretionary-funded offices that carry out related or overlapping work, such as the Office of Domestic Finance or Office of Economic Policy.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$151,696,000
Budget request, fiscal year 2013	153,834,000
Recommended in the bill	153,404,000
Bill compared with:	
Appropriation, fiscal year 2012	+1,708,000
Budget request, fiscal year 2013	−430,000

The Office of Treasury Inspector General for Tax Administration (TIGTA) conducts audits, investigations, and evaluations to assess the operations and programs of the IRS and its related entities, the IRS Oversight Board, and the Office of Chief Counsel. The purpose of those audits and investigations is as follows: (1) to promote the economic, efficient, and effective administration of the Nation's tax laws and to detect and deter fraud and abuse in IRS programs and operations; and (2) to recommend actions to resolve fraud and other serious problems, abuses, and deficiencies in these programs and operations.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $153,404,000 for the TIGTA, which is $1,708,000 more than fiscal year 2012 and $430,000 less than the request.

The Committee appreciates the many issues that TIGTA has brought to its attention. The Committee supports TIGTA's on-going work related to identity theft and commitment to monitor the issue until IRS significantly reduces the incidence of tax fraud through identity theft and significantly improves the quality of assistance it provides to victims of identity theft.

Return-On-Investment.—The IRS reports every year on its enforcement revenue, which is defined as every dollar of revenue collected that is associated with an enforcement action. Enforcement actions range from mailing a form letter that notifies a taxpayer of an overdue payment to a multi-year litigation against an international corporation. Consequently, it is impossible to determine whether the enforcement revenue in a specific year is due to action that occurred in the same year as when the enforcement revenue was collected or due to action initiated ten years ago, much less attribute the enforcement revenue to a specific enforcement initiative.

The Committee directs TIGTA to report the extent to which revenue estimated to be collected from enforcement initiatives is actually collected not later than 90 days after enactment of this Act. Every year the IRS proposes enforcement initiatives and estimates the revenue to be collected from those specific initiatives. IRS divides the total estimated revenue by the total cost of initiatives to calculate a ratio, or return-on-investment (ROI), to justify the cost of the initiatives. The ROI varies from year to year, depending on the mix of initiatives. For example, the ROI in the 2008 congressional justification was 2.5, in 2009 it was 6.5, in 2010 it was 7.8, in 2011 it was 9.3, in 2012 it was 4.5, and in 2013 it is 4.9. The IRS has a mature methodology for estimating the revenue, but what is less well understood is whether the specific initiatives proposed in a specific budget perform as estimated.

SPECIAL INSPECTOR GENERAL FOR THE TROUBLED ASSET RELIEF PROGRAM

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$41,800,000
Budget request, fiscal year 2013	40,225,000
Recommended in the bill	35,000,000
Bill compared with:	
Appropriation, fiscal year 2012	−6,800,000
Budget request, fiscal year 2013	−5,225,000

The Office of the Special Inspector General for the Troubled Asset Relief Program (SIGTARP) was established in the Emergency Economic Stabilization Act of 2008 (Public Law 110–343). Its mission is to conduct, supervise, and coordinate audits and investigations of the purchase, management, and sale of assets by the Secretary of the Treasury under programs established pursuant to the Troubled Asset Relief Program (TARP).

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $35,000,000 for operating expenses of the SIGTARP, which is $6,800,000 less than fiscal year 2012 and $5,225,000 less than the request.

SIGTARP's operating expenses were initially funded with mandatory appropriations in the TARP. These funds, however, were provided in a limited amount. As such, every year the amount of remaining mandatory funds has been decreasing over time. Therefore, in order to continue vigorous oversight of the outstanding TARP amounts, additional discretionary appropriations are provided. As TARP winds down, the Committee expects the request for discretionary appropriations in this account to also wind down in future years.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$110,788,000
Budget request, fiscal year 2013	102,407,000
Recommended in the bill	110,788,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	+8,381,000

The Financial Crimes Enforcement Network (FinCEN) is responsible for implementing Treasury's anti-money laundering regulations through administration of the Bank Secrecy Act (BSA). It also collects and analyzes information to assist in the investigation of money laundering and other financial crimes. FinCEN supports law enforcement investigative efforts by Federal, State, local and international agencies, and fosters interagency and global cooperation against domestic and international financial crimes.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $110,788,000 for FinCEN, which is the same as fiscal year 2012 and $8,381,000 more than the request. The recommended amount is intended to continue FinCEN's multi-year effort to modernize its information technology systems, to ensure FinCEN's information is accessible to

the law enforcement and intelligence communities, and to ensure FinCEN can respond to increased requests for assistance from law enforcement when BSA modernization is operational in 2013. The data compiled and analyzed by FinCEN is a critical tool for investigating, among other crimes, money laundering, mortgage fraud, drug cartels, and terrorist financing. The Committee rejects the Administration's proposed $1,651,000 reduction to State and local and intelligence community access to BSA information. The proposed cuts are contrary to the Inspector General's (IG) annual management challenge memo to the Secretary, in which the IG states that "to be effective, Treasury must establish and maintain working relationships with all State and Federal agencies involved with its anti-money laundering and terrorist financing efforts."

Human Trafficking.—The Committee appreciates FinCEN's history of supporting law enforcement cases that combat human trafficking, and emphasizes the importance of continuing this effort as part of the bureau's broader mission to detect and disrupt all forms of financial crime. Wherever possible, the bureau shall marshal its unique expertise in analyzing financial flows for this important effort in the course of ongoing strategic operations, such as the Southwest Border Initiative.

BSA Modernization.—The Committee is pleased with the progress that FinCEN is making on BSA modernization, notably the successful migration of historical data from the legacy system. Nonetheless, the Committee expects the Department, the Office of Inspector General, and the Office of Management and Budget to continue to vigorously oversee the information technology modernization effort to ensure its success.

TREASURY FORFEITURE FUND

(RESCISSION)

Appropriation, fiscal year 2012	−$950,000,000
Budget request, fiscal year 2013	−830,000,000
Recommended in the bill	−830,000,000
Bill compared with:	
Appropriation, fiscal year 2012	+120,000,000
Budget request, fiscal year 2013	−−−

The Committee recommends a rescission of $830,000,000 of unobligated balances in the Treasury Forfeiture Fund, which is $120,000,000 less than fiscal year 2012 and the same as the request. Of the funds rescinded, $38,000,000 are rescinded permanently.

The funds collected, disbursed and rescinded out of the Treasury Forfeiture Fund (the Fund) are incidental to law enforcement activities and priorities that led to the seizures and forfeitures. Disrupting and dismantling criminal organizations that pose the greatest threat to public safety and security is the highest priority of any law enforcement agency. The Fund can ensure resources are managed efficiently to cover the costs of an effective asset seizure and forfeiture program, including the costs of seizing, evaluating, inventorying, maintaining, protecting, advertising, forfeiting and disposing of property, but it must not be used to augment agency funding or to circumvent the appropriations process. Reliance on the Fund to offset the day-to-day operations, or to pay for new activities, creates an incentive to pursue cases suspected of high val-

ued forfeitures rather than to target individuals or organizations that perpetrate the worst crimes against society.

In addition to the Department of the Treasury, the Department of Homeland Security is the other primary participant in the Fund since it does not have the authority or expertise to operate its own forfeiture fund. In fiscal year 2011, Department of Homeland Security activities resulted in approximately 32 percent of the collections to the Fund and accounted for approximately 54 percent of the costs incurred by the Fund. In recent years, the available balances in the Fund have increased as the Federal government has taken enforcement actions against large banks, increasing the surplus funding available. This surplus funding can either be used to fund law enforcement expenses to enhance forfeiture capabilities, be held in reserve or be rescinded. In considering the allocation or rescission of surplus resources in the Fund, the Committee directs the Administration not to use a formulaic approach where agencies that conduct seizures automatically get to spend or rescind surplus balances. The resources in the Fund should not be considered a "bounty" for the collecting agencies. Future proposed rescissions and super surplus spending requests should be based on programmatic need and funding priorities, not a predetermined formula. Using a formulaic approach, such as distributing super surplus funds and rescissions in proportion to an agency's collections, would distort the role of the Fund.

The Committee directs the Department to submit a detailed table every month reporting the interest earned, forfeiture revenue collected, unobligated balances, recoveries, expenses to date, and expenses estimated for the remainder of the fiscal year.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$217,805,000
Budget request, fiscal year 2013*	[210,429,000]
Recommended in the bill	208,229,000
Bill compared with:	
Appropriation, fiscal year 2012	−9,576,000
Budget request, fiscal year 2013	[−2,200,000]

*The budget request proposes merging the Financial Management Service (FMS) and Bureau of the Public Debt (BPD) into a new account titled the "Fiscal Service". This amount represents funding for FMS in the request.

The Financial Management Service (FMS) is the Federal government's central financial agent, collecting all Federal revenue and disbursing all Federal payments. FMS also develops and implements reliable and efficient financial methods and systems to operate the government's cash management, credit management, and debt collection programs in order to maintain government accounts and report on the status of the government's finances. In addition, the FMS is the primary agency for collecting Federal non-tax debt owed to the government.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $208,229,000 for the FMS, which is $9,576,000 less than fiscal year 2012 and $2,200,000 less than the request. Of the funds provided, $4,210,000 is available until September 30, 2015, for information systems

modernization, and $2,500 for official reception and representation expenses.

The Committee appreciates the savings which FMS has already achieved through the sharing of certain services with the Bureau of the Public Debt (BPD). For fiscal year 2013, the budget request proposes to consolidate the FMS and BPD into one appropriation called the Fiscal Service. While the Committee appreciates the future savings projected to be achieved through this consolidation, the details of this merger are yet to be seen. The Committee will continue to monitor consolidation plans as they evolve and may support consolidation if additional information justifying the change is provided. The Committee has asked the Treasury Inspector General to look at the consolidation plans and report to the Committee as to their feasibility

ALCOHOL AND TOBACCO TAX AND TRADE BUREAU

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$99,878,000
Budget request, fiscal year 2013	96,786,000
Recommended in the bill	95,000,000
Bill compared with:	
Appropriation, fiscal year 2012	−4,878,000
Budget request, fiscal year 2013	−1,786,000

The Alcohol and Tobacco Tax and Trade Bureau (TTB) is responsible for the enforcement of laws designed to eliminate certain illicit activities and to regulate lawful activities relating to distilled spirits, beer, wine and nonbeverage alcohol products, and tobacco. TTB focuses on collecting revenue; reducing taxpayer burden and improving service while preventing diversion; and protecting the public and preventing consumer deception in certain regulated commodities.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $95,000,000 for the TTB, which is $4,878,000 less than fiscal year 2012 and $1,786,000 less than the request. As requested, no funds are provided for the cost of special law enforcement agents.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

The United States Mint manufactures coins, receives deposits of gold and silver bullion, and safeguards the Federal Government's holdings of monetary metals. In 1997, Congress established the United States Mint Public Enterprise Fund (Public Law 104–52), which authorized the Mint to use proceeds from the sale of coins to finance the costs of its operations and consolidated all existing Mint accounts into a single fund. Public Law 104–52 also provided that, in certain situations, the levels of capital investments for circulating coins and protective services shall factor into the decisions of the Congress.

COMMITTEE RECOMMENDATION

The Committee recommends a spending level for capital investments by the Mint for circulating coinage and protective services of $19,000,000, which is $1,000,000 less than fiscal year 2012 and the same as the request.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

Appropriation, fiscal year 2012	$173,635,000
Budget request, fiscal year 2013*	[150,102,000]
Recommended in the bill	147,943,000
Bill compared with:	
Appropriation, fiscal year 2012	−25,692,000
Budget request, fiscal year 2013	[−2,159,000]

*The budget request proposes merging the Financial Management Service (FMS) and Bureau of the Public Debt (BPD) into a new account titled the "Fiscal Service". This amount represents funding for BPD in the request.

The Bureau of the Public Debt (BPD) is responsible for the conduct of all public debt operations and the promotion of the sale of U.S. securities.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $147,943,000 for Administering the Public Debt. Language is included that reduces the total amount by no more than $1,000,000 as definitive security issue fees and Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2013 appropriation of $146,943,000. Of this amount, the Committee recommends $2,500 for official reception and representation expenses. The recommended amount is $25,692,000 less than fiscal year 2012 and $2,159,000 less than the request.

The Committee notes the proposed merger of BPD and the FMS into one appropriation called the Fiscal Service. The Committee's concerns regarding this merger are explained under the FMS heading.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND PROGRAM ACCOUNT

Appropriation fiscal year 2012	$221,000,000
Budget request, fiscal year 2013	221,000,000
Recommended in the bill	221,000,000
Bill compared with:	
Appropriation, fiscal year 2012	–––
Budget request, fiscal year 2013	–––

The Community Development Financial Institutions (CDFI) Fund provides grants, loans, equity investments, and technical assistance, on a competitive basis, to new and existing CDFIs such as community development banks, community development credit unions, and housing and microenterprise loan funds. Recipients use the funds to support mortgages, small business and economic development lending in underserved and distressed neighborhoods and to support the availability of financial services in these neighborhoods. The CDFI Fund is also responsible for implementation of the New Markets Tax Credits.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $221,000,000 for the CDFI Fund program, which is the same as fiscal year 2012 and the request. Of the amounts provided, $12,000,000 is for Native Initiatives and $20,465,000 is for the administrative expenses for all programs. No funds are designated for the Bank on USA, Healthy Food Financing Initiative, or Bond Guarantee programs.

Territories and Rural Communities.—The Committee notes the lack of CDFIs serving the territories and rural communities. The goals of the CDFI programs apply equally to distressed communities located both near and far from financial centers. The CDFI Fund, however, establishes goals based on the composition of financial institutions that apply for grants and loans in a given year, rather than the needs of the communities in distress. Consequently, some communities in distress may never expect support from the CDFI Fund because no certified financial institution serves that community.

The Committee directs the CDFI Fund to address the persistent lack of support for the territories and rural areas by requiring that not less 20 percent of the assistance provided by CDFI are for financial institutions that serve persistent poverty counties, which are defined as counties where 20 percent of the population lived in poverty over the past 30 years, as measured by the 1990, 2000, and 2010 decennial censuses. The Committee further directs the CDFI to submit a report on its effort to explain the certification process to financial institutions located in the territories and rural communities and to highlight the unmet capital and financial services needs of the territories and rural communities to existing certified financial institutions no later than 60 days after enactment of this Act.

INTERNAL REVENUE SERVICE

TAXPAYER SERVICES

Appropriations, fiscal year 2012	$2,239,703,000
Budget request, fiscal year 2013	2,253,133,000
Recommended in the bill	2,239,703,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	– 13,430,000

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

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $2,239,703,000 for Taxpayer Services, which is the same as fiscal year 2012 and $13,430,000 less than the request. The Committee provides the same level of funding for taxpayer services grant programs as in fiscal year 2012 and as requested: not less than $5,600,000 for Tax Counseling for the Elderly grants, not less than $9,750,000 for low-income taxpayer clinic grants, and not less than $12,000,000 for

Volunteer Income Tax Assistance (VITA) grants. In addition, the Committee recommends not less than $205,000,000 for operating expenses of the Taxpayer Advocate Service.

Pre-Filled or "Simple" Tax Returns.—The Committee appreciated the Commissioner's March 2011 testimony and the assurances that the IRS is not developing a pre-filled or "simple" tax return program. The Committee believes that converting a voluntary compliance system to a bill presentment model would represent a significant change in the relationship between taxpayers and their government. The simple return model would also strain IRS resources and the data retrieval systems required would create new burdens on employers, particularly small businesses. In addition, a fundamental conflict of interest seems to be inherent in the nation's tax collector and compliance enforcer taking on the simultaneous role of tax preparer and financial advisor. The Committee expects that the IRS will not begin work on a simple tax return pilot program or associated systems without first seeking specific authorization and appropriations from Congress, and should instead focus on helping Congress and the Administration achieve real tax simplification and reform.

Identity Theft.—Identity theft remains the soft underbelly of the IRS. In these cases, taxpayers, who are otherwise complying with their tax obligations, have their refunds delayed and are drawn unwittingly into the IRS examination process. The Committee directs the IRS to submit a report by January 31, 2013, on the number of taxpayers who have had their tax return rejected because their Social Security number was improperly used by another individual to commit tax fraud. The report shall include the average time to resolve the situation and provide innocent taxpayers with their refund, when a refund is due. In addition, the report shall provide the number of these cases which were not resolved within 45 days, the number of cases involving taxpayer identification numbers of residents of the territories, and discuss the actions the IRS plans to take to expedite resolution for these taxpayers and to prevent similar identity theft issues from taking place in the future. Furthermore, the IRS shall consult with and include the comments of the National Taxpayer Advocate and the Federal Trade Commission before submitting the report to the Committee.

ENFORCEMENT

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2012	$5,299,367,000
Budget request, fiscal year 2013	5,701,670,000
Recommended in the bill	5,299,367,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	– 402,303,000

The Enforcement appropriation provides for the examination of tax returns, both domestic and international; the administrative and judicial settlement of taxpayer appeals of examination findings; technical rulings; monitoring employee pension plans; determining qualifications of organizations seeking tax-exempt status; examining tax returns of exempt organizations; enforcing statutes relating to detection and investigation of criminal violations of the

internal revenue laws; identifying underreporting of tax obligations; securing unfiled tax returns; and collecting unpaid accounts.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $5,299,367,000 for Enforcement, which is the same as fiscal year 2012 and $402,303,000 less than the request. Of the funds provided, the Committee recommends not less than $60,257,000 to support IRS activities under the Interagency Crime and Drug Enforcement program. None of the funds requested for implementation of the Patient Protection and Affordable Care Act are provided.

Reporting Interest Paid to Nonresident Aliens.—The Committee strongly believes that further action and clarification are needed regarding the Reporting Interest Paid to Nonresident Aliens (NRA) regulations that apply to payments of interest made after December 31, 2012. The final regulations included a list of countries with which the U.S. has a tax treaty or information exchange agreement. All countries on this list qualify for automatic information reports unless the U.S. determines that a country should not receive the information due to concerns regarding misuse of the information or the existence of other factors that would make it inappropriate.

While these confidentiality and safeguard requirements provide a measure of comfort, the Committee is concerned that some countries on the list have a well-known history of human rights violations. However unlikely the U.S. is to automatically exchange information with these countries, U.S. financial institutions are still required to file information returns for NRA customers that are residents of such a country.

The Committee believes that the IRS should consider publishing on its public website a list of countries with which it is actively and automatically exchanging information about interest paid to NRAs. In addition, the Committee believes that the IRS should consider limiting the reporting requirement to only countries it is actively and automatically exchanging information about interest paid to NRAs. Finally, the Committee thinks that the IRS should consider establishing a program for monitoring the countries that it is actively and automatically exchanging information about interest paid to NRAs for compliance with confidentiality and safeguard requirements.

Healthcare.—During fiscal year 2010, the Department of Health and Human Services (HHS) allocated an estimated $20 million to IRS for healthcare implementation without the Committee's knowledge. HHS provided an additional $168 million during fiscal year 2011 and is expected to provide $332 million during 2012. The Committee prohibits further such transfers during fiscal year 2013 in section 106 of this Act.

The Committee notes that an advance notice of proposed regulation titled "Determination of Government Plan Status" may prohibit charter school teachers from participating in State retirement systems. The Committee appreciates the meeting that IRS held with representatives of charter schools in May and encourages the IRS to continue to elicit comments from the public.

OPERATIONS SUPPORT

Appropriation, fiscal year 2012	$3,947,416,000
Budget request, fiscal year 2013	4,476,200,000
Recommended in the bill	3,947,416,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	–528,784,000

The Operations Support appropriation provides for overall planning and direction of the IRS, including shared service support related to facilities services, rent payments, printing, postage, and security. Specific activities include headquarters management activities such as strategic planning, communications and liaison, finance, human resources, Equal Employment Opportunity and diversity, research, information technology, and telecommunications.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $3,947,416,000 for Operations Support, which is the same as fiscal year 2012 and $528,784,000 less than the request. Of the funds provided, not less than $2,000,000 is for the IRS Oversight Board and $25,000 is for official reception and representation expenses. None of the funds requested for implementation of the Patient Protection and Affordable Care Act are provided.

BUSINESS SYSTEMS MODERNIZATION

Appropriation, fiscal year 2012	$330,210,000
Budget request, fiscal year 2013	330,210,000
Recommended in the bill	330,210,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	– – –

The Business Systems Modernization (BSM) appropriation provides funding to modernize key business systems of the Internal Revenue Service.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $330,210,000 for BSM, which is the same as fiscal year 2012 and the request.

The Committee is pleased with the progress that the IRS has made with regards to the CADE2 program, which was successfully launched in January 2012 and used during the 2012 filing season. The individual account records of 140 million taxpayers can now be stored in a modern database that has the capability to update taxpayer account information on a daily basis, which has accelerated the disbursement of refunds and will provide more timely information for communicating with taxpayers.

The funds provided under this heading for both 2012 and 2013 are watershed amounts. In previous years, funding for BSM was closer to $250 million. While the Committee understands that IRS is building capabilities into CADE2 such as linking historical returns with current returns and building a single interest and penalty calculator, the major costs of development and implementation are completed. The Committee expects funding requests to begin to decline as the IRS realizes savings from retiring legacy systems.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

(INCLUDING TRANSFERS OF FUNDS)

Section 101. The Committee continues a provision that allows for the transfer of five percent (three percent in the case of Enforcement) of any appropriation made available to the IRS to any other IRS appropriation, upon the advance approval of the Committees on Appropriations.

Section 102. The Committee continues a provision that requires the IRS to maintain a training program in taxpayer rights, dealing courteously with taxpayers, and cross-cultural relations.

Section 103. The Committee continues a provision that requires the IRS to institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information and protect taxpayers against identity theft.

Section 104. The Committee continues a provision that makes funds available for improved facilities and increased staffing to provide efficient and effective 1–800 number help line service for taxpayers.

Section 105. The Committee includes a new provision that moves the IRS's authority to hire experts and consultants into a single IRS-wide provision.

Section 106. The Committee includes a new provision prohibiting funds made available in the healthcare reform act from being transferred to the IRS for implementing the healthcare reform act.

ADMINISTRATIVE PROVISIONS—DEPARTMENT OF THE TREASURY

(INCLUDING TRANSFER OF FUNDS)

Section 107. The Committee continues a provision that authorizes the Department to purchase uniforms, insurance for motor vehicles that are overseas, and motor vehicles that are overseas without regard to the general purchase price limitations; to enter into contracts with the State Department for health and medical services for Treasury employees that are overseas; and to hire experts or consultants.

Section 108. The Committee continues a provision that authorizes transfers, up to two percent, between "Departmental Offices—Salaries and Expenses", "Special Inspector General for the Troubled Asset Relief Program", "Office of Inspector General", "Financial Management Service", "Alcohol and Tobacco Tax and Trade Bureau", "Financial Crimes Enforcement Network", and "Bureau of the Public Debt" appropriations under certain circumstances.

Section 109. The Committee continues a provision that authorizes transfers, up to two percent, between the Internal Revenue Service and the Treasury Inspector General for Tax Administration under certain circumstances.

Section 110. The Committee continues a provision limiting funds for the purchase of law enforcement vehicles unless the purchase is consistent with vehicle management principles.

Section 111. The Committee continues a provision that prohibits the Department of the Treasury from undertaking a redesign of the one dollar Federal Reserve note.

Section 112. The Committee continues a provision that provides for transfers from and reimbursements to "Financial Management Service, Salaries and Expenses" for the purposes of debt collection.

Section 113. The Committee continues a provision extending a pay demonstration program.

Section 114. The Committee continues a provision that requires congressional approval for the construction and operation of a museum by the United States Mint.

Section 115. The Committee continues a provision prohibiting funds in this or any other Act from being used to merge the Mint and the Bureau of Engraving and Printing without the approval of the House and Senate Committees of jurisdiction.

Section 116. The Committee continues a provision deeming that funds for the Department of the Treasury's intelligence-related activities are specifically authorized in fiscal year 2013 until enactment of the Intelligence Authorization Act for fiscal year 2013.

Section 117. The Committee continues a provision permitting the Bureau of Engraving and Printing to use $5,000 from the Industrial Revolving Fund for reception and representation expenses.

Section 118. The Committee continues a provision that requires the Department to submit a capital investment plan.

Section 119. The Committee includes a new provision as requested to allow the Financial Crimes Enforcement Network to share more information with their foreign counterparts.

Section 120. The administrative expenses of the Office of Financial Research (OFR) and Office of Financial Stability Oversight (OFS) are funded through mandatory sources that are outside of the appropriation process. As a counterweight against unlimited spending, the Committee includes a new provision that requires a quarterly report from both the OFR and OFS.

Section 121. The Committee includes a new provision that requires the Department to submit a report on its Working Capital Fund.

TITLE II—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

Funds appropriated in this title provide for the staff and operations of the White House, along with other organizations within the Executive Office of the President (EOP) which formulate and coordinate policy on behalf of the President, such as the National Security Council and the Office of Management and Budget. The title also includes the Office of National Drug Control Policy and certain expenses of the Vice President.

The Committee recommends a total appropriation of $649,661,000 for this title which is $9,003,000 less than the fiscal year 2012 level. The Committee is disappointed that the Administration's request did not propose additional reductions for the EOP Salaries and Expenses accounts. The Committee believes that the chief executive of any organization experiencing a fiscal crisis should share in the funding sacrifice along with the rest of the organization. Therefore, the Committee has reduced the Salaries and Expenses appropriation for each organization under this heading.

No funds are provided for the implementation of the National Ocean Policy.

Midnight Regulations.—Prior Administrations of both parties have issued thousands of pages of regulations during the lame duck period of an outgoing Administration. The Committee believes that non-emergency regulations issued by an Administration during a lame duck period generally serve only political purposes, disregard transparency and accountability, and have an outsized effect on the legitimate policy aims of an incoming Administration. During the current Administration's lame duck period, either in 2012 or 2016, the Committee hopes that it will respect the will of the American people and not abuse its regulatory authority. The Committee also believes that regardless when they are finalized, all regulations should undergo a transparent review process including a rigorous cost benefit analysis.

THE WHITE HOUSE

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$56,974,000
Budget request, fiscal year 2013	56,974,000
Recommended in the bill	54,125,000
Bill compared with:	
Appropriation, fiscal year 2012	−2,849,000
Budget request, fiscal year 2013	−2,849,000

The White House Salaries and Expenses account supports staff and administrative services necessary for the direct support of the President.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $54,125,000 for the White House, which is $2,849,000 less than fiscal year 2012 and the request. The recommendation includes sufficient funds to support the Office of National AIDS Policy.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

Appropriation, fiscal year 2012	$13,425,000
Budget request, fiscal year 2013	13,200,000
Recommended in the bill	12,754,000
Bill compared with:	
Appropriation, fiscal year 2012	−671,000
Budget request, fiscal year 2013	−446,000

These funds provide for the care, maintenance, and operation of the Executive Residence, including official and ceremonial functions of the President.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $12,754,000 for the Operating Expenses of the Executive Residence, which is $671,000 less than fiscal year 2012 and $446,000 less than the request. The bill continues the same restrictions on reimbursable expenses for use of the Executive Residence as were included in past years.

WHITE HOUSE REPAIR AND RESTORATION

Appropriation, fiscal year 2012	$750,000
Budget request, fiscal year 2013	750,000
Recommended in the bill	713,000
Bill compared with:	
Appropriation, fiscal year 2012	−37,000
Budget request, estimate, fiscal year 2013	−37,000

Funding in this account provides for the repair, alteration, and improvement of the Executive Residence at the White House.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $713,000 for White House Repair and Restoration, which is $37,000 less than fiscal year 2012 and the request.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$4,192,000
Budget request, fiscal year 2013	4,192,000
Recommended in the bill	4,150,000
Bill compared with:	
Appropriation, fiscal year 2012	−42,000
Budget request, estimate, fiscal year 2013	−42,000

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

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $4,150,000 for the Council of Economic Advisers, which is $42,000 less than the fiscal year 2012 level and the request.

NATIONAL SECURITY COUNCIL AND HOMELAND SECURITY COUNCIL

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$13,048,000
Budget request, fiscal year 2013	13,048,000
Recommended in the bill	12,983,000
Bill compared with:	
Appropriation, fiscal year 2012	−65,000
Budget request, estimate, fiscal year 2013	−65,000

The National Security Council and the Homeland Security Council have been combined to form the National Security Staff which advises and assists the President in the integration of domestic, foreign, military, intelligence, and economic aspects of national security policy, and serves as the principal means of coordinating executive departments and agencies in the development and implementation of national security and homeland security policies.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $12,983,000 for the National Security Council and Homeland Security Council, which is $65,000 less than fiscal year 2012 and the request.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$112,952,000
Budget request, fiscal year 2013	114,952,000
Recommended in the bill	107,304,000
Bill compared with:	
Appropriation, fiscal year 2012	−5,648,000
Budget request, estimate, fiscal year 2013	−7,648,000

The Office of Administration is responsible for providing administrative services to the Executive Office of the President. These services include financial, personnel, procurement, information technology, records management, and general office services.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $107,304,000 for the Office of Administration, which is $5,648,000 less than fiscal year 2012 and $7,648,000 less than the request. Of the recommended amount, up to $10,403,000 is available until expended for modernization of the information technology infrastructure within the Executive Office of the President.

The Office of Administration is directed to provide an annual report to the Committee, at the same time the President's budget is submitted to Congress, detailing its progress on information technology modernization, including the amounts obligated and expended, and for what purposes, specific milestones achieved, and requirements and specific plans for further investment.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$89,456,000
Budget request, fiscal year 2013	91,542,000
Recommended in the bill	80,510,000
Bill compared with:	
Appropriation, fiscal year 2012	−8,946,000
Budget request, fiscal year 2013	−11,032,000

The Office of Management and Budget (OMB) assists the President in the discharge of budgetary, economic, management, and other executive responsibilities.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $80,510,000 for OMB, which is $8,946,000 less than fiscal year 2012 and $11,032,000 less than the request. The recommendation also continues several long-standing provisos, not requested by the President, limiting certain OMB activities.

The Committee provides sufficient funds for OMB to consult with and provide Congressional Committees with an appropriate number of printed and electronic copies of the President's fiscal year

2014 budget request including documents such as the Appendix, Historical Tables and Analytical Perspectives. The Committee believes that if the Administration wants the Congress to consider its proposed budget that it should provide the Congress with copies of the budget request.

The Committee directs that OMB provide additional detailed information on its operations. For the fiscal year 2013 financial plan required by section 608 of this Act and the fiscal year 2014 budget request, the Committee directs that OMB provide obligations and full-time equivalents for the following activities: Executive Direction, OMB-Wide Support Offices, Resource Management Office, and Statutory Offices. Within Statutory Offices, the Office of Information and Regulatory Affairs and the Office of the Intellectual Property Enforcement Coordinator shall be displayed separately. Executive Direction shall include the Office of the Director, Deputy Director, Deputy Director for Management, Executive Associate Director, and Chief of Staff. This information will be used as the baseline for reprogramming and deviations shall be subject to the procedures established in section 608 of this Act.

The Committee believes that the American people benefit when professional staff of the Committee and the OMB are able to effectively communicate regarding the technical budget and legal issues such as implementation of a sequester. The Committee hopes that OMB will work to improve its relationship with the Committee on these matters.

The budget request proposes $1,000,000 in a separate appropriation for the administrative costs of the Partnership Fund for Program Integrity Innovation. The Committee supports OMB's efforts to find ways to reduce the cost of State administered-Federally funded programs and believes it to be a core mission of OMB. The recommendation includes sufficient funds within the Salaries and Expenses appropriation for OMB to continue the administration of this effort.

Within the level of funds provided, the Committee continues to support the Office of the Intellectual Property Enforcement Coordinator (IPEC) and its important mission.

Within 90 days of enactment of this Act, OMB shall submit a report to the House and Senate Appropriations Committees that details how the Administration is ensuring that Executive Branch agencies are complying with all applicable laws, regulations and Executive Orders related to travel, conferences and employee awards.

The Committee is concerned that Federal agencies purchasing online advertisements may unwittingly have advertisements appear on websites operated by those engaged in criminal activity, including sites proliferating malware, child pornography, or engaged in identity theft, theft of intellectual property or counterfeiting. The Committee believes the OMB should review this issue and provide guidance to the Executive Branch agencies if necessary. OMB is directed to report to the Committee within 180 days of enactment of this Act on its progress in addressing this issue.

The Committee looks forward to the submission of the required examination of OMB Circular A–94 regarding government-wide efficiencies and proper anticipation of the cost of major infrastructure projects. The Committee appreciates the time and resources OMB

has expended on this effort, especially its outreach to various stakeholders and its evaluation of the considerable analytical tools which can help the government set and meet performance goals while reducing government spending.

In order to build on this effort to promote effectiveness, the Committee directs OMB to continue the effort to improve cost-benefit analyses and practices government-wide by incorporating life cycle cost analysis, and to report to Congress within 180 days of enactment of this Act on the status of further development of tools and materials being used to implement life-cycle cost analysis in Federal departments and agencies to meet their various and unique purposes.

The Committee appreciates the efforts of the Administration to make more geospatial data available to the State and local governments, and the public through data.gov. In addition to providing more information to the public, better coordination and sharing of geospatial information collected at all levels of government can lead to significant costs savings and improve government performance. OMB is directed to submit a report to the Committee within 90 days of enactment of this Act outlining the Administration's efforts to further increase the amount of geospatial data that is made available to the public and shared across all levels of government.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$24,500,000
Budget request, fiscal year 2013	23,413,000
Recommended in the bill	23,296,000
Bill compared with:	
Appropriation, fiscal year 2012	−1,204,000
Budget request, fiscal year 2013	−117,000

The Office of National Drug Control Policy (ONDCP) was established by the Anti-Drug Abuse Act of 1988 and most recently reauthorized in 2006. The Office is the President's primary source of support for counter-drug policy development and program oversight. Its responsibilities include developing and updating a National Drug Control Strategy, developing a National Drug Control Budget, and coordinating and evaluating the implementation of Federal drug control activities.

In addition, ONDCP manages several counter-drug programs which are discussed under the "Federal Drug Control Programs" heading below. These include the High Intensity Drug Trafficking Areas (HIDTA) program and Drug-Free Communities grants.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $23,296,000 for ONDCP Salaries and Expenses, $1,204,000 less than fiscal year 2012 and $117,000 less than the request. The Committee expects ONDCP to focus resources on the counter-drug policy development, coordination and evaluation functions which are the primary mission of the Office and the original reason for its existence.

The Committee continues to be concerned with methamphetamine production, trafficking and its widespread abuse. According to the Drug Enforcement Administration's National Seizures Sys-

tem, the total number of laboratories seized nationwide was approximately 24.5 percent higher in 2011 than in 2010. The Committee directs ONDCP to continue to work with various agencies, such as the Departments of Justice, State, Homeland Security, and Health and Human Services, along with State and local governments, to develop and implement strategies to reduce the demand for and supply of methamphetamine in the U.S.

The National Drug Control Strategy (Strategy) serves as a comprehensive plan to reduce illicit drug use and its consequences in the United States and the territories. The Committee notes that the Strategy does not adequately address the problem of drug trafficking and associated violence in the territories. The Committee expects ONDCP to give appropriate consideration to the territories in preparing future reports.

The Committee directs the Office of National Drug Control Policy to develop a biennial Caribbean Border Counternarcotics Strategy, on terms equivalent to the existing Southwest Border Counternarcotics Strategy and the Northern Border Counternarcotics Strategy. This strategy shall be publicly available within 180 days of the date of enactment of this Act.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2012	$238,522,000
Budget request, fiscal year 2013	200,000,000
Recommended in the bill	238,522,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	+38,522,000

The High Intensity Drug Trafficking Areas (HIDTA) Program provides resources to Federal and State, local, and tribal agencies in designated HIDTAs to combat the production, transportation and distribution of illegal drugs; to seize assets derived from drug trafficking; to address violence in drug-plagued communities; and to disrupt the drug marketplace.

Currently, 28 HIDTAs operate in 45 States plus the District of Columbia, Puerto Rico, and the Virgin Islands. Each HIDTA is managed by an Executive Board comprised of equal numbers of Federal, State, local or tribal officials. Each HIDTA Executive Board is responsible for designing and implementing initiatives for the specific drug trafficking threats in its region. Intelligence and information sharing are key elements of all HIDTA programs.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $238,522,000 for the HIDTA Program, the same as the fiscal year 2012 level and $38,522,000 more than the request. The Committee believes that the HIDTA program has demonstrated its effectiveness and can serve as an important tool in combating problems of drug trafficking and drug-related violence.

The Committee includes language requiring that existing HIDTAs receive funding at least equal to the fiscal year 2012 base allocation level unless the Director submits a justification for doing

otherwise to the Committees on Appropriations, based on clearly articulated priorities and published performance measures.

The recommendation includes language directing ONDCP to notify the Committees on Appropriations of the initial allocation of HIDTA funds no later than 45 days after enactment, and to notify the Committees of the proposed use of discretionary funds no later than 90 days after enactment. The language directs the ONDCP Director to work in consultation with the HIDTA Directors in determining the uses of that discretionary funding.

The Committee is troubled by recent events that have highlighted ONDCP's lack of oversight over the HIDTA program. The Committee expects funds appropriated for the HIDTA program to be used for its intended mission of combatting drug trafficking and drug-related violence. HIDTA directors are required by law to obtain approval from the Director of ONDCP for the use of appropriated funds on activities that fall outside of the traditional responsibilities of the HIDTA program. At the same time, the Committee expects ONDCP to conduct appropriate oversight of the HIDTA program to ensure the integrity and effectiveness of the program and protect the investment of taxpayer dollars. The Committee is disappointed by ONDCP's lack of oversight of the HIDTA program and subsequent response to the Committee's inquiry into its oversight role. Therefore, the Committee directs ONDCP to review its current procedures for conducting oversight and develop a more comprehensive audit and evaluation process of the HIDTA program. The Committee directs ONDCP to report to the Committee on its efforts within 60 days of enactment of this Act.

Finally, the Committee recommendation specifies that up to $2,700,000 may be used for auditing services and related activities.

OTHER FEDERAL DRUG CONTROL PROGRAMS

Appropriation, fiscal year 2012	$105,550,000
Budget request, fiscal year 2013	118,600,000
Recommended in the bill	105,900,000
Bill compared with:	
Appropriation, fiscal year 2012	+350,000
Budget request, fiscal year 2013	−12,700,000

This account supports a variety of other drug control activities managed or undertaken by ONDCP.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $105,900,000 for Other Federal Drug Control Programs, which is $350,000 more than fiscal year 2012 and $12,700,000 less than the request. The recommended level for fiscal year 2013 is distributed among specific programs and activities as follows:

Drug-Free Communities	$92,000,000
Media and outreach activities	–––
Anti-Doping activities	9,500,000
World Anti-Doping Agency dues	1,900,000
Drug Courts	1,300,000
State Drug Law Assistance	1,200,000

Within the total for the account, the Committee recommends $92,000,000 for the Drug-Free Communities program, the same as fiscal year 2012 and $3,400,000 above the request. This program

makes grants of up to $125,000 per year to support local coalitions to develop and implement community-based plans to reduce drug abuse among youth. These coalitions are required to include participants from a wide range of interests, including local government agencies, schools, the media, service organizations, law enforcement, parents, youth, and the business community. Local matching contributions are required. Grants are awarded on a competitive basis, and may be renewed for up to five years, after which time the coalition must compete again for any further funding.

Within this account, the Committee recommends $9,500,000 for anti-doping activities, $500,000 more than fiscal year 2012 and $1,500,000 more than the request. Anti-doping activities support athlete drug testing programs, research initiatives, educational programs, and enforce compliance with the World Anti-Doping Code. In addition, the Committee recommends $1,900,000 for the United States membership dues to the World Anti-Doping Agency (WADA), the same as fiscal year 2012 and the request. WADA is the international agency created to promote, coordinate, and monitor efforts against doping and illicit drug use in sport on a global basis.

The Committee recommends no funding for media and outreach, the same as fiscal year 2012, rather than the $20,000,000 included in the request for the National Youth Anti-Drug Media Campaign.

Additionally, the Committee includes $1,300,000 for drug court training and technical assistance and $1,200,000 for assistance to States in implementing effective drug laws.

All funds under this heading are to be awarded under a competitive process.

INFORMATION TECHNOLOGY OVERSIGHT AND REFORM

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2012	$5,000,000
Budget request, fiscal year 2013	5,000,000
Recommended in the bill	5,000,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	– – –

These funds support efforts to improve the Federal Government's investments in information technology (IT).

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $5,000,000 which is equal to fiscal year 2012 and the request. The recommendation renames this account to more accurately reflect its purpose. The Committee appreciates the Administration's efforts to improve program and contract management of information technology (IT) investments as well as the Administration's efforts to utilize cloud computing and consolidate data centers. However, much more needs to be done to improve the management of the Federal Government's nearly $80,000,000,000 annual investment in IT. In order to better understand the results of the Administration's IT reform efforts and the savings generated, bill language is continued requiring the submission of quarterly reports on savings identified by fiscal year, agency and appropriation. This informa-

tion will not only inform the Committee on the results of OMB's IT reforms but will also inform the Committee's decisions on funding IT projects in agencies across the Federal government.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$4,328,000
Budget request, fiscal year 2013	4,328,000
Recommended in the bill	4,112,000
Bill compared with:	
Appropriation, fiscal year 2012	−216,000
Budget request, fiscal year 2013	−216,000

These funds support the executive functions of the Office of the Vice President.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $4,112,000 for the Office of the Vice President, which is $216,000 less than fiscal year 2012 and the request.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2012	$307,000
Budget request, fiscal year 2013	307,000
Recommended in the bill	292,000
Bill compared with:	
Appropriation, fiscal year 2012	−15,000
Budget request, fiscal year 2013	−15,000

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

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $292,000 for the Operating Expenses of the Vice President's residence, which is $15,000 less than fiscal year 2012 and the request.

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

(INCLUDING TRANSFER OF FUNDS)

Section 201. The Committee includes language permitting the transfer of not to exceed ten percent of funds between various accounts within the Executive Office of the President, with advance approval of the Committees on Appropriations.

Section 202. The Committee includes language requiring the Director of the Office of Management and Budget to submit a report to the Committee on improving regulation and regulatory review.

Section 203. The Committee continues language requiring the Director of the Office of Management and Budget to report on the

costs of implementing the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203).

Section 204. The Committee includes language prohibiting funds to prepare, sign or approve statements abrogating legislation passed by the House of Representatives and the Senate and signed by the President.

Section 205. The Committee includes language requiring the Director of the Office of Management and Budget (OMB) to report to the Appropriations and Budget Committees on the implementation of sequestration required under section 251(a) of the Balanced Budget and Emergency Deficit Control Act of 1985. $5,000,000 of OMB's Salaries and Expenses appropriation shall not be available for obligation until this report is submitted.

Section 206. The Committee includes language requiring the President to submit a detailed report on the sequestration required by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 for January 2, 2013.

TITLE III—THE JUDICIARY

The funds recommended by the Committee in title III of the accompanying bill are for the operation and maintenance of United States Courts and include the salaries of judges, probation and pretrial services officers, public defenders, court clerks, law clerks, and other supporting personnel, as well as security costs, information technology, and other expenses of the Federal Judiciary.

The Committee recommends a total of $6,509,493,000 in discretionary funding for the Judiciary in fiscal year 2013, which is $22,625,000 less than fiscal year 2012 and $209,276,000 less than the request. The Committee recognizes that the number of cases filed and the number of persons under supervision is not under the control of the Judiciary. However, the Committee believes the Judiciary needs to continue its cost containment efforts and identify ways to reduce staffing, travel, conferences, space and other financial requirements through the use of technology and best practices.

In addition to direct appropriations, the Judiciary collects various fees and has certain multiyear funding authorities. The Judiciary uses these non-appropriated funds to offset its direct appropriation requirements. Consistent with prior year practices and section 608 of this Act, the Committee expects the Judiciary to submit a financial plan, within 60 days of enactment of this Act, allocating all sources of available funds including appropriations, fee collections, and carryover balances. This financial plan will be the baseline for purposes of reprogramming notification.

SUPREME COURT OF THE UNITED STATES

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$74,819,000
Budget request, fiscal year 2013	77,165,000
Recommended in the bill	74,992,000
Bill compared with:	
Appropriation, fiscal year 2012	+173,000
Budget request, fiscal year 2013	−2,173,000

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $74,992,000 for fiscal year 2013 for the salaries and expenses of personnel and the cost of operating the Supreme Court, excluding the care of the building and grounds. The recommendation is $173,000 more than fiscal year 2012 and is $2,173,000 less than the request. The increased funding provided above the fiscal year 2012 level is to annualize the cost of twelve additional police officers partially funded during fiscal year 2012. The Committee continues to include bill language making $2,000,000 available until expended for the purpose of making information technology investments. The Committee requests that the Court include an annual report with its budget justification materials, showing information technology carryover balances and describing expenditures made in the previous fiscal year and planned expenditures in the budget year.

CARE OF THE BUILDING AND GROUNDS

Appropriation, fiscal year 2012	$8,159,000
Budget request, fiscal year 2013	11,963,000
Recommended in the bill	9,259,000
Bill compared with:	
Appropriation, fiscal year 2012	+1,100,000
Budget request, fiscal year 2013	−2,704,000

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $9,259,000 for fiscal year 2013, to remain available until expended, for personnel and other services relating to the structural and mechanical care of the Supreme Court building and grounds. The Architect of the Capitol has responsibility for these functions and supervises the use of this appropriation. The recommendation is $1,100,000 above the current year and $2,704,000 less than the request. The increased funding provided above fiscal year 2012 is for upgrading the Supreme Court police radio infrastructure. The recommendation does not provide the requested $2,500,000 increase for façade restoration at this time.

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$32,511,000
Budget request, fiscal year 2013	34,328,000
Recommended in the bill	32,511,000
Bill compared with:	
Appropriation, fiscal year 2012	–––
Budget request, fiscal year 2013	−1,817,000

COMMITTEE RECOMMENDATION

The Court of Appeals for the Federal Circuit has exclusive national jurisdiction over a large number of diverse subject areas, including government contracts, patents, trademarks, Federal personnel, and veterans' benefits. The Committee recommends an appropriation of $32,511,000 for fiscal year 2013, which is equal to the current year and $1,817,000 less than the request.

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$21,447,000
Budget request, fiscal year 2013	22,880,000
Recommended in the bill	21,447,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	– 1,433,000

COMMITTEE RECOMMENDATION

The Court of International Trade has exclusive nationwide jurisdiction of civil actions against the United States and certain civil actions brought by the United States, arising out of import transactions, and administration and enforcement of the Federal customs and international trade laws. The Committee recommends an appropriation of $21,447,000 for fiscal year 2013, which is equal to fiscal year 2012 and $1,433,000 less than the request.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$5,015,000,000
Budget request, fiscal year 2013	5,148,799,000
Recommended in the bill	4,989,123,000
Bill compared with:	
Appropriation, fiscal year 2012	– 25,877,000
Budget request, fiscal year 2013	– 159,676,000

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $4,989,123,000 for the operations of the regional courts of appeals, district courts, bankruptcy courts, the Court of Federal Claims, and probation and pretrial services offices. The recommendation is $25,877,000 less than fiscal year 2012 and $159,676,000 less than the request.

The Committee appreciates that over the past year the Judiciary has reduced court support and probation officer staffing by approximately 1,200 positions. The level of funding provided reduces funding for travel, conferences and other discretionary activities in clerks and chambers operations.

The Committee is concerned with the cost and amount of space occupied by the Judiciary. In spite of staffing reductions in recent years, during fiscal year 2013 the courts are estimated to occupy an additional 728,000 square feet. The Committee recognizes that changes to the Judiciary's space footprint cannot be changed overnight. However, the Committee expects the Judiciary to do more to manage its space rental costs and has included an administrative provision requiring the Judicial Conference to develop a plan to freeze Judiciary space in fiscal year 2014 and begin reducing it starting in fiscal year 2015.

The Judicial Conference is directed to report to the Committee within 90 days of enactment of this Act on the steps necessary to merge the separate appropriations for the United States Court of Appeals for the Federal Circuit (CAFC) and United States Court of International Trade (CIT) into the Courts of Appeals, District Courts and Other Judicial Services, Salaries and Expenses and

Court Security appropriations. During times of declining resources, the Committee wants to ensure that all courts are complying with the cost containment efforts of the Judicial Conference. The report shall include information on the necessary legislative and funding changes needed to merge the appropriations and the actions necessary to ensure that the CAFC and CIT adhere to Judicial Conference policies in areas such as security, space, information technology, libraries and staffing.

The Committee understands that four districts have consolidated their district and bankruptcy clerks' offices and have achieved efficiencies. Section 156(d) of title 28 of the United States Code requires approval of the Judicial Conference and Congress to consolidate district and bankruptcy clerks' offices. The Government Accountability Office (GAO) shall review the potential savings that could be generated if additional district and bankruptcy clerks' offices are consolidated including the impact that a consolidation could have on the operations of the courts. In addition, GAO shall review the process required to implement a district and bankruptcy clerks' office consolidation and evaluate whether it could be improved.

VACCINE INJURY COMPENSATION TRUST FUND

Appropriation, fiscal year 2012	$5,000,000
Budget request, fiscal year 2013	5,354,000
Recommended in the bill	5,100,000
Bill compared with:	
Appropriation, fiscal year 2012	+100,000
Budget request, fiscal year 2013	−254,000

COMMITTEE RECOMMENDATION

The Committee recommends a reimbursement of $5,100,000 for fiscal year 2013 from the Vaccine Injury Compensation Trust Fund to cover expenses of the United States Court of Federal Claims associated with processing cases under the National Childhood Vaccine Injury Act of 1986. The recommendation is $100,000 more than the current year and $254,000 less than the request.

DEFENDER SERVICES

Appropriation, fiscal year 2012	$1,031,000,000
Budget request, fiscal year 2013	1,063,517,000
Recommended in the bill	1,031,000,000
Bill compared with:	
Appropriation, fiscal year 2012	–––
Budget request, fiscal year 2013	−32,517,000

COMMITTEE RECOMMENDATION

This account provides funding for the operation of the Federal Public Defender and Community Defender organizations and for compensation and reimbursement of expenses of panel attorneys appointed pursuant to the Criminal Justice Act for representation in criminal cases. The Committee recommends an appropriation of $1,031,000,000 for fiscal year 2013 which is equal to the current year and $32,517,000 less than the request. The recommendation does not provide an increase in the hourly panel attorney pay rate.

The sixth amendment to the Constitution provides for the right to counsel for those who cannot afford it. This is a very important

Constitutional protection. However, the Committee is concerned that this program has not undergone the same cost containment efforts as other Judiciary programs. For example in the Judiciary's fiscal year 2012 spending plan, this account anticipates increasing spending by more than $30 million while the number of representations is estimated to slightly decline. The Committee expects the Judicial Conference to subject this program to the same level of scrutiny as other Judiciary programs. During a time of declining resources, the Judiciary must find a way to provide effective representation at reasonable costs.

FEES OF JURORS AND COMMISSIONERS

Appropriation, fiscal year 2012	$51,908,000
Budget request, fiscal year 2013	54,635,000
Recommended in the bill	54,635,000
Bill compared with:	
Appropriation, fiscal year 2012	+2,727,000
Budget request, fiscal year 2013	– – –

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $54,635,000 for payments to jurors, which is $2,727,000 more than fiscal year 2012 and equal to the request.

COURT SECURITY

(INCLUDING TRANSFERS OF FUNDS)

Appropriation, fiscal year 2012	$500,000,000
Budget request, fiscal year 2013	514,673,000
Recommended in the bill	510,000,000
Bill compared with:	
Appropriation, fiscal year 2012	+10,000,000
Budget request, fiscal year 2013	–4,673,000

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $510,000,000 for Court Security in fiscal year 2013 to provide for necessary expenses of security and protective services in courtrooms and adjacent areas. This is $10,000,000 more than fiscal year 2012 and $4,673,000 less than the request. The recommended increase over fiscal year 2012 will provide for the highest priority security needs identified by the courts and the U.S. Marshals Service.

ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$82,909,000
Budget request, fiscal year 2013	85,148,000
Recommended in the bill	82,909,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	–2,239,000

COMMITTEE RECOMMENDATION

The Administrative Office of the United States Courts (AO) provides administrative and management support to the United States Courts, including the probation and bankruptcy systems. It also supports the Judicial Conference in determining Federal Judiciary

policies, in developing methods to assist the courts to conduct business efficiently and economically, and in enhancing the use of information technology in the courts. The Committee recommends an appropriation of $82,909,000 for the AO, which is equal to fiscal year 2012 and $2,239,000 less than the request.

FEDERAL JUDICIAL CENTER

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$27,000,000
Budget request, fiscal year 2013	27,729,000
Recommended in the bill	27,000,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	–729,000

COMMITTEE RECOMMENDATION

The Federal Judicial Center (FJC) improves the management of Federal Judicial dockets and court administration through education for judges and staff, and research, evaluation, and planning assistance for the courts and the Judicial Conference. The Committee recommends an appropriation of $27,000,000 for the FJC for fiscal year 2013, which is equal to the current year and $729,000 less than the request.

UNITED STATES SENTENCING COMMISSION

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$16,500,000
Budget request, fiscal year 2013	17,061,000
Recommended in the bill	16,000,000
Bill compared with:	
Appropriation, fiscal year 2012	–500,000
Budget request, fiscal year 2013	–1,061,000

COMMITTEE RECOMMENDATION

The purpose of the Commission is to establish, review, and revise sentencing guidelines, policies, and practices for the Federal criminal justice system. The Commission is also required to monitor the operation of the guidelines and to identify and report necessary changes to the Congress. The Committee recommends $16,000,000 for the Commission for fiscal year 2013, which is $500,000 less than fiscal year 2012 and $1,061,000 less than the request.

ADMINISTRATIVE PROVISIONS—THE JUDICIARY

(INCLUDING TRANSFER OF FUNDS)

Section 301. The Committee continues language to permit funds for salaries and expenses to be available for employment of experts and consultant services as authorized by 5 U.S.C. 3109.

Section 302. The Committee continues language that permits up to five percent of any appropriation made available for fiscal year 2013 to be transferred between Judiciary appropriations provided that no appropriation shall be decreased by more than five percent or increased by more than ten percent by any such transfer except in certain circumstances. In addition, the language provides that any such transfer shall be treated as a reprogramming of funds

under sections 604 and 608 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in those sections.

Section 303. The Committee continues language authorizing not to exceed $11,000 to be used for official reception and representation expenses incurred by the Judicial Conference.

Section 304. The Committee continues language to authorize a court security pilot program.

Section 305. The Committee includes language requested by the Judicial Conference to extend temporary judgeships in the eastern district of Missouri, Kansas, Hawaii, Arizona, the northern district of Alabama, the central district of California, the southern district of Florida, New Mexico and the eastern district of Texas.

Section 306. The Committee includes new language requiring the Judicial Conference to submit a plan to freeze the number of square feet funded by the Courts of Appeals, District Courts, and Other Judicial Services, Salaries and Expenses appropriation in fiscal year 2014 and reduce the number of square feet occupied by the Judiciary by at least 1 percent in each of the next four fiscal years.

Section 307. The Committee includes new language regarding the boundaries of divisions in the eastern district of Missouri and the northern district of Mississippi. These changes were proposed by the Judicial Conference.

Section 308. The Committee includes new language prohibiting funds for circuit judicial conferences in fiscal year 2013. In fiscal year 2014 or future years, if the Judiciary plans to hold circuit judicial conferences, the budget request shall outline the costs, locations and justifications for holding such conferences.

TITLE IV—DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

Appropriation, fiscal year 2012	$30,000,000
Budget request, fiscal year 2013	35,100,000
Recommended in the bill	30,000,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	–5,100,000

The Resident Tuition Support program provides up to $10,000 annually for undergraduate District students to attend eligible four-year public universities and colleges nationwide at in-state tuition rates. Grants up to $2,500 per year are available for students to attend private institutions in the D.C. metropolitan area, private historically black colleges and universities nationwide, and public two-year community colleges nationwide.

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $30,000,000 for the resident tuition support program, which is the same as fiscal year 2012 and $5,100,000 less than the request.

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

Appropriation, fiscal year 2012	$14,900,000
Budget request, fiscal year 2013	24,700,000
Recommended in the bill	24,700,000
Bill compared with:	
Appropriation, fiscal year 2012	+9,800,000
Budget request, fiscal year 2013	– – –

As the seat of the national government, the District of Columbia has a unique and significant responsibility for protecting the property and personnel of the Federal government. The Federal Payment for Emergency Planning and Security Costs is provided to help address the impact of the Federal presence on public safety in the District of Columbia.

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $24,700,000 for emergency planning and security costs, which is $9,800,000 more than fiscal year 2012 and the same as the request. The Committee continues to require a detailed justification be submitted with the budget request each year, as well as a report detailing any deviation from the plan outlined in the justification no later than 60 days after the end of the fiscal year. The increase in funding is provided for planning activities for the Presidential inauguration.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

Appropriation, fiscal year 2012	$232,841,000
Budget request, fiscal year 2013	219,651,000
Recommended in the bill	232,181,000
Bill compared with:	
Appropriation, fiscal year 2012	–660,000
Budget request, fiscal year 2013	+12,530,000

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $232,181,000 for operation of the District of Columbia Courts, which is $660,000 less than fiscal year 2012 and $12,530,000 more than the request. This amount includes $12,830,000 for the Court of Appeals; $113,959,000 for the Superior Court; $66,302,000 for the Court System; and $39,090,000 for capital improvements to courthouse facilities. The aforementioned amounts include funding provided above the requested level to continue enhancements provided in fiscal year 2012 and to fund the Courts' highest priority security and facilities requirements.

The Committee directs the District of Columbia Courts to provide quarterly expenditures, unobligated balances and staffing reports to the Committee for all programs, to be submitted within 30 days after the end of each quarter.

FEDERAL PAYMENT FOR DEFENDER SERVICES IN THE DISTRICT OF COLUMBIA COURTS

Appropriation, fiscal year 2012	$55,000,000
Budget request, fiscal year 2013	49,890,000
Recommended in the bill	49,890,000
Bill compared with:	
Appropriation, fiscal year 2012	−5,110,000
Budget request, fiscal year 2013	−−−

COMMITTEE RECOMMENDATION

The Committee recommends $49,890,000 for Defender Services in the District of Columbia Courts, which is $5,110,000 less than fiscal year 2012 and the same as the request. The Committee directs the District of Columbia Courts to provide quarterly expenditure and unobligated balance reports to the Committee, within 30 days after the end of each quarter.

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

Appropriation, fiscal year 2012	$212,983,000
Budget request, fiscal year 2013	215,506,000
Recommended in the bill	214,200,000
Bill compared with:	
Appropriation, fiscal year 2012	+1,217,000
Budget request, fiscal year 2013	−1,306,000

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $214,200,000 for the Court Services and Offender Supervision Agency (CSOSA), which is $1,217,000 more than fiscal year 2012 and $1,306,000 less than the request. Of the amounts provided, $155,565,000 is for Community Supervision and Sex Offender Registration and $58,635,000 is for the Pretrial Services Agency (PSA). The recommendation includes an increase above the fiscal year 2012 level for costs associated with the upcoming expiration of facility leases. The Committee includes requested language expanding CSOSA's gratuity and gift authority.

The Committee directs CSOSA to provide a quarterly report on its expenditures, unobligated balances and staffing to the Committee, to be submitted within 30 days after the end of each quarter.

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

Appropriation, fiscal year 2012	$37,241,000
Budget request, fiscal year 2013	39,376,000
Recommended in the bill	38,282,000
Bill compared with:	
Appropriation, fiscal year 2012	+1,041,000
Budget request, fiscal year 2013	−1,094,000

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $38,282,000 for the Public Defender Service for the District of Columbia, which is $1,041,000 more than fiscal year 2012 and $1,094,000 less than the request. The recommended increase above the fiscal year 2012 level is for costs associated with the upcoming expiration of a facil-

ity lease. The Committee includes requested language expanding the agency's gift authority.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

Appropriation, fiscal year 2012	$1,800,000
Budget request, fiscal year 2013	1,800,000
Recommended in the bill	1,800,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	– – –

The Criminal Justice Coordinating Council (CCJC) provides a forum for District of Columbia and Federal law enforcement to identify criminal justice issues and solutions, and improve the coordination of their efforts. In addition, the CCJC developed and maintains the Justice Integrated Information System which provides for the seamless sharing of information with Federal and local law enforcement.

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $1,800,000 to the CJCC, which is the same as fiscal year 2012 and the request.

FEDERAL PAYMENT FOR JUDICIAL COMMISSIONS

Appropriation, fiscal year 2012	$500,000
Budget request, fiscal year 2013	500,000
Recommended in the bill	500,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	– – –

This appropriation provides funding for the two judicial commissions. The first is the Judicial Nomination Commission (JNC) which recommends a panel of three candidates to the President for each judicial vacancy in the District of Columbia Court of Appeals and Superior Court. From the panel selected by the JNC, the President nominates a person for each vacancy and submits their name for confirmation to the Senate. The second commission is the Commission on Judicial Disabilities and Tenure (CJDT) which has jurisdiction over all judges of the Court of Appeals and Superior Court to determine whether a judge's conduct warrants disciplinary action and whether involuntary retirement of a judge for health reasons is warranted. In addition, the CJDT conducts evaluations of judges seeking reappointment and judges who retire and wish to continue service as a senior judge.

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $295,000 for the Commission on Judicial Disabilities and Tenure, and $205,000 for the Judicial Nomination Commission. This is the same as fiscal year 2012 and the request.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

Appropriation, fiscal year 2012	$60,000,000
Budget request, fiscal year 2013	60,000,000
Recommended in the bill	60,000,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	– – –

The Scholarships for Opportunity and Results Act (SOAR) authorizes $60,000,000 to be evenly divided between District of Columbia Public Schools, Public Charter Schools and Opportunity Scholarships.

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $60,000,000, the authorized amount, for school improvement. Based on the statutory funding formula, this will provide $20,000,000 for District of Columbia Public Schools, $20,000,000 for Public Charter Schools and $20,000,000 for Opportunity Scholarships.

Historically, the Committee has provided funding for the School Improvement that is available until expended. The Federal fiscal year and the school year do not align so providing funding that is available for more than one fiscal year gives the programs funded in this account flexibility in managing these funds and ensuring these Federal funds are used to improve the educational opportunities for the maximum number of students.

The Committee is disappointed that the Administration's budget request proposes to disregard the statutory formula included in SOAR and eliminate funding for Opportunity Scholarships. The Committee is troubled that the Administration has once again caused uncertainty in the future of the program for families in the District of Columbia. The funding provided in fiscal year 2012 for Opportunity Scholarships was not intended to pay for future year costs of students currently enrolled in the program. It was intended to increase the number of students participating in the program during the 2012–2013 school year. The Committee believes that funding available from prior year appropriations should be made available to expand the number of students receiving scholarships over the 5 year SOAR authorization. The funding included in this Act for fiscal year 2013 is provided to continue to expand the number of students participating in the program. It is not intended to be used for future year costs of the program.

FEDERAL PAYMENT FOR THE DISTRICT OF COLUMBIA NATIONAL GUARD

Appropriation, fiscal year 2012	$375,000
Budget request, fiscal year 2013	500,000
Recommended in the bill	375,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	– 125,000

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $375,000, which is the same as fiscal year 2012 and $125,000 less than the request. The Committee acknowledges the unique role of the D.C. National Guard in addressing emergencies that may occur as a result of the presence of the Federal Government. The Committee's

recommendation includes $375,000 for the Major General David F. Wherley, Jr. District of Columbia National Guard Retention and College Access Program to pay the costs of a tuition assistance program for guard members.

FEDERAL PAYMENT FOR REDEVELOPMENT OF THE SAINT ELIZABETHS HOSPITAL CAMPUS

Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	$9,800,000
Recommended in the bill	9,800,000
Bill compared with:	
Appropriation, fiscal year 2012	+9,800,000
Budget request, fiscal year 2013	– – –

The Saint Elizabeths campus is being redeveloped to house the headquarters for the Coast Guard beginning in 2013 and additional Department of Homeland Security offices in the future. In response to this development, the District of Columbia is creating a center for innovation and entrepreneurship.

COMMITTEE RECOMMENDATION

The Committee recommends a Federal payment of $9,800,000 to develop a center for innovation and entrepreneurship on the campus as requested.

FEDERAL PAYMENT FOR TESTING AND TREATMENT OF HIV/AIDS

Appropriation, fiscal year 2012	$5,000,000
Budget request, fiscal year 2013	5,000,000
Recommended in the bill	5,000,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	– – –

Currently, 3.2 percent of the population of the District of Columbia has been diagnosed with HIV. The World Health Organization defines an HIV epidemic as "severe" when the percent of infection among residents exceeds one percent.

COMMITTEE RECOMMENDATION

The Committee recommendation includes $5,000,000 for a Federal payment for testing and treatment of HIV/AIDS which is equal to fiscal year 2012 and the request.

DISTRICT OF COLUMBIA FUNDS

This bill provides local funds for the operation of the District of Columbia as approved by the District of Columbia Council and the Mayor. The local budget proposed by the Mayor provides an appropriation of $11,284,379,000 for operations of the District of Columbia. This amount includes estimated funding of $6,321,414,000 of local funds, $1,683,764,000 in Medicaid payments, and the remainder from other Federal and local funds.

TITLE V—INDEPENDENT AGENCIES

BUREAU OF CONSUMER FINANCIAL PROTECTION

ADMINISTRATIVE PROVISIONS

In providing only the broadest strokes of information, the Consumer Financial Protection Bureau (CFPB) budget begs for further study and evaluation. The Committee invited the Director to testify about CFPB's budget and activities and the Director declined. The Committee provided the CFPB with specific guidance about the annual report to the Committee of Appropriations of the House of Representatives and the Senate, as required by section 1017(e)(4) of Dodd-Frank Wall Street Reform and Consumer Protection Act, and the CFPB has yet to respond. While the Committee appreciates a briefing that the Director provided to Subcommittee members, the Committee remains disappointed that an agency dedicated to transparency and accountability is not more forthcoming about how it uses or what it accomplishes with hundreds of millions of dollars extracted from the American economy. The bill includes the following provisions:

Section 501. The Committee repeals the prohibition against the Committees on Appropriations reviewing transfers from the Federal Reserve System to the CFPB. Congress has a duty to examine and critique the activities of the CFPB, especially since its expenditures, like any other Federal agency, contribute to a growing budget deficit.

Section 502. The Committee changes the CFPB's source of funding from transfers from the Federal Reserve System to annual appropriations beginning in fiscal year 2014. Under the Dodd-Frank Wall Street Reform and Consumer Protection Act, the CFPB can spend more than half a billion dollars without an annual review by Congress. The Committee believes the CFPB needs oversight as much as banks and nonbanks do and further reminds the CFPB to remain steadfast to its mission to promote fairness and transparency for mortgages, credit cards, and other consumer financial products and services and not to stray into consumer advocacy.

Section 503. The Committee directs the CFPB to submit quarterly reports about its activities and to testify about its activities when requested. The report shall include, among other things, how the CFPB allocates its funds and staff.

CONSUMER PRODUCT SAFETY COMMISSION

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$114,500,000
Budget request, fiscal year 2013	122,425,000
Recommended in the bill	114,500,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	–7,925,000

The Consumer Product Safety Act established the Consumer Product Safety Commission (CPSC), an independent Federal regulatory agency, to reduce the risk of injury associated with consumer products.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $114,500,000 for the CPSC for fiscal year 2013, which is the same as fiscal year 2012 and $7,925,000 less than the request.

As the agency with jurisdiction over tens of thousands of consumer products, the CPSC has the opportunity to leverage its resources and contacts within the manufacturing industry to help drive education campaigns related to proper use of consumer products. Through working with industry, voluntary recalls have been largely successful. This cooperative relationship with industry can help save lives and CPSC resources, which can then be devoted to product recalls and promulgating risk-based rules.

Import Safety.—The Committee remains supportive of the Import Safety initiative which places CPSC investigators at key ports of entry in order to stop defective products from entering the United States. The CPSC's coordination with U.S. Customs and Border Patrol (CBP) is a cost effective and efficient use of CPSC resources and enforcement capabilities. The Committee believes resources in this area are being spent in a targeted and effective way and expects the CPSC to continue to devote resources to this program.

GAO Study.—The Committee has included Section 628 requiring GAO to conduct a quantitative and qualitative cost benefit analysis of the Consumer Product Safety Improvement Act of 2008 (CPSIA). The Committee believes the CPSIA reform bill passed this year (P.L. 112–28) addressed some of the concerns related to lead limits and onerous third-party testing requirements, but the Committee believes the reforms did not go far enough and that an analysis of the impact of the CPSIA is necessary.

Pool and Spa Safety.—The Committee provides $500,000 to be available until September 30, 2014, for the pool and spa safety grants program established by the Virginia Graeme Baker Pool and Spa Safety Act. The Committee encourages the CPSC to continue its pool and spa safety education campaign.

ELECTION ASSISTANCE COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

Appropriation, fiscal year 2012	$11,500,000
Budget request, fiscal year 2013	11,500,000
Recommended in the bill	5,750,000
Bill compared with:	
Appropriation, fiscal year 2012	−5,750,000
Budget request, fiscal year 2013	−5,750,000

The Election Assistance Commission (EAC) was established by the Help America Vote Act of 2002 (HAVA) and is charged with implementing provisions of that Act relating to the reform of Federal election administration.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $5,750,000 for EAC Salaries and Expenses, which is $5,750,000 less than fiscal year 2012 and $5,750,000 less than the request. The recommendation also provides for the transfer of $1,375,000 to the National In-

stitute of Standards and Technology (NIST) for election reform activities, and provides $1,250,000 for the Office of Inspector General.

The Committee strongly supports the successful administration of Federal elections and appreciates the reasons for why the EAC was originally created. However, the Committee believes this agency is no longer effectively carrying out its mandate. At present, all Commissioner, General Counsel, and Executive Director positions are vacant, which leaves all statutory positions within the EAC unfilled. All of the funds appropriated for HAVA grants have been distributed to the States, and for two years the Administration has not requested additional grant funding. Without HAVA grants to distribute, the work of the EAC consists of auditing HAVA grant money previously distributed—a task carried out by the EAC Inspector General—and examining new voting technologies—a task subcontracted to NIST. The EAC has been unable to finalize rules approving new standards that were due at the end of 2010, nor is the agency able to hold hearings or rule on appeals.

This Committee is not advocating doing away with the changes made to voting law in the Help America Vote Act of 2002. Rather, the Committee believes these laws should be carried out by another agency better equipped to carry out these functions, possibly the Federal Election Commission. The Committee has included bill language addressing this issue, stating that should any legislation—similar to H.R. 3463 as passed by the House of Representatives on December 1, 2011—be enacted during fiscal year 2013 terminating the EAC, all unobligated balances may be transferred to the agency tasked with carrying out the EAC's mandates, a responsibility the EAC itself has been unable to attend to for over a year.

FEDERAL COMMUNICATIONS COMMISSION

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$339,844,000
Budget request, fiscal year 2013	346,782,000
Recommended in the bill	322,852,000
Bill compared with:	
Appropriation, fiscal year 2012	−16,992,000
Budget request, fiscal year 2013	−23,930,000

The mission of the Federal Communications Commission (FCC) is to implement the Communications Act of 1934 and assure the availability of high quality communications services for all Americans.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $322,852,000 for the Salaries and Expenses of the FCC for fiscal year 2013, all of which is to be derived from offsetting collections. This is $16,992,000 less than fiscal year 2012 and $23,930,000 less than the request.

The Committee recommendation includes bill language, similar to language included in previous Appropriations Acts, which allows: (1) up to $4,000 for official reception and representation expenses; (2) purchase and hire of motor vehicles; (3) special counsel fees; (4) collection of $322,852,000 in section 9 fees; (5) a prohibition on amounts collected in excess of $322,852,000 from being

available for obligation; (6) a prohibition on remaining offsetting collections from prior years from being available for obligation; and (7) an increase to the cap on auction administration for the implementation of incentive auctions, as required by P.L. 112–96, to $98,738,000.

The Committee commends the Commission for realizing significant savings by recompeting contracts this year. This is laudable and a proactive way of economizing the Commission's funds. The Committee hopes other agencies follow the FCC's example in this area.

Political File Disclosure.—In April of 2012, the FCC promulgated a rule requiring broadcasters to post the contents of their political file online to a FCC-run database. Opposition was expressed to the FCC's rule out of concern that placing sensitive pricing information on the Internet would distort the broadcasting marketplace and that broadcasters would be burdened with additional costs by having to upload this information to an FCC-run database. The Committee supports disclosure of political spending but has concerns that if there are multiple regulatory agencies maintaining on-line information about political spending that this may create confusion and waste resources. In order to understand the impact of the FCC ruling on the broadcasting market and on the operational costs of television stations and Federal Government, the Committee directs the Government Accountability Office (GAO) to analyze the implementation of this rule. At a minimum, their report shall include the following:

(1) An analysis of the information maintained by the FCC compared to the information maintained by the Federal Election Commission to determine if there is duplication of costs incurred by the Federal Government for maintaining different systems for the purpose of reporting political spending and if there are benefits or shortfalls to the public of having multiple Federal regulatory agencies reporting political spending.

(2) An analysis of the impact of requiring sensitive broadcaster pricing information on a public FCC-run database, including whether this information has or can be used for price signaling or market manipulation.

(3) An analysis of the impact on the operational costs of broadcasters of having to provide "immediate" updates to the FCC-run database each time a political file is updated.

GAO shall report their findings by no later than July 1, 2013. Not later than 30 days after GAO has submitted its analysis, the FCC shall report to the Appropriations Committees in the House and Senate and authorizing committees of jurisdiction on how they plan to address any concerns or recommendations suggested by GAO. No later than September 1, 2013, the FCC shall report to the Committees on Appropriations in the House and Senate and the authorizing committees of jurisdiction on actions they have taken as a result of any concerns or recommendations suggested by GAO.

Organizational Structure.—The Committee believes the current organizational and management structure of the Commission does not reflect the convergence in today's telecommunications market. The increase in market-based competition should result in a smaller Commission with fewer staff. In order to address these issues, the Committee directs the Commission to submit a review of the

current FCC organizational structure as well as a proposal for improvement that reflects today's technology landscape and competitive marketplace. This review should be submitted to the House and Senate Committees on Appropriations within 180 days of enactment of this Act.

Carriage Complaints.—The Committee urges the FCC to fulfill its implementation obligations under the 1992 Cable Act concerning program carriage decisions by multi-channel video programming distributors and to establish a process for expedited review of complaints made by independent channels or others of statutory violations. While the FCC initiated a further rulemaking in 2007 to address carriage complaint substance and process, it did not adopt its Second Report and Order addressing program carriage until 2011. However, the Second Report and Order resolved only some of the issues necessary to implement the statute. The remaining issues were deferred to yet another rulemaking concerning carriage complaint issues. While the FCC has made some notable progress, the Committee urges the FCC to promptly complete the pending rulemaking and fully implement and comply with the 1992 Cable Act.

Broadband Access.—The Committee is concerned about the disparity in access to broadband between the territories and the 50 states. The Committee encourages the Commission to implement policies that increase broadband accessibility and adoption in the territories.

The Committee supports the actions proposed in the FCC's Public Notice released on February 15, 2012 in IB Docket No. 11–109 (DA 12–214) and urges their prompt adoption. The Committee has previously expressed concern about the potential impact on Global Positioning Systems (GPS) of planned terrestrial broadband operations in the L Band. However, the Committee encourages the FCC to work with the licensee to provide other spectrum to deploy broadband services while heeding previous concerns regarding potential interference to commercially available GPS devices. In fiscal year 2012, the Committee restricted the FCC from using funds to allow for the operation of a terrestrial broadband network in the L Band until potential interference issues could be resolved. The Committee is pleased that the FCC continues to engage in a thorough examination of this issue. The Committee will continue to monitor the FCC's consideration of future licenses and waivers and remains concerned about the impact on GPS functionality of terrestrial broadband networks in the L Band.

Regulatory Fees.—The offsetting collections provided for the FCC are to recover the costs of its regulatory activities including: enforcement activities, policy and rulemaking activities, user information services, and international activities as provided for in Section 9 of the Communications Act. The Committee understands that despite the dramatic changes that have occurred in the communications marketplace, the methodology the FCC currently uses to derive its regulatory fees is essentially the same as the one developed in 1994. The Committee notes there is longstanding broad and bipartisan support among Commissioners to update this methodology and is pleased the FCC recently issued a Notice of Proposed Rulemaking to address this issue. The Committee encourages the Com-

mission to issue a Final Rule in time for next year's payments by regulated entities.

Rate Rebalancing.—The Committee is concerned that section 54.313(a)(10) of the FCC's rules (47 C.F.R. 54.313(a)(10)), as amended in the Report and Order and Further Notice of Proposed Rulemaking (FCC 11–161) adopted on October 27, 2011, does not adequately address situations in which local exchange carriers have already rebalanced local residential telephone service rates pursuant to State laws or regulations. At least five States adopted rate rebalancing structures prior to completion of the FCC's order. These early adopter States set in place a State rate-payer structure for basic local residential telephone service that meets the goals of the FCC's Universal Service Fund reform efforts. The Committee notes that as a result of the FCC's order, local exchange carriers in early adopter States must determine which laws and regulations to violate, State or Federal, as they cannot comply with both. The Committee encourages the FCC to reconsider section 54.313(a)(10) to allow for an alternative certification system that provides long-term relief to early adopter States, and takes into account capped, tariffed, or price-listed rates that have been approved or allowed by State legislatures or regulatory bodies in those States.

FEDERAL DEPOSIT INSURANCE CORPORATION

OFFICE OF THE INSPECTOR GENERAL

Appropriation, fiscal year 2012	$45,261,000
Budget request, fiscal year 2013	34,568,000
Recommended in the bill	34,568,000
Bill compared with:	
Appropriation, fiscal year 2012	−10,693,000
Budget request, fiscal year 2013	−−−

Funding for the Office of the Inspector General (OIG) at the Federal Deposit Insurance Corporation (FDIC) is provided pursuant to 31 U.S.C. 1105(a)(25), which requires a separate appropriation account for appropriations for each Office of Inspector General established under section 11(2) of the Inspector General Act of 1978.

COMMITTEE RECOMMENDATION

The Committee recommends $34,568,000 from the Deposit Insurance Fund and the Federal Savings and Loan Insurance Corporation (FSLIC) Resolution Fund to finance the OIG for fiscal year 2013, which is $10,693,000 less than fiscal year 2012 and the same as the request. The decrease in requested funding is based on estimates of institution failures, resolution and receivership activity, staffing levels, and assessments of risk to the Deposit Insurance Fund.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$66,367,000
Budget request, fiscal year 2013	66,367,000
Recommended in the bill	66,367,000
Bill compared with:	
Appropriation, fiscal year 2012	−−−
Budget request, fiscal year 2013	−−−

The Federal Election Commission (FEC) administers the disclosure of campaign finance information, enforces limitations on contributions and expenditures, and performs other tasks related to Federal elections.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $66,367,000 for the Salaries and Expenses of the FEC for fiscal year 2013, which is the same as fiscal year 2012 and the same as the request.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$24,723,000
Budget request, fiscal year 2013	24,792,000
Recommended in the bill	24,500,000
Bill compared with:	
Appropriation, fiscal year 2012	−223,000
Budget request, fiscal year 2013	−292,000

Established by title VII of the Civil Service Reform Act of 1978, the Federal Labor Relations Authority (FLRA) serves as a neutral arbiter in the labor activities of non-postal Federal employees, Departments and agencies, and Federal unions on matters outlined in the Act, including collective bargaining and the settlement of disputes. Establishment of the FLRA gives full recognition to the role of the Federal Government as an employer. Under the Foreign Service Act of 1980, the FLRA also addresses similar issues affecting Foreign Service personnel by providing full staff support for the Foreign Service Impasse Disputes Panel and the Foreign Service Labor Relations Board.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $24,500,000 for the FLRA, which is $223,000 less than fiscal year 2012 and $292,000 less than the request.

FEDERAL TRADE COMMISSION

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$311,563,000
Budget request, fiscal year 2013	300,000,000
Recommended in the bill	285,500,000
Bill compared with:	
Appropriation, fiscal year 2012	−26,063,000
Budget request, fiscal year 2013	−14,500,000

The mission of the Federal Trade Commission (FTC) is to enforce a variety of Federal antitrust and consumer protection laws. Appropriations for both the Antitrust Division of the Department of Justice and the Commission are partially financed with Hart-Scott-Rodino Act pre-merger filing fees. The Commission's appropriation is also partially offset by Do-Not-Call registry fees.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $285,500,000 for the Salaries and Expenses of the FTC for fiscal year 2013, which is $26,063,000 less than fiscal year 2012 and $14,500,000 less than

the request. The Congressional Budget Office estimates $115,000,000 of collections from Hart-Scott-Rodino premerger filing fees and $15,000,000 of collections from Do-Not-Call list fees will partially offset the appropriation requirement for this account.

Duplicative Rulemaking.—The creation of the Bureau of Consumer Financial Protection (CFPB) transferred some areas of consumer protection jurisdiction, once the sole purview of the FTC, to the CFPB. Duplicative efforts in regulatory rulemaking are unhelpful to agencies and the American taxpayer. The Committee believes the FTC should be able to work within the funding amount included in this bill as some of their consumer protection jurisdiction has transferred to the CFPB. The Committee expects the FTC to continue to work with CFPB to ensure duplicative efforts on rulemakings are avoided before agency resources are wasted.

Wasteful Spending.—This Committee was disappointed to learn of the FTC's purchase of 6,000 beer "koozies" as part of the "We Don't Serve Teens" education campaign. The intention of the FTC's consumer education campaign related to the impact of alcohol advertising on teen drinking is sensible. However, this purchase was a lapse in judgment by the Commission and a waste of taxpayer dollars. In a budget climate where every dollar counts, the Commission should have been more thoughtful about its use of taxpayer funds. This funding could have been better spent on uncovering fraud and other FTC priorities. The Committee expects this lapse in judgment in the use of taxpayer dollars to be taken seriously by the Commission and expects the FTC to vet future discretionary purchases by all offices.

Gas Price Manipulation.—High gas prices hurt American workers at a time when the economy is still recovering. The Committee is supportive of the FTC's efforts in monitoring price manipulation and anticompetitive behavior in the oil and natural gas sector. The Committee understands that investigations are ongoing in this area and directs the FTC to continue to update the Committees on Appropriations of the House and Senate of any findings related to abuses in this area.

The Committee is concerned by the rising rate of money transfer crimes, referred to as grandparent scams or emergency scams, in which a victim is scammed into making a money transfer they believe is needed to help a relative or friend. Funds are often transferred out of the country and victims have little recourse in bringing charges or recovering their money. The Committee directs the Federal Trade Commission to issue a report to the Committee within 90 days after the date of enactment of this Act on its plan to better coordinate with foreign consumer protection and law enforcement departments to prevent money transfer crimes and identify and prosecute offenders.

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFER OF FUNDS)

Limitations on Availability of Revenue:	
Limitation on availability, fiscal year 2012	$8,017,967,000
Limitation on availability, budget estimate, fiscal year 2013	8,619,098,000
Recommended in the bill	7,916,630,000
Bill compared with:	
Availability limitation, fiscal year 2012	−101,337,000
Availability limitation, fiscal year 2013 request	−702,468,000

The Federal Buildings Fund (FBF) finances the activities of the Public Buildings Service (PBS), which provides space and services for Federal agencies in a relationship similar to that of landlord and tenant. The FBF, established in 1975, replaces direct appropriations by using income derived from rent assessments, which approximate commercial rates for comparable space and services. The Committee makes funds available through a process of placing limitations on obligations from the FBF as a way of allocating funds for various FBF activities.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation on the availability of funds of $7,916,630,000 for the FBF, which is $101,337,000 less than the fiscal year 2012 and $702,468,000 less than the request.

To carry out the purposes of the FBF, the revenues and collections deposited into the FBF shall be available for necessary expenses in the aggregate amount of $7,916,630,000 of which: $50,000,000 is for construction and acquisition, $395,000,000 is for repairs and alterations, $119,589,000 is for installment acquisition payments (including payments on purchase contracts), $5,210,198,000 is for rental of space, $1,094,972,000 is for building operations and maintenance, and $1,046,871,000 is for Public Buildings Service, Salaries and Expenses.

The Committee is aghast by the raw display of malfeasance conducted at the 2010 PBS Western Regions Conferences (WRC) and accomplished through PBS Region 9's "Hats Off" employee rewards program. Self-enrichment has no place in public service. Disregard for the vast body of existing Federal laws and regulations about procurement, ethics, and travel combined with the access to the FBF led to unimaginable abuses.

To that end, the Committee abolishes the "Building Operations" account which financed the costs of the WRC and the "Hats Off" program and replaces it with two new accounts. The "Building Operations and Maintenance" account funds services that keep buildings running and that directly benefit Federal agencies in GSA-owned buildings and, when not provided by the lessor, GSA-leased buildings. Whereas, the "Public Buildings Service, Salaries and Expenses" account funds the cost of running PBS, which primarily consists of the salaries and benefits of engineers, architects, building and project managers, inspectors, contract specialists, and ac-

countants, plus the tools that they use for their jobs such as office equipment and supplies, information technology, and support staff.

The level of funding provided by the Committee for "Building Operations and Maintenance" and "Public Buildings Service, Salaries and Expenses" ensures resources are adequate to address expenses necessary to oversee a construction project, keep a Federal building in working condition, and negotiate new leases, but scarce enough to starve out opulence and frivolity.

The Committee appreciates the Administration's efforts to reduce the Federal footprint by selling excess properties and discouraging Federal agencies from acquiring more space. The pace of these efforts, however, is too slow for the country to afford. Every Administration promises and fails to reduce the cost and amount of space the Federal government consumes. For example, in the request, the FBF seeks an increase of $338,385,000 for the Rental of Space (i.e., lease payments that GSA makes to private building owners) and 710,000 more square feet in leased space, when the Federal government owns 14,000 vacant properties. Increases in space also lead to increases in building operations and maintenance costs. The Committee appropriated $4.5 billion from the American Recovery and Reinvestment Act of 2009 (ARRA) for energy and water conservation measures. The majority of these projects are completed and the cost-savings associated with these measures are supposed to be accruing to GSA and reducing the costs of building operations and maintenance. But the request for building operations and maintenance keeps rising.

The Committee tempers the insatiable appetite for space by imposing a total square feet limitation on the FBF and including $100,000,000 to increase the efficient use of space through reconfiguring and consolidating space. GSA can no longer tarry in reducing the Federal footprint nor continue to burden the American taxpayer with the high cost of inefficient space management. The combination of the total square feet limitation and the funds for consolidating space effectuates section 3 of the Administration's memorandum to agencies on "Promoting Efficient Spending to Support Agency Operations" (May 11, 2012) that creates "paygo" for building space. That is to say, the "acquisition of new Federal building space . . . must be offset through consolidation, co-location, or disposal of property."

In order to conduct better oversight of FBF activities, the Committee requires GSA to submit a detailed report about the use of all FBF funds, including unobligated balances. In prior years, the Committee only required a report for construction and acquisition and repair and alternations. The Committee further requires in section 514 that GSA submit quarterly expenditure reports for all GSA appropriations, including the FBF, to monitor how planned expenditures compare to actual expenditures. Section 505 allows GSA to deviate from their planned FBF expenditures with the prior approval of the Committee.

The Committee directs GSA to use its 2013 funding to prepare a 2014 request for less space (section 507) and to include the following information in its 2014 congressional justification for the prior year, current year, and budget year:

1. The amount of PBS Salaries and Expenses and personnel divided among the FBF's activities (i.e., construction and acquisition,

repair and alterations, leasing, building operations and maintenance);

2. The amount of PBS Salaries and Expenses and personnel divided between headquarters and each region; and

3. For each region, the number of occupancy agreements, leases, buildings, and total square feet in its portfolio with leased and owned subtotals; the square feet of property sold, transferred, or otherwise disposed of; rental revenue with leased and owned subtotals; the lease cost relative to market for each lease; the Federal agencies that are above, below, or equal to the Federal benchmark of 218 rentable square feet per person for office space; and building operations and maintenance costs.

The Committee expects the GSA to notify and to consult with the Committee about mergers, reorganizations, realignments, and other changes to GSA's organizational or reporting structure in accordance with section 608. The Committee is disappointed that GSA has been uncommunicative about the changes that are underway or under consideration as a result of the OIG investigation into the WRC, such as creating the Office of Administrative Services and changing the organizational structure of the budget and financial management responsibilities within the Public Building Service (PBS), the Federal Acquisition Service (FAS), and the Office of the Chief Financial Officer. Notice and consultation about these changes would have demonstrated that GSA recognizes the Committee as a partner, not as an obstacle. The Committee strongly objects to GSA merging PBS and FAS or the Federal Buildings Fund and Acquisition Services Fund without first seeking specific authorization and appropriations from Congress.

CONSTRUCTION AND ACQUISITION

Limitations on Availability of Revenue:	
Limitation on availability, fiscal year 2012	$50,000,000
Limitation on availability, budget estimate, fiscal year 2013	56,000,000
Recommended in the bill	50,000,000
Bill compared with:	
Availability limitation, fiscal year 2012	– – –
Availability limitation, fiscal year 2013 request	–6,000,000

The construction and acquisition activity funds the project cost of design, construction, and management and inspection costs of new Federal facilities as well as the acquisition of land and buildings.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $50,000,000 to remain available until fiscal year 2015 for acquisition, which is the same as fiscal year 2012 and $6,000,000 less than the request. The funds provided under this heading are intended only to purchase space that GSA is currently leasing if the purchase cost will reduce the costs to the FBF. No personnel are funded in this account.

Unless GSA follows the reprogramming process in section 608 that requires the approval of the Committees, the GSA is prohibited from using either funding appropriated for any construction or prospectus-level repair and alterations project yet to be completed or the proceeds from the sale of land from the yet-to-be-completed project other than to address the need for space for which the project was intended.

REPAIRS AND ALTERATIONS

Limitations on Availability of Revenue:	
Limitation on availability, fiscal year 2012	$280,000,000
Limitation on availability, budget estimate, fiscal year 2013	494,768,000
Recommended in the bill	395,000,000
Bill compared with:	
Availability limitation, fiscal year 2012	+115,000,000
Availability limitation, fiscal year 2013 request	−99,768,000

The repairs and alterations activity funds the project cost of design, construction and management and inspection for the repair, alteration, and modernization of existing real estate assets in addition to various special programs.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $395,000,000 to remain available until expended for repairs and alterations, which is $115,000,000 more than fiscal year 2012 and $99,768,000 less than the request. No personnel are funded in this account.

Repair and Alterations Programs.—The limitation consists of $20,000,000 for the Judiciary Capital Security program; $100,000,000 for Consolidations; $25,000,000 for Fire, Safety, and Life projects; and $250,000,000 for Basic Repairs and Alterations.

Judiciary Capital Security.—It is neither affordable nor practical to construct new courthouses to mitigate the risk of all potential violence. The shape and form of threats change over time and many risks can be addressed cost-effectively and expeditiously by modifying existing courthouses. The detailed plan regarding the use of these funds is to be jointly prepared by GSA and the Judiciary in consultation with the U.S. Marshals Service and include a full discussion about the project selection process.

Consolidations.—The Committee strongly supports the cost-efficient use of Federal office space. Cost-efficiency is achieved when the cost of a given amount of office space is at its irreducible minimum to accomplish a Federal agency's mission. Since Federal agencies vary in size, mission, and location, the measure of cost-efficiency is the cost per square foot per full-time equivalent (FTE). Agencies can affect this measure by changing either their location or amount of square feet of space that they rent, but more importantly by how they use their space. The Committee notes that GSA's Office of Government-wide Policy developed a benchmark study of the most efficient and optimal use of office space, which recommends moving away from the hierarchical use of space and to increase telework and workplace sharing.

To that end, the Committee provides $100,000,000 to increase the cost-efficient use of office space. The funds are available to configure office space, in either owned or leased buildings, and to pay for associated moving expenses that ultimately results in GSA either exiting leases, disposing of underutilized buildings, or turning underutilized buildings into fully utilized buildings. The detailed plan regarding the use of these funds is to be reviewed by the Government Accountability Office. Once implemented, these actions will reduce the Federal government's footprint and costs. The Committee strongly recommends cost-sharing between GSA and the affected tenant agencies and expects the Office of Management and Budget to review cost-sharing plans.

Fire, Safety, and Life.—The Committee provides $25,000,000 to improve building safety, abate hazardous material, and repair structural deficiencies. These projects include, but are not limited to, fire alarm, sprinkler, electrical, ventilation, heating, and elevator systems.

Basic.—The Committee provides $250,000,000 for non-recurring repairs and alterations projects between $10,000 and the current prospectus threshold of $2,790,000.

INSTALLMENT ACQUISITION PAYMENTS

Limitations on Availability of Revenue:	
Limitation on availability, fiscal year 2012	$126,801,000
Limitation on availability, budget estimate, fiscal year 2013	119,589,000
Recommended in the bill	119,589,000
Bill compared with:	
Availability limitation, fiscal year 2012	−7,212,000
Availability limitation, fiscal year 2013 request	− − −

The installment acquisition payments are interest payments to the Federal Financing Bank for facilities constructed under the Public Building Amendment of 1972 and lease-purchase agreements since 1987, consisting of a total of 80 projects.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $119,589,000 for installation acquisition payments, which is $7,212,000 less than fiscal year 2012 and the same as the request. No personnel are funded in this account.

RENTAL OF SPACE

Limitations on Availability of Revenue:	
Limitation on availability, fiscal year 2012	$5,210,198,000
Limitation on availability, budget estimate, fiscal year 2013	5,548,583,000
Recommended in the bill	5,210,198,000
Bill compared with:	
Availability limitation, fiscal year 2012	− − −
Availability limitation, fiscal year 2013 request	−338,385,000

The rental of space program funds lease payments made to privately-owned buildings, temporary space for Federal employees during major repair and alteration projects, and relocations from Federal buildings due to forced moves and relocations as a result of health and safety conditions.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $5,210,198,000 for rental of space, which is the same as fiscal year 2012 and $338,385,000 less than the request. No personnel are funded in this account.

BUILDING OPERATIONS AND MAINTENANCE

Limitations on Availability of Revenue:	
Limitation on availability, fiscal year 2012*	$1,119,097,000
Limitation on availability, budget estimate, fiscal year 2013*	1,149,210,000
Recommended in the bill	1,094,972,000
Bill compared with:	
Availability limitation, fiscal year 2012	−24,125,000
Availability limitation, fiscal year 2013 request	−54,238,000

*Funding for this activity was previously provided and requested within the Buildings Operations heading, which the recommendation proposes to eliminate.

The building operations and maintenance program funds services that Federal agencies in GSA-owned buildings and occasionally in GSA-leased buildings, when not provided by the lessor, directly benefit from such as building security, cleaning, utilities, window washing, snow removal, pest control, and maintenance of heating, air conditioning, ventilating, plumbing, sewage, electrical, elevator, escalator, and fire protection systems.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $1,094,972,000 for Building Operations and Maintenance, which is $24,125,000, or two percent, less than fiscal year 2012 and $54,238,000, or 4.7 percent, less than the request. No personnel are funded in this account.

PUBLIC BUILDINGS SERVICE

SALARIES AND EXPENSES

Limitations on Availability of Revenue:	
Limitation on availability, fiscal year 2012*	$1,231,871,000
Limitation on availability, budget estimate, fiscal year 2013*	1,250,948,000
Recommended in the bill	1,046,871,000
Bill compared with:	
Availability limitation, fiscal year 2012	−185,000,000
Availability limitation, fiscal year 2013 request	−204,077,000

*Funding for this activity was previously provided and requested within the Buildings Operations heading, which the recommendation proposes to eliminate.

The Public Buildings Service (PBS) Salaries and Expenses account funds all the personnel and administrative expenses for carrying out construction and acquisition, repair and alteration, and leasing activities. The project or program costs of these activities are funded separately.

COMMITTEE RECOMMENDATION

The Committee recommends a limitation of $1,046,871,000 for Public Buildings Service (PBS) Salaries and Expenses, which is $185,000,000, or 15 percent, less than fiscal year 2012 and $204,077,000, or 16 percent, less than the request. The Committee recommends no more than 6,600 full-time equivalents and 419,664,000 total square feet of GSA-owned and leased space as reported in the Federal Real Property Council's "FY 2010 Federal Real Property Report."

GENERAL ACTIVITIES

GOVERNMENT-WIDE POLICY

Appropriation, fiscal year 2012	$61,115,000
Budget request, fiscal year 2013	84,182,000
1Recommended in the bill	61,115,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	–23,067,000

The Office of Government-Wide Policy provides Federal agencies with guidelines, best practices, and performance measures for complying with all the laws, regulations, and executive orders related to: acquisition and procurement, personal and real property management, travel and transportation management, electronic customer service delivery, and use of Federal advisory committees.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $61,115,000, which is the same as fiscal year 2012 and $23,067,000 less than the request. None of the funds for the Office are available for acquisition-related systems that collect information about campaign contributions.

Green Buildings.—The Committee shares the GSA's goal of reducing the building expenses through the efficient use of energy and water. The Committee is concerned, however, that GSA's current green building policies and practices are tailored to reflect the standards of a specific third-party certification system rather than the public interest in greater energy and water efficiency. All agencies should be wary of becoming captured; no third-party certification program has a monopoly on how to attain efficiency, much less sustainability. For example, efficiency and sustainability can be achieved not just through the design of buildings or major renovations and the selection of materials, but also through proper building maintenance and usage, building codes, energy codes, energy efficiency rating systems, or a combination thereof. The Committee encourages GSA to take a comprehensive and science-based approach to the certification of green buildings, recognizing there are the multiple means to the same end.

Greening projects for Federal buildings should not be undertaken unless GSA can clearly justify that the additional expenses will be more than offset by a reduction in subsequent operating expenses as a result of the project. The Committee directs GSA to report by March 15, 2013, on how it measures and monitors building operations costs; how it divides these costs among tenant agencies; and how it can give tenant agencies a greater ability to affect their consumption, and therefore, their cost of building services. The Committee also directs the GSA to notify the Committee 15 days before it initiates a green building certification and to report the expense and usage (expressed in kWt, BTU, gallons, MLBS, or as appropriate) in energy and water for the past five years prior to the certification and the estimated projected expense and usage in energy and water after the certification. For new construction, the point of reference is a building of comparable size in a comparable market. Expenses are defined as outlays from the Federal Buildings Fund.

GSA completed a study of third-party green certification systems as required by the Energy Independence and Security Act in May and plans to make a final recommendation to the Secretary of Energy in the fall. The Committee appreciates the six interagency taskforce meetings and two public listening sessions that GSA is planning to hold. Given the intense level of interest in this topic, however, the Committee is disappointed that GSA has decided to limit the public to a two-hour session in person, a two-hour webconference, and a 60 day comment period.

GSA contracting issues.—The Committee is concerned about untimely payments between prime contractors and subcontractors. Small businesses are often subcontractors and late payments from prime contractors create serious cash flow management problems for these small businesses. The Committee expects the Federal Acquisition Regulations (FAR) Council, of which GSA is a member, to promulgate regulations that prevent payment failures or delays to small business subcontractors in accordance with section 1334 of the Small Business Jobs Act of 2010. These regulations would require, among other things, the public identification of prime contractors who have a history of unjustified and untimely payments to subcontractors and require Federal agencies to consider this information in past performance evaluations of prime contractors.

Policymaking.—The Committee appreciates the benchmark studies, rules, coordination, evaluations, models, and reports that the Office provides on personal and real property, travel and transportation, aircraft and motor vehicle fleet management, procurement, mail management, and use of Federal advisory committees. A conscientious agency that wishes to abide by Federal laws and regulations, use best practices, and improve cost-efficiency will follow the Office's policies and regulations. The Committee expects GSA to be a conscientious agency.

REAL AND PERSONAL PROPERTY MANAGEMENT AND DISPOSAL

Appropriation, fiscal year 2012*	$30,024,000
Budget request, fiscal year 2013*	28,523,000
Recommended in the bill	28,444,000
Bill compared with:	
Appropriation, fiscal year 2012	−1,580,000
Budget request, fiscal year 2013	−79,000

*Funding for this activity was previously provided and requested within the Operating Expenses heading, which the recommendation proposes to eliminate.

The account funds the Personal Property Utilization and Donation program, which transfers personal property no longer needed by a Federal agency to other Federal agencies, State and local governments, and nonprofit organizations. The account also funds the Office of Real Property Utilization and Disposal, which transfers or sells unneeded property assets to benefit the Federal government and surrounding communities.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $28,444,000, which is $1,580,000 less than fiscal year 2012 and $79,000 less than the request. Funding for these activities was previously funded and requested within the Operating Expenses heading, which the recommendation proposes to eliminate in order to separate administrative from program expenses.

OFFICE OF THE ADMINISTRATOR

Appropriation, fiscal year 2012*	$29,955,000
Budget request, fiscal year 2013*	29,820,000
Recommended in the bill	28,136,000
Bill compared with:	
Appropriation, fiscal year 2012	−1,819,000
Budget request, fiscal year 2013	−1,684,000

*Funding for this activity was previously provided and requested within the Operating Expenses heading, which the recommendation proposes to eliminate.

The Office of the Administrator account funds GSA's executive leadership offices: the Administrator; the Regional Administrators; the Office of Congressional and Intergovernmental Affairs; the Office of Emergency Response and Recovery; and the Office of Communications and Marketing.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $28,136,000, which is $1,819,000 less than fiscal year 2012 and $1,684,000 less than the request. Funding for these activities was previously funded and requested within the Operating Expenses heading, which the recommendation proposes to eliminate in order to separate administrative from program expenses.

Phosphors Recycling.—The Committee directs the GSA to report, within 60 days of enactment of this Act, on how and whether the US government could capture its fluorescent lighting waste stream and make the material available to private sector companies who can remove the rare earth phosphors, reprocess and separate them in an environmentally superior manner, and get them back into the rare earth supply chain.

Virtual Employees.—The Committee supports the goals of GSA's Mobility and Telework Policy (GSA Order HCO 6040.1), but is concerned that weak controls over virtual and distributed work arrangements may have led to undesirable outcomes such as either excessive travel costs or poor employee oversight. The benefits of virtual and distributed work arrangements should accrue to the American public in the form of more efficient and effective services. The Committee directs GSA not later than 90 days after enactment of this Act to submit a report on virtual and distributed work arrangements, including their number by bureau and by regional and headquarters offices; how GSA measures and monitors their effect on productivity; how GSA holds employees and managers accountable for meeting performance standards; the cost of related travel, equipment, supplies, and services; and how information and data is safeguarded.

CIVILIAN BOARD OF CONTRACT APPEALS

Appropriation, fiscal year 2012*	$9,521,000
Budget request, fiscal year 2013*	9,045,000
Recommended in the bill	9,025,000
Bill compared with:	
Appropriation, fiscal year 2012	−496,000
Budget request, fiscal year 2013	−20,000

*Funding for this activity was previously provided and requested within the Operating Expenses heading, which the recommendation proposes to eliminate.

The Civilian Board of Contract Appeals was established in 2006 to hear and decide contract disputes between contractors and agen-

cies. The Board's authority extends to all agencies except for the Department of Defense, the National Aeronautics and Space Administration, the United States Postal Service, the Postal Regulatory Commission, and the Tennessee Valley Authority.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $9,025,000, which is $496,000 less than fiscal year 2012 and $20,000 less than the request. Funding for these activities was previously funded and requested within the Operating Expenses heading, which the recommendation proposes to eliminate in order to separate administrative from program expenses.

OFFICE OF INSPECTOR GENERAL

Appropriation, fiscal year 2012	$58,000,000
Budget request, fiscal year 2013	58,960,000
Recommended in the bill	68,000,000
Bill compared with:	
Appropriation, fiscal year 2012	+10,000,000
Budget request, fiscal year 2013	+9,040,000

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

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $68,000,000, which is $10,000,000 more than fiscal year 2012 and $9,040,000 more than the request. Of the funds provided, $10,000,000 is available until expended for investigations and audits related to travel, conferences, employee reward programs, and other agency programs and activities.

The Committee commends the Inspector General and his staff for their investigation into the 2010 Public Buildings Service Western Regions Conference and the "Hats Off" employee reward program. The willful disregard for Federal procurement and travel laws by the very agency responsible for promulgating Federal procurement and travel regulations is abhorrent.

ELECTRONIC GOVERNMENT FUND

Appropriation, fiscal year 2012	$12,400,000
Budget request, fiscal year 2013	16,665,000
Recommended in the bill	16,665,000
Bill compared with:	
Appropriation, fiscal year 2012	+4,265,000
Budget request, fiscal year 2013	– – –

The appropriation provides support for interagency electronic government ("e-Gov") initiatives that utilize the Internet or other electronic methods as a means to increase Federal government accessibility, efficiency, and productivity.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $16,665,000, which is $4,265,000 more than fiscal year 2012 and the same as the request. If the responsibility for USAspending.gov is changed by statute, then the funds under this heading are transferred to the agency with that responsibility.

In order to continue the review of "e-initiatives," the Committee directs GSA and the Office of Management and Budget to submit a detailed expenditure plan prior to obligation of funds under this account. The plan should describe the projects selected, and the budget, timeline, objectives and expected benefits and savings realized for each project.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

Appropriation, fiscal year 2012	$3,671,000
Budget request, fiscal year 2013	3,779,000
Recommended in the bill	3,700,000
Bill compared with:	
Appropriation, fiscal year 2012	+29,000
Budget request, fiscal year 2013	−79,000

As authorized by law, this appropriation provides for the pensions, office staffs, and related expenses for former Presidents Jimmy Carter, George H.W. Bush, William Clinton, and George W. Bush. The account also funds postal franking privileges for the widow of former President Ronald Reagan. Also, this appropriation is authorized to provide funding for security and travel related expenses for each former President and the spouse of a former President pursuant to section 531 of Public Law 103–329.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $3,700,000 for allowances and office staff of former Presidents, which is $29,000 more than fiscal year 2012 and $79,000 less than the request.

FEDERAL CITIZEN SERVICES FUND

Appropriation, fiscal year 2012	$34,100,000
Budget request, fiscal year 2013	31,751,000
Recommended in the bill	31,700,000
Bill compared with:	
Appropriation, fiscal year 2012	−2,400,000
Budget request, fiscal year 2013	−51,000

The Federal Citizen Services Fund provides the public with direct information about all aspects of Federal programs, benefits, and services through websites, a toll-free call center, and printed publications. Activities are financed from the following: annual appropriations from the general funds of the Treasury, reimbursements from agencies for distribution of publications, user fees collected from the public, and any other income incidental. All are available as authorized in appropriation acts without regard to fiscal year limitations.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $31,700,000, which is $2,400,000 less than fiscal year 2012 and $51,000 less than the request.

EXPENSES, PRESIDENTAL TRANSITION

Appropriation, fiscal year 2012	$– – –
Budget request, fiscal year 2013	8,947,000
Recommended in the bill	8,947,000
Bill compared with:	
Appropriation, fiscal year 2012	+8,947,000
Budget request, fiscal year 2013	– – –

In the event of a change in Administration, transition funds are available to the incoming Administration beginning on the day following the general election and ending 30 days following the inauguration. Funds are also available for expenses of the outgoing President and Vice President from 30 days before, until six months after, their terms of office expire. These funds may be used for activities such as compensation for transition office staffs, acquiring communication services, providing allowances for travel and subsistence, and for printing and postage costs.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $8,947,000 for allowances and office staff of former Presidents, which is the same as the request.

ADMINISTRATIVE PROVISIONS—GENERAL SERVICES ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

(RESCISSION)

Section 504. The Committee continues the provision providing authority for the use of funds for the hire of motor vehicles.

Section 505. The Committee modifies the provision providing that funds made available for activities of the Federal Buildings Fund may be transferred between appropriations with advance approval of the Congress to apply to funds provided in prior appropriations Acts.

Section 506. The Committee continues the provision requiring funds proposed for developing courthouse construction requests to meet appropriate standards and the priorities of the Judicial Conference.

Section 507. The Committee requires GSA to prepare a 2014 budget request with a total inventory of space less than the inventory in 2013.

Section 508. The Committee continues the provision providing that no funds may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided, to any agency which does not pay the requested rent.

Section 509. The Committee continues the provision that permits GSA to pay small claims (up to $250,000) made against the Federal government.

Section 510. The Committee continues the provision requiring the Administrator to ensure that the delineated area of procurement for all lease agreements is identical to the delineated area included in the prospectus unless prior notice is given to the Committees.

Section 511. To prevent the accumulation of unused, vacant property, the Committee requires GSA to have both the authorization and appropriation for construction before taking land from private land owners.

Section 512. The Committee requires GSA to apply current limitations on employee awards to fiscal year 2013 funding. Total spending on individual performance awards for members of the Senior Executive Service (SES) and senior-level (SL) and scientific and professional (ST) employees is limited to no more than five percent of their aggregate salaries. Total spending on individual performance awards for non-SES/SL/ST employees is limited to no more than one percent of their aggregate salaries.

The Committee will not tolerate a culture of Federal employees putting their interest before the public interest. The Committee directs GSA to report not later than 60 days after the enactment of this Act on how it plans to reform its performance awards to recognize only uncommon merit, performance management to take action with regards to poor performers, and organizational culture to uphold the highest ethical standards.

Section 513. The Committee requires the GSA Administrator to certify that the cost of conferences are appropriate and comply with all travel and conference laws and regulations.

Section 514. The Committee requires GSA to submit quarterly spending reports on the activities of the Federal Buildings Fund.

Section 515. The Committee requires GSA to submit a detailed report on the amounts that the Working Capital Fund charges to each office for services.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

Appropriation, fiscal year 2012	$748,000
Budget request, fiscal year 2013	– – –
Recommended in the bill	748,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	+748,000

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

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $748,000 for the Harry S Truman Foundation, which is the same as fiscal year

2012, $748,000 more than the President's request and $652,000 less than the Foundation's request.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2012	$42,603,000
Budget request, fiscal year 2013	40,993,000
Recommended in the bill	40,993,000
Bill compared with:	
Appropriation, fiscal year 2012	−1,610,000
Budget request, fiscal year 2013	− − −

The Merit Systems Protection Board (MSPB) is an independent, quasi-judicial agency established to protect the civil service merit system. The MSPB adjudicates appeals primarily involving personnel actions, certain Federal employee complaints, and retirement benefits issues. The MSPB reports to the President whether merit systems are sufficiently free of prohibited employment practices.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $40,993,000 for the MSPB, which is $1,610,000 less than fiscal year 2012 and equal to the request. The recommendation includes a transfer of $2,345,000 from the Civil Service Retirement and Disability Fund.

MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

MORRIS K. UDALL AND STEWART L. UDALL TRUST FUND

Appropriation, fiscal year 2012	$2,200,000
Budget request, fiscal year 2013	2,200,000
Recommended in the bill	2,200,000
Bill compared with:	
Appropriation, fiscal year 2012	− − −
Budget request, fiscal year 2013	− − −

The Morris K. Udall and Stewart L. Udall Foundation was established in honor of the public service of Congressman Morris K. Udall, and Congressman and Secretary of the Interior Stewart L. Udall. The Foundation administers scholarship, internship and research grant programs that promote educational opportunities and careers related to the environment, Native health care and tribal public policy. The Foundation also provides leadership training and tribal management as well as environmental conflict resolution services for Federal agencies.

COMMITTEE RECOMMENDATION

The Committee recommends $2,200,000 for the Morris K. Udall and Stewart L. Udall Trust Fund, which is the same as fiscal year 2012 and the request.

ENVIRONMENTAL DISPUTE RESOLUTION FUND

Appropriation, fiscal year 2012	$3,792,000
Budget request, fiscal year 2013	3,800,000
Recommended in the bill	3,792,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	–8,000

The United States Institute for Environmental Conflict Resolution was established as part of the Morris K. Udall Foundation through the Environmental Policy and Conflict Resolution Act of 1998, Public Law 105–156. The Institute provides assessment, mediation and environmental conflict resolution services in order to resolve environmental disputes among Federal agencies. The Act also established the Environmental Dispute Resolution Fund within Treasury to assist the Foundation in operating the Institute.

COMMITTEE RECOMMENDATION

The Committee recommends $3,792,000 for the Environmental Dispute Resolution Fund, which is the same as fiscal year 2012 and $8,000 less than the request.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

For fiscal year 2013, the Committee recommendation for the National Archives and Records Administration (NARA) includes funding for the Operating Expenses, Office of Inspector General, Repairs and Restoration and the National Historical Publications and Records Commission. The Committee recommends a total appropriation of $368,673,000 for NARA in fiscal year 2013, which is $7,827,000 less than fiscal year 2012 and $1,102,000 less than the request.

OPERATING EXPENSES

Appropriation, fiscal year 2012	$373,300,000
Budget request, fiscal year 2013	371,675,000
Recommended in the bill	371,073,000
Bill compared with:	
Appropriation, fiscal year 2012	–2,227,000
Budget request, fiscal year 2013	–602,000

This appropriation provides NARA with funds for its basic operations for management of the Federal government's archives and records, services to the public, operation of Presidential libraries, review for declassification of classified security information, and includes the Electronic Records Archives which preserves, stores, and manages digital Federal records for archival purposes, ensuring long-term access.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $371,073,000 for the operating expenses of NARA, which is $2,227,000 less than fiscal year 2012 and $602,000 less than the request.

The Committee is concerned about recent reports regarding missing classified material. The Committee is aware that the Archivist is working to address these concerns and will continue to monitor NARA's progress on this matter.

The Committee is aware of efforts by NARA to make available to the public formerly classified documents related to atrocities committed in and around the Katyn Forest during World War II. The Committee supports NARA's efforts to work with U.S. citizens, academics and survivors of the Katyn Atrocities tragedy and their families to ensure that related U.S. Government records are made publicly available.

OFFICE OF INSPECTOR GENERAL

Appropriation, fiscal year 2012	$4,100,000
Budget request, fiscal year 2013	4,100,000
Recommended in the bill	4,100,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	– – –

The Office of Inspector General (OIG) provides audits and investigations and serves as an independent, internal advocate to promote economy, efficiency, and effectiveness within NARA.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $4,100,000 for the OIG, which is the same as fiscal year 2012 and the request. The Committee is pleased that NARA has begun to realize results from the collaboration between the NARA Holdings Protection Team and Inspector General in uncovering both internal and external threats.

REPAIRS AND RESTORATION

Appropriation, fiscal year 2012	$9,100,000
Budget request, fiscal year 2013	8,000,000
Recommended in the bill	8,000,000
Bill compared with:	
Appropriation, fiscal year 2012	−1,100,000
Budget request, fiscal year 2013	– – –

This appropriation provides for the repair, alteration, and improvement of Archives facilities and Presidential libraries nationwide. It enables the National Archives to maintain its facilities in proper condition for visitors, researchers, and employees, and also maintain the structural integrity of the buildings.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $8,000,000 for repairs and restoration, which is $1,100,000 less than fiscal year 2012 and the same as the request. No funding is provided for any new construction projects.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

Appropriation, fiscal year 2012	$5,000,000
Budget request, fiscal year 2013	3,000,000
Recommended in the bill	2,500,000
Bill compared with:	
Appropriation, fiscal year 2012	−2,500,000
Budget request, fiscal year 2013	−500,000

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

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $2,500,000 for the NHPRC grants program, which is $2,500,000 less than fiscal year 2012 and $500,000 less than the request.

NATIONAL CREDIT UNION ADMINISTRATION

COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

Appropriation, fiscal year 2012	$1,247,000
Budget request, fiscal year 2013	1,187,000
Recommended in the bill	500,000
Bill compared with:	
Appropriation, fiscal year 2012	−747,000
Budget request, fiscal year 2013	−687,000

The Community Development Revolving Loan Fund Program (CDRLF) was established in 1979 to assist officially designated "low-income" credit unions in providing basic financial services to low-income communities. Low-interest loans and deposits are made available to assist these credit unions. Loans or deposits are normally repaid in five years, although shorter repayment periods may be considered. Technical assistance grants are also available to low-income credit unions. Earnings generated from the CDRLF are available to fund technical assistance grants in addition to funds provided for specifically in appropriations acts. Grants are available for improving operations as well as addressing safety and soundness issues.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $500,000 for the National Credit Union Administration's CDRLF for technical assistance grants for fiscal year 2013, which is $747,000 less than fiscal year 2012 and $687,000 less than the request. The Committee expects the CDRLF to continue making loans from their available funds derived from repaid loans and interest earned on previous loans to designated credit unions.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$13,664,000
Budget request, fiscal year 2013	13,473,000
Recommended in the bill	14,000,000
Bill compared with:	
Appropriation, fiscal year 2012	+336,000
Budget request, fiscal year 2013	+527,000

The Office of Government Ethics (OGE) established by the Ethics in Government Act of 1978, partners with other executive branch

Departments and agencies to foster high ethical standards. The OGE issues and monitors rules, regulations, and memoranda pertaining to the prevention and resolution of conflicts of interest, post-employment restrictions, standards of conduct, and financial disclosure for executive branch employees. The OGE is also responsible for creating and running an electronic financial disclosure system under the Stock Trading on Congressional Knowledge (STOCK) Act.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $14,000,000 for the OGE, which is $336,000 more than fiscal year 2012 and $527,000 more than the request. The Committee notes the OGE's added responsibilities created under the STOCK Act and provides $1,000,000 of multi-year funding for additional flexibility in meeting its mandate.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

Appropriation, fiscal year 2012	$210,290,000
Budget request, fiscal year 2013	205,249,000
Recommended in the bill	203,620,000
Bill compared with:	
Appropriation, fiscal year 2012	−6,670,000
Budget request, fiscal year 2013	−1,629,000

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

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $89,620,000 for the General Fund, which is $8,154,000 less than fiscal year 2012 and $921,000 less than the request. The Committee also recommends $114,000,000 for administrative expenses, $1,484,000 more than fiscal year 2012 and $708,000 less than the request, to be transferred from the appropriate trust funds.

The Committee notes that OPM provides leadership and direction to government-wide Human Resource (HR) programs through strategic and technical support to agencies. OPM is charged with both establishing standards of workforce performance and devel-

oping strategies that hold leaders accountable for results. The Committee expects OPM to equip agency Human Capital Officers with the tools necessary to provide excellence in managing the workforce—ensuring high performers are rewarded appropriately and managers are able to be flexible, agile, and responsive when performance is below standard. The Committee is encouraged by OPM's pilot program "Goals, Engagement, Accountability, and Results" (GEAR) which seeks to address problems with the Federal performance management system by reforming workplace-cultural challenges that are entrenched in many Federal agencies. The Committee is supportive of the GEAR program's requirement of quarterly progress reviews, which helps to identify and correct performance problems in a more timely way and facilitates greater communication between management and employees. OPM is directed to report to the Committee on the outcomes of the GEAR pilot program and its efforts to improve HR management across the Federal Government within 60 days of enactment of this Act.

The goal of OPM's Human Resources Line of Business initiative is to provide modern, cost-effective, interoperable, and standardized HR solutions for Federal agencies through competition. This process aims to reduce duplication, enhance transparency, and ensure cost-effectiveness for agencies and the taxpayer. The Committee directs Government Accountability Office (GAO) to examine OPM's HR Line of Business and review the competitive framework for providing HR systems and the cost-effectiveness of the current process.

The Committee directs OPM to adopt the GAO's recommendation to improve transparency of the costs of background investigations, including providing information on the data relating to the main cost drivers, in order to clarify how OPM's costs align with and affect investigation prices.

Additionally, as part of OPM's mission to recruit and hire the most talented and diverse Federal workforce, the Committee encourages Federal agencies to increase recruitment efforts within the United States territories.

OPM has struggled for decades to process Federal retirees' pension claims quickly and accurately. As a result, tens of thousands of new retirees wait months to receive their complete annuities—some wait more than a year—and in the meantime they struggle to get by on reduced interim pensions. The Committee expects OPM to make retirement processing a priority and is pleased with OPM's recent efforts to correct this problem through the implementation of its strategic plan. Still, the Committee believes that the backlog and delays in retirement processing are unacceptable and directs OPM to provide the Committee with monthly reports on its progress in addressing the backlog in claims.

The Committee encourages OPM to increase efforts to educate agencies about Returned Peace Corps Volunteers' noncompetitive eligibility for Federal appointments. The Committee believes this status, which is granted for one year (extendable to three years in some circumstances) to volunteers who have successfully completed their service, is particularly beneficial for Federal employers due to the special qualifications of Returned Peace Corps Volunteers and the streamlined hiring process.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

Appropriation, fiscal year 2012	$24,316,000
Budget request, fiscal year 2013	25,404,000
Recommended in the bill	25,172,000
Bill compared with:	
Appropriation, fiscal year 2012	+856,000
Budget request, fiscal year 2013	−232,000

This appropriation provides for the Office of Inspector General's (OIG) agency-wide audit, investigative, evaluation, and inspection functions, which identify management and administrative deficiencies, fraud, waste and mismanagement. The OIG performs internal agency audits and insurance audits, and offers contract audit services. Internal audits review and evaluate all facets of agency operations, including financial statements. Evaluation and inspection services provide detailed technical evaluations of agency operations. Insurance audits review the operations of health and life insurance carriers, health care providers, and insurance subscribers. Contract auditors provide professional advice to agency contracting officials on accounting and financial matters regarding the negotiation, award, administration, repricing, and settlement of contracts. The investigative function provides for the detection and investigation of improper and illegal activities involving programs, personnel, and operations.

COMMITTEE RECOMMENDATION

The Committee recommends a general fund appropriation of $4,000,000 for the OIG, which is $858,000 more than fiscal year 2012 and $232,000 less than the request. In addition, the recommendation provides $21,172,000 from appropriate trust funds, which is $2,000 less than fiscal year 2012 and the same as the request.

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$18,972,000
Budget request, fiscal year 2013	18,692,000
Recommended in the bill	18,972,000
Bill compared with:	
Appropriation, fiscal year 2012	–––
Budget request, fiscal year 2013	+280,000

The Office of Special Counsel (OSC): (1) investigates Federal employee allegations of prohibited personnel practices (including reprisal for whistleblowing) and, when appropriate, prosecutes before the Merit Systems Protection Board; (2) provides a channel for whistleblowing by Federal employees; and (3) enforces the Hatch Act. The Office may transmit whistleblower allegations to the agency head concerned and require an agency investigation and a report to the Congress and the President when appropriate. Additionally, the Office enforces the civilian employment and reemployment rights of military service members under the Uniformed Services Employment and Re-employment Rights Act.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $18,972,000 for the OSC, which is the same as fiscal year 2012 and $280,000 more than the request.

POSTAL REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2012	$14,304,000
Budget request, fiscal year 2013	14,450,000
Recommended in the bill	14,204,000
Bill compared with:	
Appropriation, fiscal year 2012	−100,000
Budget request, fiscal year 2013	−246,000

The Postal Accountability and Enhancement Act (PAEA) of 2006, Public Law 109–435, authorizes the Postal Regulatory Commission to receive appropriations by transfer from the Postal Service Fund beginning in fiscal year 2009, and requires the Commission to submit to Congress a budget of its expenses. The Commission establishes and maintains the U.S. Postal Service's ratemaking systems, measures service and performance, ensures accountability, and has enforcement mechanisms, including the authority to issue subpoenas.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation, out of the Postal Fund, of $14,204,000 for the Postal Regulatory Commission, which is $100,000 below fiscal year 2012 and $246,000 less than the request.

RECOVERY ACCOUNTABILITY AND TRANSPARENCY BOARD

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$28,350,000
Budget request, fiscal year 2013	31,500,000
Recommended in the bill	31,500,000
Bill compared with:	
Appropriation, fiscal year 2012	+3,150,000
Budget request, fiscal year 2013	− − −

The Recovery Accountability and Transparency Board (Recovery Board) was authorized in the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) (Recovery Act). The Recovery Board is comprised of Inspectors General of agencies administering programs and overseeing spending authorized in the Recovery Act. The Recovery Board conducts and coordinates activities related to the accountability, transparency, and oversight of spending under the Recovery Act and oversees the administration of Recovery.gov, a website providing detailed information on the implementation of the Recovery Act.

COMMITTEE RECOMMENDATION

The Committee recommends $31,500,000 for the Recovery Accountability and Transparency Board, which is $3,150,000 more than fiscal year 2012 and the same as the request. On April 25,

2012, the House of Representatives passed H.R. 2146, the Digital Accountability and Transparency Act of 2011 (DATA Act). This Act replaces the Recovery Board with the FAST Commission. If this legislation is enacted, language is included in this bill to allow Recovery Board balances to be transferred to the Commission.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$1,321,000,000
Budget request, fiscal year 2013	1,566,000,000
Recommended in the bill	1,371,000,000
Bill compared with:	
Appropriation, fiscal year 2012	+50,000,000
Budget request, fiscal year 2013	−195,000,000

The primary mission of the Securities and Exchange Commission (SEC) is to protect investors, maintain the integrity of the securities markets, and assure adequate information on the capital markets is made available to market participants and policy makers. This includes monitoring the rapid evolution of the capital markets, ensuring full disclosure of all appropriate financial information, regulating the Nation's securities markets, and preventing fraud and malpractice in the securities and financial markets.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $1,371,000,000 for the SEC for fiscal year 2013, which is $50,000,000 above fiscal year 2012 and $195,000,000 less than the request. The Committee designates $7,067,000 as the minimum funding for the SEC Office of Inspector General.

Information Technology.—The Committee is supportive of the SEC's prioritization of robust and effective information technology (IT) systems within the Commission. The SEC has indicated the use of the Dodd-Frank mandatory Reserve Fund to support the Commission's IT initiatives. This fund is not overseen by Congress and it is left to the discretion of the Commission as to its use. The Committee believes emergency reserve funds should be used for natural disaster emergencies and other crises, not discretionary priorities within a Federal agency. While the Committee does not support the use of the Reserve Fund, an increase to IT funding is provided through the Commission's overall appropriation. The Committee's recommended funding level for the SEC increases the overall funding level by $50,000,000 specifically to support IT funding priorities. The Committee has restricted funds from the Reserve Fund from being used in Section 618.

Economic Analysis.—Since 2001, the SEC's budget has increased by over 200 percent. Based on the increases Congress has provided, the Commission should be able to provide for comprehensive economic analysis before promulgating rules that affect the capital markets. It appears that thorough economic analysis has not been conducted before Commission rulemakings, and recently courts have overturned SEC rules due to insufficient economic examination. As the agency in charge of overseeing capital markets, economic analysis should be a cornerstone to all agency rulemaking, not an afterthought. Within the funds provided, the Committee di-

rects the SEC to increase and prioritize its economic analysis capabilities. The Committee expects the SEC to use these capabilities to enhance the understanding of the economic impacts of rulemakings.

Organizational Structure.—The Committee remains concerned that a lack of managerial accountability, focus, prioritization, and internal communication hampers the effectiveness of the SEC. Last year the Committee concurred with the recommendation put forth in the Boston Consulting Group (BCG) report that the SEC must reorganize in order to become more efficient. While progress has been made in reorganizing certain offices, the Committee believes there is more to be done to make the Commission better able to respond to dynamic markets. The Committee directs the SEC to provide a report on a reorganization plan outlining areas of improvement. Within the report the Committee directs the SEC to undertake a review of the regional offices, as directed by the BCG report, and submit this review to the Committee no later than 90 days after enactment of this Act. This report should include whether consolidation of regional offices is feasible.

Disclosures.—Corporate disclosures are at the core of investor protection, but disclosures must be timely and relevant in order to be effective. Voluminous disclosures encourage confusion while discouraging retail shareholder participation in corporate elections and proposals. The system must be overhauled, as the SEC has acknowledged, to eliminate obsolete disclosures. The concept release related to proxy voting systems has been languishing for almost 2 years. The Committee requests a report on SEC's efforts to modernize the disclosure requirements within 90 days of enactment of this Act.

Money Market Funds.—The Committee directs the SEC to carefully review any new regulations related to money market funds as they play a vital role in satisfying retailers, businesses, States, and municipalities' short-term financing needs. Any new regulations should avoid negative impacts on the ability of money market funds to provide liquidity. Impairing or restricting the use of money market funds could potentially result in hundreds of market participants issuing longer-term debt, significantly increasing their funding costs, slowing expansion rates, and depressing job and economic growth. Before any new regulations on money market funds are proposed, the Committee believes the SEC must have a clear understanding of how the regulations adopted by the Commission in January 2010 have impacted the industry. Further, the Committee believes any future rulemaking procedures on money market funds should be based on rigorous economic analysis.

The SEC ruling in 2010 made changes to money market funds to provide greater fund stability, transparency, and to ensure the ability of money market funds to afford liquidity to the capital and municipal markets. The Committee remains concerned that, despite the regulatory reform changes that were made in 2010, the SEC believes the issuance of additional discretionary money market fund regulations is a high priority. The SEC Chairman has maintained this position despite the fact that the SEC has already missed numerous other deadlines for mandatory rulemakings and many questions remain as to whether the necessary data and rig-

orous economic analysis exists or has been conducted to justify additional money market fund regulations.

The Committee has included section 633 requiring the SEC to submit a report within 90 days of enactment of this Act to the Committees on Appropriations, the House Committee on Financial Services, and the Senate Committee on Banking, Housing, and Urban Affairs that includes a detailed analysis of the money market fund industry, including the effectiveness of Rule 2a–7 of the Investment Company Act (15 U.S.C. 80a–7 et seq.) as amended by the Securities and Exchange Commission on February 23, 2010.

The Committee directs the SEC to ensure that the report to Congress be developed in consultation with affected market participants and, if the Commission recommends any new regulatory changes in addition to the implementation of the Rule 2a–7 changes made in 2010, that the report include the rationale as to why any new proposed regulatory recommendations will not impair, restrict, or harm the ability of money market funds to provide liquidity to the capital markets. This report should address specifically how any proposed changes would affect: (1) investor returns and cash management efficiencies; (2) the borrowing costs for businesses and governments that access money markets for financing purposes; (3) the concentration and capacity among providers of short-term financing; and (4) efficiency, competition, and capital formation.

Dodd-Frank.—The Committee believes the SEC should undertake all statutory rulemakings of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act) and the Jumpstart Our Business Startups Act (JOBS Act) before undertaking any discretionary rulemakings.

The Committee is aware of the progress the Commission has made related to the recommendations within the Boston Consulting Group (BCG) report, as required by the Dodd-Frank Act. However, the Committee has been unimpressed with the subsequent updates to the BCG report. The Committee expects future updates to include tangible goals and timelines for completion, as well as clear and concise explanations of the status of workstreams.

The Committee directs the SEC and the Commodity Futures Trading Commission (CFTC) to work together to address the portfolio margining mandates of section 713 of the Dodd-Frank Wall Street Reform and Consumer Protection Act, specifically by jointly addressing currently pending petitions before the agencies that would allow the portfolio margining of index credit default swaps and single name credit default swaps. The Committee is concerned that insufficient coordination and inaction to satisfy section 713 provisions will discourage the central clearing of credit default swaps, a key component of the Dodd-Frank Act and one of the broad goals for financial reform agreed upon by the G–20 nations in 2009.

The Committee directs the SEC to work cooperatively with the CFTC on all joint rulemakings as required by the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Registration Threshold.—Congress intends for Title VI of the JOBS Act (P.L. 112–106) to apply to S&L Holding Companies defined by the Home Owners Loan Act. The Committee believes the Securities and Exchange Commission should use its existing au-

thority pursuant to the Securities and Exchange Act of 1934 to ensure this result.

Residential Mortgage-Backed Securities Working Group.—The Committee directs the SEC to report to the Committees on Appropriations the status of the Residential Mortgage-Backed Securities Working Group's activities no later than 60 days after the enactment of this Act.

SELECTIVE SERVICE SYSTEM

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$23,984,000
Budget request, fiscal year 2013	24,400,000
Recommended in the bill	12,200,000
Bill compared with:	
Appropriation, fiscal year 2012	−11,784,000
Budget request, estimate, fiscal year 2013	−12,200,000

The Selective Service System was established by the Selective Service Act of 1948. The mission of the System is to be prepared to supply manpower to the Armed Forces adequate to ensure the security of the United States during a time of national emergency. Since 1973, the Armed Forces have relied on volunteers to fill military manpower requirements, but selective service registration was reinstituted in July 1980.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $12,200,000 for the Selective Service System for fiscal year 2013, which is $11,784,000 less than fiscal year 2012 and $12,200,000 less than the request.

SMALL BUSINESS ADMINISTRATION

The Small Business Administration (SBA) assists small businesses through programs involving loans, grants, and contracting preferences. These programs maintain and strengthen an economy that depends on small businesses for 60 to 80 percent of job creation. SBA programs also serve disadvantaged populations so that their small business enterprises may overcome economic and social obstacles to success.

The recommendation provides a total of $1,158,491,000 for the Small Business Administration. This amount is $239,720,000 more than fiscal year 2012 and $43,110 more than the budget request. Detailed guidance for the SBA appropriations accounts is presented below.

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$417,348,000
Budget request, fiscal year 2013	423,577,000
Recommended in the bill	415,000,000
Bill compared with:	
Appropriation, fiscal year 2012	−2,348,000
Budget request, estimate, fiscal year 2013	−8,577,000

COMMITTEE RECOMMENDATION

The Committee recommends $415,000,000 for the salaries and expenses of the SBA, which is $2,348,000 less than fiscal year 2012

and $8,577,000 less than the request. Within the amounts made available under this heading, the Committee recommendation provides $178,270,000 for the SBA non-credit business assistance programs, which is $5,922,000 more than fiscal year 2012 and $19,157,000 more than the request.

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

NON-CREDIT BUSINESS ASSISTANCE PROGRAMS

	[In thousands of dollars]
Small Business Development Centers	$112,500
Veterans Business Development	2,500
SCORE	7,000
Women's Business Centers	14,000
National Women's Business Council	920
Microloan Technical Assistance	20,000
PRIME	3,500
Native American Outreach	1,250
7(j) Technical Assistance	3,100
HUBZone	2,500
Entrepreneurial Development Initiative (Clusters)	5,000
National Veterans Entrepreneurial Training (VET) Program	6,000
Total, non-credit initiatives	178,270

The SBA shall not reduce these non-credit programs from the amounts specified above and the SBA shall not merge any of the non-credit programs without advance written approval from the Committee. The Committee recommendation includes an increase of $19,157,000 more than the request level for non-credit programs. Funding above the request level was provided for the Small Business Development Center (SBDC) Program, SCORE, Women's Business Centers, Microloan Technical Assistance, HUBZone, Native American Outreach, and PRIME.

The Committee encourages the SBA to support small business development and entrepreneurship throughout the country by funding non-profit organizations and institutions of higher education that train and educate an entrepreneurial work force and provide business development services designed to accelerate industry sectors that build regional assets.

The Committee strongly supports the SBA's Historically Underutilized Business Zone (HUBZone) program and believes that it is a critical resource for distressed communities, especially during the current economic downturn. The Committee is aware that there are certain rural areas that are underutilized business areas, but are excluded from HUBZone designation based on the current program authorization. The Committee encourages the SBA to continue to examine ways to incorporate underutilized business areas into any future revisions of the Small Business Act.

The Committee recognizes the value of the 8(a) program in assisting small and disadvantaged businesses to compete in the marketplace and provides sufficient funding to execute the mission of the 8(a) program.

Additionally, as part of SBA's mission to provide business training and counseling to a wide diversity of geographic areas, demographic populations, and economic environments; the Committee

encourages SBA to expand the presence of Women's Business Centers in the United States territories.

The most recent Government Accountability Office (GAO) report on duplicative programs found that SBA has not routinely conducted program evaluations for many of its economic development programs. The Committee expects SBA to conduct regular performance evaluations of its programs. The Committee directs SBA to report to the Committee within 60 days of enactment on its efforts to bring-to-date performance reviews on all of its economic programs and provide a plan for their continued review going forward.

In fiscal year 2012, permanent language was included regarding the contents of SBA's annual budget request. SBA is expected to consult with the Committee before the submission of the fiscal year 2014 budget request to ensure that the budget submission meets the information needs of the Committee.

OFFICE OF INSPECTOR GENERAL

Appropriation, fiscal year 2012	$16,267,000
Budget request, fiscal year 2013	19,400,000
Recommended in the bill	17,267,000
Bill compared with:	
Appropriation, fiscal year 2012	+1,000,000
Budget request, fiscal year 2013	−2,133,000

COMMITTEE RECOMMENDATION

The Committee recommends $17,267,000 for the Office of Inspector General of the SBA, which is $1,000,000 more than fiscal year 2012 and $2,133,000 less than the request. In addition, $1,500,000 is made available by transfer from the Disaster Loans Program Account.

OFFICE OF ADVOCACY

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2012	$9,120,000
Budget request, fiscal year 2013	8,900,000
Recommended in the bill	9,120,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	+220,000

COMMITTEE RECOMMENDATION

The Committee recommends $9,120,000 for the Office of Advocacy of the SBA, which is equal to fiscal year 2012 and $220,000 more than the request. The Committee supports the Office's mission to reduce regulatory burdens that Federal policies impose on small businesses and maximize the benefits small businesses receive from the government. The Committee is disappointed that the Administration proposed reducing resources for the Office.

BUSINESS LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

Appropriation, fiscal year 2012	$358,736,000
Budget request, fiscal year 2013	496,504,000
Recommended in the bill	550,104,000
Bill compared with:	
Appropriation, fiscal year 2012	+191,368,000
Budget request, fiscal year 2013	+53,600,000

The SBA Business Loans Program serves as an important source of capital for America's small businesses. The recommendation supports the 7(a) business loan program, the 504 certified development company program, Small Business Investment Company (SBIC) debentures, and the Secondary Market Guarantee Program.

COMMITTEE RECOMMENDATION

The Committee recommends a total of $550,104,000 for the Business Loans Program Account, which is $191,368,000 more than fiscal year 2012 and $53,600,000 above the request. Funding above the request will subsidize an additional $1.5 billion above the budget request in small business financing to support $17.5 billion of 7(a) business loans and $7.5 billion of 504 loan activity. Of the amount appropriated, $145,060,000 is for administrative expenses related to business loan programs. The amount provided for administrative expenses may be transferred to and merged with the appropriation for SBA salaries and expenses to cover the common overhead expenses associated with business loans.

The recommendation includes $402,200,000 for the subsidy cost of the 7(a) business loan guarantee program and the 504 certified development program. This funding will help to stimulate small business investment and will contribute to economic growth. The effect of small businesses on the economy is considerable. Firms employing fewer than 500 employees comprise about 99.7 percent of all businesses in the nation and employ roughly half of all private sector employees. The subsidy funding provided in this account will help to ensure the continued strength of the small business sector.

The recommendation also includes $2,844,000 in loan subsidy for the Microloan Program. The amount provided is estimated to support $18,000,000 in microloans.

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

Appropriation, fiscal year 2012	$117,300,000
Budget request, fiscal year 2013	167,000,000
Recommended in the bill	167,000,000
Bill compared with:	
Appropriation, fiscal year 2012	+49,700,000
Budget request, fiscal year 2013	– – –

COMMITTEE RECOMMENDATION

As required by the Federal Credit Reform Act of 1990, the Congress is required to appropriate an amount sufficient to cover the subsidy costs associated with all direct loan obligations and loan guarantee commitments made in fiscal year 2013, as well as the

administrative expenses of the loan programs. The Committee recommends a total of $167,000,000 for administrative expenses for fiscal year 2013, which is $49,700,000 more than fiscal year 2012 and the same as the request. The Committee provides $1,500,000 for the Office of Inspector General for audits and reviews of the disaster loans program and $9,000,000 may be transferred to Salaries and Expenses for administrative expenses.

When the budget request was submitted, it assumed sufficient prior year funds would be available to cover estimated subsidy costs. However, the Committee wants to ensure that there are sufficient funds available to meet the lending needs of eligible victims. Therefore, the Committee directs the SBA to continue providing updates on available resources for the disaster loans program on a monthly basis.

The Committee funds this program within its discretionary allocation. The Administration proposed funding these costs with a disaster cap adjustment.

ADMINISTRATIVE PROVISIONS—SMALL BUSINESS ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

Section 516. The Committee continues a provision for the SBA authorizing transfers of up to five percent of any SBA appropriation to other appropriations, provided that transfers do not increase an appropriation by more than 10 percent. The provision also requires that transfers be treated as reprogrammings of funds.

UNITED STATES POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

Appropriation, fiscal year 2012	$78,153,000
Budget request, fiscal year 2013	89,092,000
Recommended in the bill	89,092,000
Bill compared with:	
Appropriation, fiscal year 2012	+10,939,000
Budget request, fiscal year 2013	– – –

The United States Postal Service (USPS) is funded almost entirely by Postal ratepayers rather than taxpayers. Funds provided to the Postal Service in the Payment to the Postal Service Fund include appropriations for revenue forgone in providing free mail for the blind, people with disabilities, and for overseas absentee voting.

COMMITTEE RECOMMENDATION

The Committee recommends appropriations totaling $89,092,000 for Payment to the Postal Service Fund, which is $10,939,000 more than fiscal year 2012 and the same as the request. This is an advance appropriation for fiscal year 2014. The bill includes language specifying that 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level. Language is also included prohibiting funds in this Act from being used to consolidate or close small rural and other small post offices.

The Committee commends the efforts of the USPS to be fiscally responsible. However, when the USPS considers changes in local delivery service, the Committee strongly urges the USPS to hold public meetings, take into consideration the input of residents, and provide fiscal justification before any major changes in delivery

service are made. Many Americans depend upon the USPS for daily and essential services, and it is important that their service reflects the standards of an organization charged with the utmost reliability, consistency and care. The Committee expects the USPS to consider all possible sources to find savings, including examining its management structure and field and district offices to ensure proportional savings are found in its retail, mail processing, delivery networks and headquarter operations. The Committee urges the USPS to continue its efforts at achieving cost reductions without compromising services.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Appropriation, fiscal year 2012	$241,468,000
Budget request, fiscal year 2013	241,468,000
Recommended in the bill	241,468,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	– – –

The Postal Accountability and Enhancement Act (PAEA) of 2006, Public Law 109–435, authorizes the Postal Service Office of Inspector General (OIG) to receive funding by transfer out of the Postal Service Fund beginning in fiscal year 2009. The OIG conducts audits, reviews and investigations, and keeps Congress informed on the efficiency and economy of Postal Service programs and operations.

COMMITTEE RECOMMENDATION

The Committee recommends an appropriation of $241,468,000, which is the same as fiscal year 2012 and the request.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

Appropriation, fiscal year 2012	$51,079,000
Budget request, fiscal year 2013	53,103,000
Recommended in the bill	51,079,000
Bill compared with:	
Appropriation, fiscal year 2012	– – –
Budget request, fiscal year 2013	–2,024,000

The U.S. Tax Court adjudicates controversies involving deficiencies in income, estate, and gift taxes. The Court also has jurisdiction to determine deficiencies in certain excise taxes, to issue declaratory judgments in the areas of qualifications of retirement plans and exemptions of charitable organizations, and to decide certain cases involving disclosure of tax information by the Commissioner of the Internal Revenue Service.

COMMITTEE RECOMMENDATION

The Committee recommends $51,079,000 for the U.S. Tax Court, which is the same as fiscal year 2012 and $2,024,000 less than the request.

TITLE VI—GENERAL PROVISIONS, THIS ACT

(RESCISSION)

Section 601. The Committee continues the provision prohibiting pay and other expenses for non-Federal parties in regulatory or adjudicatory proceedings funded in this Act.

Section 602. The Committee continues the provision prohibiting obligations beyond the current fiscal year and prohibits transfers of funds unless expressly so provided herein.

Section 603. The Committee continues the provision limiting procurement contracts for consulting service expenditures to contracts that are matters of public record and available for public inspection.

Section 604. The Committee continues the provision prohibiting transfer of funds in this Act without express authority.

Section 605. The Committee continues the provision prohibiting the use of funds to engage in activities that would prohibit the enforcement of section 307 of the 1930 Tariff Act.

Section 606. The Committee continues the provision concerning compliance with the Buy American Act.

Section 607. The Committee continues the provision prohibiting the use of funds by any person or entity convicted of violating the Buy American Act.

Section 608. The Committee continues the provision specifying reprogramming procedures. The provision requires that agencies or entities funded by the Act notify the Committee and obtain prior approval from the Committee for any reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) reorganizes offices, programs, or activities. The provision also directs the agencies funded by this Act to submit operating plans for the Committee's review within 60 days of the bill's enactment.

Section 609. The Committee continues the provision providing that fifty percent of unobligated balances may remain available for certain purposes.

Section 610. The Committee continues the provision prohibiting funding for the Executive Office of the President to request a Federal Bureau of Investigation background investigation except with the express consent of the individual involved or in extraordinary circumstances involving national security.

Section 611. The Committee continues the provision regarding cost accounting standards for contracts under the Federal Employee Health Benefits Program.

Section 612. The Committee continues the provision regarding non-foreign area cost of living allowances.

Section 613. The Committee includes modified language prohibiting the expenditure of funds for abortion.

Section 614. The Committee continues the provision making exceptions to the preceding section where the life of the mother is in danger or the pregnancy is a result of an act of rape or incest.

Section 615. The Committee continues the provision carried annually since 2004 waiving restrictions on the purchase of non-domestic articles, materials, and supplies in the case of acquisition of information technology by the Federal government. The Committee understands that the use of this provision allows for the purchase of high quality products and the efficiency of assisted acquisition, which agencies rely on to maximize constrained budgets. The Office of Management and Budget is directed to report to the Committee within 30 days of enactment of this Act on the supply chain risk assessment processes in place when Federal agencies use this authority.

Section 616. The Committee continues the provision prohibiting officers or employees of any regulatory agency or commission funded by this Act from accepting travel payments or reimbursements from a person or entity regulated by such agency or commission.

Section 617. The Committee continues the provision permitting the Securities and Exchange Commission and Commodities Future Trading Commission to fund a joint advisory committee to advise on emerging regulatory issues, notwithstanding Section 708 of this Act.

Section 618. The Committee includes language prohibiting the obligation of funds in fiscal year 2013 from the Securities and Exchange Commission Reserve Fund established by the Dodd-Frank Wall Street Reform and Consumer Protection Act. The Committee does not support mandatory reserve funds. The Committee believes the Commission should request the level of funding it believes is necessary in any given fiscal year and not have access to reserve funding that is outside of the Congressional review process.

Section 619. The Committee continues the provision requiring certain agencies to provide quarterly reports on unobligated prior year balances.

Section 620. The Committee continues the provision that requires certain agencies in this Act to consult with the General Services Administration before seeking new office space or making alterations to existing office space.

Section 621. The Committee continues the provision prohibiting funds for the Federal Trade Commission to complete the draft report entitled "Interagency Working Group on Food Marketed to Children: Preliminary Proposed Nutrition Principles to Guide Industry Self-Regulatory Efforts" unless the Interagency Working Group on Food Marketed to Children complies with Executive Order 13563, including the requirement in section (c) to provide quantified present and future benefits and costs.

Section 622. The Committee modifies the provision prohibiting funding for certain czars including the White House Director of the Office of Health Reform, the Assistant to the President for Energy and Climate Change, the Senior Advisor to the Secretary of the Treasury assigned to the Presidential Task Force on the Auto Industry and Senior Counselor for Manufacturing Policy, and the White House Director of Urban Affairs to include any substantially similar provisions.

Section 623. The Committee continues the provision prohibiting funds from being used by any agency in this Act for any new hires not verified through the E-Verify Program established under section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

Section 624. The Committee continues the provision prohibiting funding made available by this Act to be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

Section 625. The Committee continues the provision prohibiting funding made available by this Act to be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

Section 626. The Committee includes language providing for several appropriated mandatory accounts. These are accounts where authorizing language requires the payment of funds. The budget request assumes the following estimated cost for the programs addressed in this provision: $450,000 for Compensation of the President including $50,000 for expenses, $125,464,000 for the Judicial Retirement Funds (Judicial Officers' Retirement Fund, Judicial Survivors' Annuities Fund, and the United States Court of Federal Claims Judges' Retirement Fund), $10,818,000,000 for the Government Payment for Annuitants, Employee Health Benefits, $51,000,000 for the Government Payment for Annuitants, Employee Life Insurance, and $9,780,000,000 for Payment to the Civil Service Retirement and Disability Fund.

Section 627. The Committee includes language which amends the Virginia Graeme Baker Pool and Spa Safety Act to allow for a greater number of States and municipalities to qualify for the program.

Section 628. The Committee includes a provision directing the Comptroller General to conduct a cost-benefit analysis of the Consumer Product Safety Improvement Act of 2008.

Section 629. The Committee rescinds $900,000 from the Privacy and Civil Liberties Oversight Board. While the Committee is supportive of privacy and civil liberties protections, this board has no members and has not incurred any costs.

Section 630. The Committee includes language requiring certain regulatory agencies to provide a report on increasing public participation in rulemaking, improving coordination among Federal agen-

cies, and identifying ineffective or excessively burdensome regulations.

Section 631. The Committee includes language prohibiting agencies within this Act from spending funds on travel, conferences, or employee awards programs that are not authorized by Federal law, regulation, or Executive Order. No later than 90 days after enactment of this Act, each Inspector General of a department or agency, board or commission, Director of the Administrative Office of the U.S. Courts, or senior ethics official in agencies without inspectors general funded by this Act shall report to the Committees on Appropriations of the House and Senate as to whether the entity concerned has effective procedures in place to ensure compliance with all applicable Federal laws, regulations, and Executive Orders on travel, conferences, and employee awards programs.

Section 632. The Committee includes language requiring the Securities and Exchange Commission to submit a report on the effectiveness of Rule 2a–7 (17 C.F.R. 270.2a–7) related to money market funds and their ability to provide liquidity to the capital and municipal markets.

Section 633. The Committee includes new language regarding restrictions relating to foreign entities.

Section 634. The Committee includes new language which prohibits the General Services Administration from providing bonuses to employees who are under investigation.

TITLE VII—GENERAL PROVISIONS, GOVERNMENT-WIDE

DEPARTMENTS, AGENCIES, AND CORPORATIONS

(INCLUDING TRANSFER OF FUNDS)

Section 701. The Committee continues the provision requiring agencies to administer a policy designed to ensure that all of its workplaces are free from the illegal use of controlled substances.

Section 702. The Committee continues the provision establishing price limitations on vehicles to be purchased by the Federal Government with an exemption for the purchase of electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.

Section 703. The Committee continues the provision allowing funds made available to agencies for travel to also be used for quarter allowances and cost-of-living allowances.

Section 704. The Committee continues the provision prohibiting the employment of noncitizens.

Section 705. The Committee continues the provision giving agencies the authority to pay General Services Administration bills for space renovation and other services.

Section 706. The Committee continues the provision allowing agencies to finance the costs of recycling and waste prevention programs with proceeds from the sale of materials recovered through such programs.

Section 707. The Committee continues the provision providing that funds made available to corporations and agencies subject to 31 U.S.C. 91 may pay rent and other service costs in the District of Columbia.

Section 708. The Committee continues the provision prohibiting interagency financing of groups absent prior statutory approval.

Section 709. The Committee continues the provision prohibiting the use of funds for enforcing regulations disapproved in accordance with the applicable law of the U.S.

Section 710. The Committee continues the provision limiting the amount of funds that can be used for redecoration of offices under certain circumstances.

Section 711. The Committee continues the provision to allow for interagency funding of national security and emergency telecommunications initiatives.

Section 712. The Committee continues the provision requiring agencies to certify that a Schedule C appointment was not created solely or primarily to detail the employee to the White House.

Section 713. The Committee continues the provision prohibiting the payment of any employee who prohibits, threatens or prevents another employee from communicating with Congress.

Section 714. The Committee continues the provision prohibiting Federal training not directly related to the performance of official duties.

Section 715. The Committee continues, with technical adjustments, the provision prohibiting the expenditure of funds for implementation of agreements in nondisclosure policies unless certain provisions are included.

Section 716. The Committee continues the provision prohibiting, other than for normal and recognized executive-legislative relationships, propaganda, publicity and lobbying by executive agency personnel in support or defeat of legislative initiatives.

Section 717. The Committee continues the provision prohibiting any Federal agency from disclosing an employee's home address to any labor organization, absent employee authorization or court order.

Section 718. The Committee continues the provision, with a modification, prohibiting funds to be used to provide non-public information such as mailing, telephone, or electronic mailing lists to any person or organization outside the government without the approval of the Committees on Appropriations.

Section 719. The Committee continues the provision prohibiting the use of funds for propaganda and publicity purposes not authorized by Congress.

Section 720. The Committee continues the provision directing agency employees to use official time in an honest effort to perform official duties.

Section 721. The Committee continues the provision allowing the use of funds to finance an appropriate share of the Federal Accounting Standards Advisory Board.

Section 722. The Committee continues the provision allowing agencies to transfer $17,000,000 to the Government-wide Policy account of General Services Administration to finance an appropriate share of various government-wide boards and councils. The Committee directs the Chief Human Capital Officers Council (CHCOC) to report to the Committee on steps taken by the Council to improve retirement processing within 90 days of enactment.

Section 723. The Committee continues the provision that permits breast feeding in a Federal building or on Federal property if the woman and child are authorized to be there.

Section 724. The Committee continues the provision that permits interagency funding of the National Science and Technology Council and provides for a report on the budget and resources of the National Science and Technology Council. The report should include the entire budget of the National Science and Technology Council.

Section 725. The Committee continues the provision requiring documents involving the distribution of Federal funds to indicate the agency providing the funds and the amount provided.

Section 726. The Committee continues the provision prohibiting the use of funds to monitor personal access or use of Internet sites or to collect, review, or obtain any personally identifiable information relating to access to or use of an Internet site.

Section 727. The Committee continues a provision requiring health plans participating in the Federal Employee Health Benefits Program to provide contraceptive coverage and provides exemptions to certain religious plans.

Section 728. The Committee continues language supporting strict adherence to anti-doping activities.

Section 729. The Committee continues a provision allowing funds for official travel to be used by departments and agencies, if consistent with OMB Circular A–126, to participate in the fractional aircraft ownership pilot program.

Section 730. The Committee continues a provision prohibiting funds for implementation of Office of Personnel Management regulations limiting detailees to the Legislative Branch, and implementing limitations on the Coast Guard Congressional Fellowship Program.

Section 731. The Committee continues the provision that restricts the use of funds for Federal law enforcement training facilities.

Section 732. The Committee continues the provision concerning transfers or reimbursements for "E-Government" initiatives.

Section 733. The Committee continues the provision that prohibits Executive Branch agencies from creating prepackaged news stories that are broadcast or distributed in the United States unless the story includes a clear notification within the text or audio of that news story that the prepackaged news story was prepared or funded by that executive branch agency. This provision confirms the opinion of the Government Accountability Office dated February 17, 2005 (B–304272).

Section 734. The Committee continues the provision prohibiting use of funds in contravention of section 552a of title 5, United States Code (the Privacy Act) and regulations implementing that section.

Section 735. The Committee continues the provision requiring agencies to evaluate the creditworthiness of an individual before issuing the individual a government travel charge card and limits agency actions accordingly.

Section 736. The Committee continues the provision prohibiting funds from being used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation.

Section 737. The Committee continues the provision requiring agencies to pay a fee to the Office of Personnel Management for processing retirement of employees who separate under Voluntary

Early Retirement Authority or who receive Voluntary Separation Incentive payments.

Section 738. The Committee includes language prohibiting funds to require any entity submitting an offer for a Federal contract or participating in an acquisition to disclose political contributions.

Section 739. The Committee continues the provision concerning the non-application of these general provisions to title IV and to title VIII.

The Committee does not include requested language to freeze the pay of senior Executive Branch political positions because on February 1, 2012, the House of Representatives passed H.R. 3835 eliminating cost of living and locality pay adjustments for all Federal employees in 2013.

TITLE VIII—GENERAL PROVISIONS—DISTRICT OF COLUMBIA

(INCLUDING TRANSFER OF FUNDS)

Section 801. The Committee continues the provision that appropriates funds for refunding overpayments of taxes collected and for paying settlements and judgments against the District of Columbia government.

Section 802. The Committee continues language prohibiting the use of Federal funds for publicity or propaganda purposes.

Section 803. The Committee continues the provision that establishes reprogramming procedures for Federal funds.

Section 804. The Committee continues the provision prohibiting the use of Federal funds to provide salaries or other costs associated with the offices of United States Senator or Representative.

Section 805. The Committee continues language restricting the use of official vehicles to official duties.

Section 806. The Committee continues the provision that prohibits the use of Federal funds for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

Section 807. The Committee includes language prohibiting the use of Federal funds for needle exchange programs.

Section 808. The Committee continues the provision that includes a "conscience clause" on legislation that pertains to contraceptive coverage by health insurance plans.

Section 809. The Committee continues language prohibiting the use of Federal funds to legalize or reduce penalties associated with the possession, use, or distribution on any schedule I substance under the Controlled Substances Act or any tetrahydrocannabinols derivative.

Section 810. The Committee continues the provision that prohibits the use of funds for abortion except in the cases of rape or incest or if necessary to save the life of the mother.

Section 811. The Committee continues the provision requiring the Chief Financial Officer (CFO) to submit a revised operating budget for all agencies in the D.C. government, no later than 30 calendar days after the enactment of this Act that realigns budgeted data with anticipated actual expenditures.

Section 812. The Committee continues the provision requiring the CFO to submit a revised operating budget for D.C. Public

Schools, no later than 30 calendar days after the enactment of this Act that realigns school budgets to actual school enrollment.

Section 813. The Committee modifies a provision allowing the transfer of local funds and capital and enterprise funds.

Section 814. The Committee continues the provision which limits references to "this Act" as referring to only this title and title IV.

The recommendation does not include the requested language allowing the District of Columbia to spend local funds in the absence of an appropriations act. Nonetheless, the Committee recognizes the challenges the District would face in the event of a Federal government shutdown. The Committee believes that District leaders and the congressional committees of jurisdiction should consider possible legislative solutions to address these challenges.

TITLE IX—ADDITIONAL GENERAL PROVISIONS

SPENDING REDUCTION ACCOUNT

Section 901. The Committee includes a provision that prohibits new budget authority from exceeding the budget allocation in fiscal year 2013.

HOUSE OF REPRESENTATIVES REPORT REQUIREMENTS

The following items are included in accordance with various requirements of the Rules of the House of Representatives:

FULL COMMITTEE VOTES

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 1

Date: June 20, 2012
Measure: Financial Services and General Government Appropriations Bill, FY 2013
Motion by: Mr. Serrano
Description of Motion: To increase Securities and Exchange Commission funding by $195,000,000, offset by an increase in offsetting collections of $195,000,000 and to eliminate language designating funding for information technology initiatives.
Results: Defeated 20 yeas to 28 nays.

Members Voting Yea
Mr. Bishop
Ms. DeLauro
Mr. Dicks
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Honda
Ms. Kaptur
Ms. Lee
Mrs. Lowey
Ms. McCollum
Mr. Moran
Mr. Olver
Mr. Pastor
Mr. Price
Mr. Rothman
Ms. Roybal-Allard
Mr. Schiff
Mr. Serrano
Mr. Visclosky

Members Voting Nay
Mr. Aderholt
Mr. Alexander
Mr. Austria
Mr. Bonner
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Culberson
Mr. Dent
Mr. Diaz-Balart
Mrs. Emerson
Mr. Flake
Mr. Frelinghuysen
Ms. Granger
Mr. Graves
Mr. Kingston
Mr. Latham
Mr. LaTourette
Mrs. Lummis
Mr. Nunnelee
Mr. Rehberg
Mr. Rogers
Mr. Simpson
Mr. Wolf
Mr. Womack
Mr. Yoder
Mr. Young

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 2

Date: June 20, 2012
Measure: Financial Services and General Government Appropriations Bill, FY 2013
Motion by: Mr. Nunnelee
Description of Motion: To expand an existing prohibition restricting the Federal Employees Health Benefits program from providing coverage for abortions to include all health benefits programs provided under the Affordable Care Act.
Results: Adopted 28 yeas to 20 nays.

Members Voting Yea
Mr. Aderholt
Mr. Alexander
Mr. Austria
Mr. Bonner
Mr. Calvert
Mr. Carter
Mr. Cole
Mr. Crenshaw
Mr. Culberson
Mr. Dent
Mr. Diaz-Balart
Mrs. Emerson
Mr. Flake
Mr. Frelinghuysen
Ms. Granger
Mr. Graves
Mr. Kingston
Mr. Latham
Mr. LaTourette
Mrs. Lummis
Mr. Nunnelee
Mr. Rehberg
Mr. Rogers
Mr. Simpson
Mr. Wolf
Mr. Womack
Mr. Yoder
Mr. Young

Members Voting Nay
Mr. Bishop
Ms. DeLauro
Mr. Dicks
Mr. Farr
Mr. Fattah
Mr. Hinchey
Mr. Honda
Ms. Kaptur
Ms. Lee
Mrs. Lowey
Ms. McCollum
Mr. Moran
Mr. Olver
Mr. Pastor
Mr. Price
Mr. Rothman
Ms. Roybal-Allard
Mr. Schiff
Mr. Serrano
Mr. Visclosky

FULL COMMITTEE VOTES

Pursuant to the provisions of clause 3(b) of rule XIII of the House of Representatives, the results of each roll call vote on an amendment or on the motion to report, together with the names of those voting for and those voting against, are printed below:

ROLL CALL NO. 3

Date: June 20, 2012
Measure: Financial Services and General Government Appropriations Bill, FY 2013
Motion by: Ms. Lee
Description of Motion: To limit the bill's prohibition on the use of funds for abortions so that it would not apply to local District of Columbia funds.
Results: Defeated 21 yeas to 26 nays.

Members Voting Yea	*Members Voting Nay*
Mr. Bishop	Mr. Aderholt
Ms. DeLauro	Mr. Austria
Mr. Dicks	Mr. Bonner
Mr. Farr	Mr. Calvert
Mr. Fattah	Mr. Carter
Mr. Frelinghuysen	Mr. Cole
Mr. Hinchey	Mr. Crenshaw
Mr. Honda	Mr. Culberson
Ms. Kaptur	Mr. Dent
Ms. Lee	Mr. Diaz-Balart
Mrs. Lowey	Mrs. Emerson
Ms. McCollum	Mr. Flake
Mr. Moran	Ms. Granger
Mr. Olver	Mr. Graves
Mr. Pastor	Mr. Kingston
Mr. Price	Mr. Latham
Mr. Rothman	Mr. LaTourette
Ms. Roybal-Allard	Mrs. Lummis
Mr. Schiff	Mr. Nunnelee
Mr. Serrano	Mr. Rehberg
Mr. Visclosky	Mr. Rogers
	Mr. Simpson
	Mr. Wolf
	Mr. Womack
	Mr. Yoder
	Mr. Young

STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

Pursuant to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the following is a statement of general performance goals and objectives for which this measure authorizes funding:

The Committee on Appropriations considers program performance, including a program's success in developing and attaining outcome-related goals and objectives, in developing funding recommendations.

RESCISSION OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following table is submitted describing the rescissions recommended in the accompanying bill:

Treasury Forfeiture Fund	$830,000,000
Privacy and Civil Liberties Oversight Board	900,000

TRANSFER OF FUNDS

Pursuant to clause 3(f)(2) of rule XIII of the Rules of the House of Representatives, the following is submitted describing the transfer of funds provided in the accompanying bill:

UNDER TITLE I—DEPARTMENT OF THE TREASURY

Under the Department of the Treasury, "Office of Terrorism and Financial Intelligence, Salaries and Expenses", unobligated balances associated with these activities under the Departmental Offices heading shall be transferred and merged with this account.

Section 101 allows the transfer of five percent of any appropriation (or three percent of Internal Revenue Service (IRS), "Enforcement") made available to the IRS to any other IRS appropriation, subject to prior congressional approval.

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

Section 109 authorizes transfers, up to two percent, between the IRS and the Treasury Inspector General for Tax Administration under certain circumstances.

Section 112 authorizes the transfer of funds from the "Financial Management Service, Salaries and Expenses", to the "Debt Collection Fund" as necessary to cover the cost of debt collection.

UNDER TITLE II—EXECUTIVE OFFICE OF THE PRESIDENT

Language is included under Federal Drug Control Programs, "High Intensity Drug Trafficking Areas Program", which allows for the transfer of funds to Federal departments or agencies and State and local entities.

Language is included under "Information Technology Oversight and Reform", allowing the transfer of funds to other agencies to carry out projects.

Language is included under the Official Residence of the Vice President, "Operating Expenses", allowing the transfer of funds to other Federal departments or agencies.

Section 201 permits the Executive Office of the President to transfer up to 10 percent of any appropriation, subject to approval of the Committee.

UNDER TITLE III—THE JUDICIARY

Language is included under "Courts of Appeals, District Courts, and Other Judicial Services, Court Security", allowing funds to be transferred to the United States Marshals Service for courthouse security.

Section 302 permits the Judiciary to transfer up to five percent of any appropriation with certain limitations.

UNDER TITLE V—INDEPENDENT AGENCIES

Under Title V, Independent Agencies, a number of transfers are allowed.

(1) The Election Assistance Commission account may transfer $1,375,000 to the National Institute for Standards and Technology and allows for the transfer of unexpended balances if the agency is terminated.

(2) Within the Federal Buildings Fund unobligated balances under building operations may be transferred to and merged with Public Building Service Salaries and Expenses or Building Operations and Maintenance and section 505 allows the transfer of funding within Federal Buildings Fund after approval of the Committee.

(3) Under Electronic Government funds may be transferred to other agencies and if the administration of the USAspending.gov program changes funds may to transferred to the office authorized to administer the program.

(4) Under Merit Systems Protection Board, an amount is transferred from the Civil Service Retirement and Disability Fund.

(5) Under Office of Personnel Management, amounts from certain trust funds are transferred to the Salaries and Expenses and Office of Inspector General accounts for administrative expenses;

(6) Under the Postal Regulatory Commission, amounts are transferred from the Postal Service Fund;

(7) Under the Recovery Accountability and Transparency Board if terminated, funds may be transferred to the office authorized to replace the office.

(8) Under Small Business Administration, Business Loans Program Account, amounts may be transferred to and merged with Salaries and Expenses.

(9) Under Small Business Administration, Disaster Loans Program Account, amounts may be transferred to and merged with the Office of Inspector General, and Salaries and Expenses.

(10) Under Administrative Provision-Small Business Administration, amounts may be transferred between appropriations of the Small Business Administration.

(11) Under United States Postal Service, Office of Inspector General, amounts are transferred from the Postal Service Fund.

UNDER TITLE VII—GOVERNMENT-WIDE

Section 722 authorizes departments and agencies to transfer funds to the General Services Administration to support certain financial, information technology, procurement and other management initiatives.

UNDER TITLE VIII—GENERAL PROVISIONS, DISTRICT OF COLUMBIA

Section 803 authorizes the District of Columbia to transfer local funds and section 813 allows transfer funds between operations and capital accounts.

DISCLOSURE OF EARMARKS AND CONGRESSIONALLY DIRECTED SPENDING ITEMS

Neither the bill nor the report contains any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI of the Rules of the House of Representatives.

COMPLIANCE WITH RULE XIII, CL. 3(e) (RAMSEYER RULE)

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTION 122 OF THE DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS ACT, 1998

(Public Law 105–119)

AN ACT making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1998, and for other purposes.

SEC. 122.(a) * * *

* * * * * * *

(g)(1) Notwithstanding any other provision of law and subject to paragraph (2), the Secretary of the Treasury is authorized to establish, for a period of [14 years] *16 years* from date of enactment of this provision, a personnel management demonstration project providing for the compensation and performance management of not more than a combined total of 950 employees who fill critical scientific, technical, engineering, intelligence analyst, language translator, and medical positions in the Bureau of Alcohol, Tobacco and Firearms.

* * * * * * *

TITLE 31, UNITED STATES CODE

SUBTITLE I—GENERAL

* * * * * * *

CHAPTER 3—DEPARTMENT OF THE TREASURY

SUBCHAPTER I—ORGANIZATION

* * * * * * *

§ 310. Financial Crimes Enforcement Network

(a) * * *

(b) DIRECTOR.—

(1) * * *

(2) DUTIES AND POWERS.—The duties and powers of the Director are as follows:

(A) * * *

* * * * * * *

(E) Furnish research, analytical, and informational services to financial institutions, appropriate Federal *and foreign* regulatory agencies with regard to financial institutions, and appropriate Federal, State, local, and foreign law enforcement authorities, in accordance with policies and guidelines established by the Secretary of the Treasury or the Under Secretary of the Treasury for Enforcement, in the interest of detection, prevention, and prosecution of terrorism, organized crime, money laundering, and other financial crimes.

* * * * * * *

SECTION 203 OF THE JUDICIAL IMPROVEMENTS ACT OF 1990

SEC. 203. DISTRICT JUDGES FOR THE DISTRICT COURTS.

(a) * * *

* * * * * * *

(c) TEMPORARY JUDGESHIPS.—The President shall appoint, by and with the advice and consent of the Senate—

(1) * * *

* * * * * * *

Except [with respect to the district of Kansas] *with respect to the eastern district of Missouri, the district of Kansas*, the western district of Michigan, the eastern district of Pennsylvania, the district of Hawaii, and the northern district of Ohio, the first vacancy in the office of district judge in each of the judicial districts named in this subsection, occurring 10 years or more after the confirmation date of the judge named to fill the temporary judgeship created by this subsection, shall not be filled. *The first vacancy in the office of district judge in the eastern district of Missouri occurring 10 years and 6 months or more after the confirmation date of the judge named to fill the temporary judgeship created for such district under this subsection, shall not be filled.* The first vacancy in the office of district judge in the district of Kansas occurring [21 years or more] *22 years and 6 months or more* after the confirmation date of the judge named to fill the temporary judgeship created for such district under this subsection, shall not be filled. The first vacancy in the office of district judge in the western district of Michi-

gan, occurring after December 1, 1995, shall not be filled. The first vacancy in the office of district judge in the eastern district of Pennsylvania, occurring 5 years or more after the confirmation date of the judge named to fill the temporary judgeship created for such district under this subsection, shall not be filled. The first vacancy in the office of district judge in the northern district of Ohio occurring 19 years or more after the confirmation date of the judge named to fill the temporary judgeship created under this subsection shall not be filled. The first vacancy in the office of the district judge in the district of Hawaii occurring [18 years or more] *19 years and 6 months or more* after the confirmation date of the judge named to fill the temporary judgeship created under this subsection shall not be filled. For districts named in this subsection for which multiple judgeships are created by this Act, the last of those judgeships filled shall be the judgeships created under this section.

* * * * * * *

SECTION 312 OF THE 21ST CENTURY DEPARMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT

SEC. 312. ADDITIONAL FEDERAL JUDGESHIPS.

(a) * * *

* * * * * * *

(c) TEMPORARY JUDGESHIPS.—

(1) * * *

(2) VACANCIES NOT FILLED.—The first vacancy in the office of district judge in each of the offices of district judge authorized by this subsection*, except in the case of the central district of California and the western district of North Carolina*, occurring [10 years] *11 years* or more after the confirmation date of the judge named to fill the temporary district judgeship created in the applicable district by this subsection, shall not be filled. *The first vacancy in the office of district judge in the central district of California occurring 10 years and 6 months or more after the confirmation date of the judge named to fill the temporary district judgeship created in that district by this subsection, shall not be filled. The first vacancy in the office of district judge in the western district of North Carolina occurring 10 years or more after the confirmation date of the judge named to fill the temporary district judgeship created in that district by this subsection, shall not be filled.*

* * * * * * *

TITLE 28, UNITED STATES CODE

PART I—ORGANIZATION OF COURTS

* * * * * * *

CHAPTER 5—DISTRICT COURTS

* * * * * * *

§ 104. Mississippi

Mississippi is divided into two judicial districts to be known as the northern and southern districts of Mississippi.

Northern District

[(a) The northern district comprises four divisions.

[(1) Eastern division comprises the counties of Alcorn, Attala, Chickasaw, Choctaw, Clay, Itawamba, Lee, Lowndes, Monroe, Oktibbeha, Prentiss, Tishomingo, and Winston.

[Court for the eastern division shall be held at Aberdeen, Ackerman, and Corinth.

[(2) The western division comprises the counties of Benton, Calhoun, Grenada, Lafayette, Marshall, Montgomery, Pontotoc, Tippah, Union, Webster, and Yalobusha.

[Court for the Western division shall be held at Oxford.

[(3) The Delta division comprises the counties of Bolivar, Coahoma, De Soto, Panola, Quitman, Tallahatchie, Tate, and Tunica.

[Court for the Delta division shall be held at Clarksdale and Cleveland.

[(4) The Greenville division comprises the counties of Carroll, Humphreys, Leflore, Sunflower, and Washington.

[Court for the Greenville division shall be held at Greenville.]

(a) The northern district comprises three divisions.

(1) The Aberdeen Division comprises the counties of Alcorn, Chickasaw, Choctaw, Clay, Itawamba, Lee, Lowndes, Monroe, Oktibbeha, Prentiss, Tishomingo, Webster, and Winston.

Court for the Aberdeen Division shall be held at Aberdeen, Ackerman, and Corinth.

(2) The Oxford Division comprises the counties of Benton, Calhoun, DeSoto, Lafayette, Marshall, Panola, Pontotoc, Quitman, Tallahatchie, Tate, Tippah, Tunica, Union, and Yalobusha.

Court for the Oxford Division shall be held at Oxford.

(3) The Greenville Division comprises the counties of Attala, Bolivar, Carroll, Coahoma, Grenada, Humphreys, Leflore, Montgomery, Sunflower, and Washington.

Court for the Greenville Division shall be held at Clarksdale, Cleveland, and Greenville.

* * * * * * *

§ 105. Missouri

Missouri is divided into two judicial districts to be known as the Eastern and Western Districts of Missouri.

Eastern District

(a) The Eastern District comprises three divisions.

(1) The Eastern Division comprises the counties of Crawford, Dent, Franklin, Gasconade, [Iron,] Jefferson, Lincoln, Maries, Phelps, Saint Charles, Saint Francois, [Saint Genevieve,]

Saint Louis, Warren, and Washington, and the city of Saint Louis.

Court for the Eastern Division shall be held at Saint Louis.

* * * * * * *

(3) The Southeastern Division comprises the counties of Bollinger, Butler, Cape Girardeau, Carter, Dunklin, *Iron,* Madison, Mississippi, New Madrid, Pemiscot, Perry, Reynolds, Ripley, *Saint Genevieve,* Scott, Shannon, Stoddard, and Wayne.

Court for the Southeastern Division shall be held at Cape Girardeau.

* * * * * * *

DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT

(Public Law 111-203)

AN ACT To promote the financial stability of the United States by improving accountability and transparency in the financial system, to end "too big to fail", to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes.

* * * * * * *

TITLE X—BUREAU OF CONSUMER FINANCIAL PROTECTION

* * * * * * *

Subtitle A—Bureau of Consumer Financial Protection

* * * * * * *

SEC. 1017. FUNDING; PENALTIES AND FINES.

(a) TRANSFER OF FUNDS FROM BOARD OF GOVERNORS.—

(1) * * *

(2) FUNDING CAP.—

(A) * * *

* * * * * * *

[(C) REVIEWABILITY.—Notwithstanding any other provision in this title, the funds derived from the Federal Reserve System pursuant to this subsection shall not be subject to review by the Committees on Appropriations of the House of Representatives and the Senate.**]**

* * * * * * *

VIRGINIA GRAEME BAKER POOL AND SPA SAFETY ACT

TITLE XIV—POOL AND SPA SAFETY

* * * * * * *

SEC. 1405. STATE SWIMMING POOL SAFETY GRANT PROGRAM.

(a) * * *

(b) ELIGIBILITY.—To be eligible for a grant under the program, a State shall—

(1) demonstrate to the satisfaction of the Commission that it has a State statute, or that, after the date of enactment of this title, it has enacted a statute, or amended an existing statute, and provides for the enforcement of, a law that—

(A) except as provided in section 1406(a)(1)(A)(i), applies to [all swimming pools constructed after the date that is 6 months after the date of enactment of the Financial Services and General Government Appropriations Act, 2012 in the State] *all swimming pools constructed in the State after the date a State submits an application to the Commission for a grant under this section*; and

* * * * * * *

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission for each of [fiscal years 2009 and 2010] *fiscal years 2009 through 2014* $2,000,000 to carry out this section, such sums to remain available until expended. Any amounts appropriated pursuant to this subsection that remain unexpended and unobligated at the end of [fiscal year 2012] *fiscal year 2014* shall be retained by the Commission and credited to the appropriations account that funds enforcement of the Consumer Product Safety Act.

SEC. 1406. MINIMUM STATE LAW REQUIREMENTS.

(a) IN GENERAL.—

(1) SAFETY STANDARDS.—A State meets the minimum State law requirements of this section if—

(A) the State requires by statute—

(i) the enclosure of all outdoor residential pools and spas by barriers to entry that will effectively prevent small children from gaining unsupervised and unfettered access to the pool or spa; *and*

[(ii) that all pools and spas be equipped with devices and systems designed to prevent entrapment by pool or spa drains;]

[(iii)] *(ii)* that pools and spas built more than 1 year after the date of the enactment of such statute have—

(I) * * *

* * * * * * *

(III) no main drain; *and*

[(iv) every swimming pool and spa that has a main drain, other than an unblockable drain, be equipped with a drain cover that meets the consumer product safety standard established by section 1404; and

[(v) that periodic notification is provided to owners of residential swimming pools or spas about compliance with the entrapment protection standards of the ASME/ANSI A112.19.8 performance standard, or any successor standard; and]

* * * * * * *

[(2) NO LIABILITY INFERENCE ASSOCIATED WITH STATE NOTIFICATION REQUIREMENT.—The minimum State law notification requirement under paragraph (1)(A)(v) shall not be construed to imply any liability on the part of a State related to that requirement.]

[(3)] *(2)* USE OF MINIMUM STATE LAW REQUIREMENTS.—The Commission—

(A) * * *

* * * * * * *

[(4)] *(3)* REQUIREMENTS TO REFLECT NATIONAL PERFORMANCE STANDARDS AND COMMISSION GUIDELINES.—In establishing minimum State law requirements under [paragraph (1)] *paragraph (1)(B)*, the Commission shall—

(A) * * *

* * * * * * *

SECTION 207 OF TITLE 18, UNITED STATES CODE

§ 207. Restrictions on former officers, employees, and elected officials of the executive and legislative branches

(a) * * *

* * * * * * *

(m) ADDITIONAL RESTRICTIONS RELATING TO FOREIGN ENTITIES.—

(1) IN GENERAL.—In addition to the restrictions contained in subsection (f), any person who serves in a position described in paragraph (2) and who, within 10 years after leaving that position, knowingly—

(A) represents a foreign entity before any Member, officer, or employee of either House of Congress, or any officer or employee of a department or agency of the executive branch, with the intent to influence a decision of such officer, employee, or Member, in his or her official capacity, or

(B) aids or advises a foreign entity with the intent to influence a decision of any Member, officer, or employee of either House of Congress, or any officer or employee of a department or agency of the executive branch, in his or her official capacity,

shall be punished as provided in section 216 of this title.

(2) POSITIONS SUBJECT TO RESTRICTION.—

(A) IN GENERAL.—The positions referred to in paragraph (1) are the following:

(i) The President.

(ii) The Vice President.

(iii) A Member of Congress.

(iv) A covered appointee position.

(B) COVERED APPOINTEE POSITION.—For purposes of this paragraph, an individual serves in a "covered appointee position" if the individual serves—

(i) except as provided in clause (ii), in a position in an Executive agency to which the individual was appointed by the President, by and with the advice and consent of the Senate;

(ii) in a position that is held by an active duty commissioned officer of the uniformed services who is serving in a grade or rank for which the pay grade (as specified in section 201 of title 37) is pay grade O–7 or higher; or

(iii) in any of the following positions:

(I) Deputy Director of National Intelligence.

(II) Deputy Director of the Central Intelligence Agency.

(III) Associate Deputy Director of the Central Intelligence Agency.

(IV) The Director of the National Clandestine Service.

(V) Chief of Station for the Central Intelligence Agency at an embassy or consulate of the United States.

(3) LIMITATION TO COUNTRIES OF PARTICULAR CONCERN.—The limitations contained in paragraph (1) apply only with respect to a foreign entity in a country that is designated as a country of particular concern for religious freedom under section 402(b)(1)(A) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)(A).

(4) DEFINITIONS.—As used in this subsection—

(A) the term "Executive agency" means an Executive agency as defined by section 105 of title 5, including the Executive Office of the President;

(B) the term "Member of Congress" has the meaning given that term in subsection (e)(9) of this section; and

(C) the term "foreign entity" means—

(i) the government of a foreign country as defined in section 1(e) of the Foreign Agents Registration Act of 1938, as amended; and

(ii) any entity owned or controlled, in whole or in part, by the government of a foreign country (as so defined).

CHANGES IN THE APPLICATION OF EXISTING LAW

Pursuant to clause 3(f)(1)(A) of rule XIII of the Rules of the House of Representatives, the following statements are submitted describing the effect of provisions proposed in the accompanying bill which may be considered, under certain circumstances, to change the application of existing law, either directly or indirectly. The bill provides that appropriations shall remain available for more than one year for a number of programs for which the basic authorizing legislation does not explicitly authorize such extended availability. The bill provides, in some instances, for funding of agencies and activities where legislation has not yet been finalized.

In addition, the bill carries language, in some instances, permitting activities not authorized by law, or exempting agencies from certain provisions of law, but which has been carried in appropriations acts for many years.

The bill includes several limitations on official entertainment, reception and representation expenses. Similar provisions have appeared in many previous appropriations Acts. The bill includes a number of limitations on the purchase of automobiles or office furnishings that also have appeared in many previous appropriations Acts. Language is included in several instances permitting certain funds to be credited to the appropriations recommended. Language is also included in several instances permitting funding for services authorized by 5 U.S.C. 3109 and for the hire of passenger motor vehicles.

TITLE I—DEPARTMENT OF THE TREASURY

Language is included for Departmental Offices, "Salaries and Expenses", that provides funds for operation and maintenance of the Treasury Building Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for real properties leased or owned overseas; official reception and representation expenses; contributions to the Organization for Economic Cooperation and Development for the Department's participation in programs related to global tax administration; information technology modernization requirements; Treasury-wide financial audits; cybersecurity; critical infrastructure protection and compliance policy programs; and the period of availability.

Language is included for the Office of Terrorism and Financial Intelligence, "Salaries and Expenses" that provides funds combating threats to national security and secure space. Language is also included that limits the availability of certain amounts and transfers funds.

Language is included for the Office of Inspector General, "Salaries and Expenses", that provides funds to carry out the provisions of the Inspector General Act of 1978, including the hire of vehicles and specifies amounts for unforeseen emergencies of a confidential nature.

Language is included for the Treasury Inspector General for Tax Administration, "Salaries and Expenses", that provides funds to carry out the provisions of the Inspector General Act of 1978, including the purchase and hire of motor vehicles and specifies amounts for unforeseen emergencies of a confidential nature.

Language is included for the Financial Crimes Enforcement Network, "Salaries and Expenses", that provides funds for the hire of motor vehicles; travel and training of non-federal and foreign government personnel attending meetings involving domestic or foreign financial law enforcement, intelligence, and regulation; official reception and representation expenses; and assistance to Federal law enforcement agencies with or without reimbursement. Language is also included that limits the availability of certain amounts.

Language is included for the Financial Management Service, "Salaries and Expenses", that provides a certain amount for official

reception and representation expenses and limits the availability for systems modernization funds.

Language is included for the Alcohol and Tobacco Tax and Trade Bureau, "Salaries and Expenses", that provides funds for the hire of passenger motor vehicles and laboratory assistance to State and local agencies with or without reimbursement. Language is also included that specifies the amounts for official reception and representation expenses and cooperative research and development.

Language is included for the U.S. Mint, "United States Mint Public Enterprise Fund", that identifies the source of funding for the operations and activities of the U.S. Mint and specifies the level of funding for circulating coinage and protective service capital investments.

Language is included for the Bureau of the Public Debt, "Administering the Public Debt", that specifies funds for official reception and representation expenses; and provides that appropriations from the General Fund will be reduced as fees are collected, and that a portion of the funds are to be derived from the Oil Spill Liability Trust Fund for administration of the Fund. Language is also included that limits the availability of certain amounts.

Language is included for the Community Development Financial Institutions Fund Program Account that provides specific amounts for: Native American initiatives, administrative expenses, and the cost of direct loans. Language is included clarifying the cost of direct loans and the cost of modifying direct loans, and specifying the limitation on gross obligations for the principal amount of direct loans. Language is included with regards to persistent poverty counties.

Language is included under Internal Revenue Service, "Taxpayer Services", that provides funds for pre-filing assistance and education, filing and account services, and taxpayer advocacy services, implementation of the tax credit in title II of division A of the Trade Act of 2002 (Public Law 107–210), and dedicating funding for the Tax Counseling for the Elderly Program, low-income taxpayer clinic grants, Community Volunteer Income Tax Assistance grants, and operating expenses of the Taxpayer Advocate Service.

Language is included for Internal Revenue Service, "Enforcement", that provides funds to determine and collect owed taxes, provide legal and litigation support, conduct criminal investigations, enforce criminal statutes, purchase and hire of vehicles; and funding for the Interagency Crime and Drug Enforcement program.

Language is included for the Internal Revenue Service, "Operations Support", that provides funds for operating and supporting taxpayer services and tax law enforcement programs; rent; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; hire of passenger motor vehicles; and dedicating funding for the IRS Oversight Board and official reception and representation expenses.

Language is included for Internal Revenue Service, "Business Systems Modernization", that provides for the business systems modernization program, including capital asset acquisition of information technology, including management and related contractual costs and IRS labor costs of said acquisitions, contractual costs as-

sociated with operations, and places certain restrictions on the use of the funds.

In addition, the bill provides the following administrative provisions:

Section 101. Language is included that allows for the transfer of five percent (three percent in the case of Enforcement) of any appropriation made available to the IRS to any other IRS appropriation, upon the advance approval of the Committees on Appropriations.

Section 102. Language is included that requires the IRS to maintain a training program in taxpayer rights, dealing courteously with taxpayers, and cross-cultural relations.

Section 103. Language is included that requires the IRS to institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information and protect taxpayers against identity theft.

Section 104. Language is included that makes funds available for improved facilities and increased staffing to provide efficient and effective 1–800 number help line service for taxpayers.

Section 105. Language is included that provides the IRS's authority to hire experts and consultants.

Section 106. Language is included prohibiting funds made available in the healthcare reform act from being transferred to the IRS for implementing the healthcare reform act.

Section 107. Language is included that authorizes the Department to purchase uniforms, insurance for motor vehicles that are overseas, and motor vehicles that are overseas without regard to the general purchase price limitations; to enter into contracts with the State Department for health and medical services for Treasury employees that are overseas; and to hire experts or consultants.

Section 108. Language is included that authorizes transfers, up to two percent, between "Departmental Offices—Salaries and Expenses", "Special Inspector General for the Troubled Asset Relief Program", "Office of Inspector General", "Financial Management Service", "Alcohol and Tobacco Tax and Trade Bureau", "Financial Crimes Enforcement Network", and "Bureau of the Public Debt" appropriations under certain circumstances.

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

Section 110. Language is included limiting funds for the purchase of law enforcement vehicles unless the purchase is consistent with vehicle management principles.

Section 111. Language is included prohibiting the Department of the Treasury from undertaking a redesign of the one dollar Federal Reserve note.

Section 112. Language is included providing for transfers from and reimbursements to "Financial Management Service, Salaries and Expenses" for the purposes of debt collection.

Section 113. Language is included extending a pay demonstration program.

Section 114. Language is included requiring congressional approval for the construction and operation of a museum by the United States Mint.

Section 115. Language is included prohibiting funds in this or any other Act from being used to merge the U.S. Mint and the Bureau of Engraving and Printing without the approval of the House and Senate Committees of jurisdiction.

Section 116. Language is included deeming that funds for the Department of the Treasury's intelligence-related activities are specifically authorized in fiscal year 2013 until enactment of the Intelligence Authorization Act for fiscal year 2013.

Section 117. Language is included permitting the Bureau of Engraving and Printing to use $5,000 from the Industrial Revolving Fund for reception and representation expenses.

Section 118. Language is included requiring the Department of the Treasury to submit a capital investment plan.

Section 119. Language is included allowing the Financial Crimes Enforcement Network to share more information with their foreign counterparts.

Section 120. Language is included requiring a quarterly report from both the Office of Financial Research and Office of Financial Stability.

Section 121. Language is included requiring the Department of the Treasury to submit a report on its Working Capital Fund.

TITLE II—EXECUTIVE OFFICE OF THE PRESIDENT

Language under The White House, "Salaries and Expenses", provides funds for services authorized by 5 U.S.C. 3109 and 3 U.S.C. 105 and 107, subsistence expenses, hire of vehicles, newspapers, periodicals, travel, and official entertainment expenses; and the Office of Policy Development.

Language under the Executive Residence at the White House, "Operating Expenses", provides funds for official entertainment expenses of the President, and the care, maintenance, repair and alterations, refurnishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House.

Language under the Executive Residence at the White House, "Reimbursable Expenses", specifies the authorized use of funds; specifies that reimbursable expenses are the exclusive authority of the Executive Residence to incur obligations and receive offsetting collections; requires the sponsors of political events to make advance payments; requires the national committee of the political party of the President to maintain $25,000 on deposit; requires the Executive Residence to ensure that amounts owed are billed within 60 days of a reimbursable event and collected within 30 days of the bill notice; authorizes the Executive Residence to charge and assess interest and penalties on late payments; authorizes all reimbursements to be deposited into the Treasury as a miscellaneous receipt; requires a report to the Committee on the reimbursable expenses within 90 days of the end of the fiscal year; requires the Executive Residence to maintain a system for tracking and classifying reimbursable events; and specifies that the Executive Residence is not exempt from the requirements of subchapter I or II of chapter 37 of title 31, United States Code.

Language under "White House Repair and Restoration" provides funds for the repair, alteration and improvement of the Executive

Residence at the White House; and allows funds to remain available until expended.

Language under National Security Council and Homeland Security Council "Salaries and Expenses", provides for services authorized by 5 U.S.C. 3109.

Language under Office of Administration, "Salaries and Expenses", provides funds for continued modernization of the information technology infrastructure within the Executive Office of the President, to remain available until expended.

Language under Office of Management and Budget, "Salaries and Expenses", provides funds for expenses, services authorized by 5 U.S.C. 3109, the hire of vehicles; carrying out provisions of chapter 35 of 44 U.S.C.; specifies funds for official representation expense; prohibits the review of agricultural marketing orders; prohibits the use of funds for the purpose of altering the transcript of testimony except for OMB officials; prohibits the use of funds for evaluating or determining if water resource project or study reports submitted by the Chief of Engineers are in compliance with all applicable laws, regulations, and requirements; and specifies the amount of time to perform budgetary policy reviews of water resource matters on which the Chief of Engineers has reported before the report is considered approved, and specifies notification requirements; requires consultation with House and Senate standing committees with respect to the number of printed and electronic versions of the fiscal year 2014 budget that should be provided by OMB; provides that administrative costs associated with the Partnership Fund for Program Integrity Innovation can be funded under this heading.

Language under the Office of National Drug Control Policy, "Salaries and Expenses", provides funds for expenses, research, official reception and representation expenses, participation in joint projects, and allows for the acceptance of gifts. Language is also included providing funds for policy research and evaluation and making these funds available until expended.

Language under Federal Drug Control Programs, "High Intensity Drug Trafficking Areas Program", provides for the transfer of funds to Federal agencies and departments. Language is also included regarding the availability of funds, specifying the amount of funds for auditing and associated activities, requiring each designated High Intensity Drug Trafficking Area to receive not less than the fiscal year 2012 base allocation unless the Director of the Office of National Drug Control Policy determines otherwise and submits a report to the Committees on Appropriations, and requiring reports regarding initial allocations and discretionary funding.

Language under Federal Drug Control Programs, "Other Federal Drug Control Programs" provides funds to support matching grants to drug-free communities (with an amount specified to be made available as directed by section 4 of Public Law 107–82, as amended by Public Law 109–469), anti-doping activities, the U.S. membership dues to the World Anti-Doping Agency, drug courts and a competitive grant program. Language also limits the availability of funds.

Language under "Information Technology Oversight and Reform" provides funds to remain available until expended; allows funding to be transferred to agencies to carry out projects; and requires

quarterly reports on identified savings by fiscal year, agency and appropriation.

Language under Special Assistance to the President, "Salaries and Expenses", enables the Vice President to provide assistance to the President, services authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, subsistence, and the hire for vehicles.

Language under Official Residence of the Vice President, "Operating Expenses", provides funds for operation and maintenance of the official residence of the Vice President, the hire of vehicles, official entertainment expenses and provides for the transfer of funds as necessary.

In addition, the bill provides the following administrative provisions:

Section 201. Language is included permitting the transfer of not to exceed ten percent of funds between various accounts within the Executive Office of the President, with advance approval of the Committees on Appropriations.

Section 202. Language is included requiring the Director of the Office of Management and Budget to submit a report to the Committee on improving regulation and regulatory review.

Section 203. Language is included requiring the Director of the Office of Management and Budget to report on the costs of implementing the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111–203).

Section 204. Language is included prohibiting funds to prepare, sign or approve statements abrogating legislation passed by the House of Representatives and the Senate and signed by the President.

Section 205. Language is included requiring the Director of the Office of Management and Budget (OMB) to report to the Appropriations and Budget Committees on the implementation of sequestration required under section 251(a) of the Balanced Budget and Emergency Deficit Control Act of 1985. $5,000,000 of OMB's Salaries and Expenses appropriation shall not be available for obligation until this report is submitted.

Section 206. Language is included requiring the President to submit a detailed report on the sequestration required by section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 for January 2, 2013.

TITLE III—THE JUDICIARY

Language is included under Supreme Court, "Salaries and Expenses", providing for certain funds to remain available until expended; the hire of passenger motor vehicles, official reception and representation, and miscellaneous expenses.

Language is included under Supreme Court, "Care of the Building and Grounds", permitting funds to remain available until expended.

Language is included under Courts of Appeals, District Courts, and Other Judicial Services, "Salaries and Expenses", providing funds for the salaries of certain judges, and all other employees not otherwise provided for; necessary expenses; the purchase, rental, repair and cleaning of uniforms for Probation and Pretrial Services Office staff; firearms and ammunition; and specifies certain funds remain available until expended for specific purposes. Language is

also included providing funding from the Vaccine Injury Compensation Trust Fund for certain purposes.

Language is included under Defender Services, providing for the compensation and reimbursement of expenses for attorneys, investigative, expert and other services, the operation of Federal Defender organizations, travel, training, general administrative expenses and permitting funds to remain available until expended.

Language is included under Fees of Jurors and Commissioners, permitting funds to remain available until expended and specifying limitations for the compensation of land commissioners.

Language is included under Court Security, providing for protective guard services and procurement, installation and maintenance of security systems and equipment, building ingress-egress control, inspection of mail and packages, directed security patrols, perimeter security and services provided by the Federal Protective Services. Language is included permitting certain funds to remain available until expended, which may be transferred to the United States Marshals Service.

Language is included under Administrative Office of the United States Courts, "Salaries and Expenses", providing for travel, the hire of passenger motor vehicles, advertising and rent in the District of Columbia. Language is included specifying certain amounts for official reception and representation expenses.

Language is included under Federal Judicial Center, "Salaries and Expenses", extending the availability of certain funds for education and training, and specifying certain amounts for official reception and representation expenses.

Language is included under United States Sentencing Commission, "Salaries and Expenses", specifying certain amounts for official reception and representation expenses.

In addition, the bill provides the following administrative provisions:

Section 301. Language is included permitting funds for salaries and expenses to be available for the employment of experts and consultant services as authorized by 5 U.S.C. 3109.

Section 302. Language is included permitting up to five percent of any appropriation made available for fiscal year 2013 to be transferred between Judiciary appropriations provided that no appropriation shall be decreased by more than five percent or increased by more than ten percent by any such transfer except in certain circumstances. In addition, the language provides that any such transfer shall be treated as a reprogramming of funds under sections 604 and 608 of the accompanying bill and shall not be available for obligation or expenditure except in compliance with the procedures set forth in those sections.

Section 303. Language is included allowing not to exceed $11,000 to be used for official reception and representation expenses incurred by the Judicial Conference of the United States.

Section 304. Language is included allowing a court security pilot program.

Section 305. Language is included extending temporary judgeships in the eastern district of Missouri, Kansas, Hawaii, Arizona, the northern district of Alabama, the central district of California, the southern district of Florida, New Mexico and the eastern district of Texas.

Section 306. Language is included requiring the Judicial Conference to submit a plan to freeze the number of square feet funded by the Courts of Appeals, District Courts, and Other Judicial Services, Salaries and Expenses appropriation in fiscal year 2014 and reduce the number of square feet occupied by the Judiciary by at least 1 percent in the next four fiscal years.

Section 307. Language is included regarding the boundaries of divisions in the eastern district of Missouri and the northern district of Mississippi.

Section 308. Language is included prohibiting funds for circuit judicial conferences.

TITLE IV—DISTRICT OF COLUMBIA

Language is included under "Federal Payment for Resident Tuition Support", permitting the amount appropriated to remain available until expended; and specifying conditions for the use, award, and financial accounting of funds.

Language is included under "Federal Payment for Emergency Planning and Security Costs in the District of Columbia", providing that the amount appropriated shall remain available until expended for providing public safety at events, including support of the United States Secret Service, to respond to terrorist threats or attacks, and for costs associated with the Presidential Inauguration.

Language is included under "Federal Payment to the District of Columbia Courts": (1) providing all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies; (2) specifying certain amounts for specific purposes; (3) allowing funds made available for capital improvements to remain available until September 30, 2014, and (4) providing for the reallocation of funds.

Language is included under "Defender Services in the District of Columbia Courts": (1) providing that the amount appropriated shall remain available until expended; (2) specifying who shall administer these funds; and (3) providing that all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies.

Language is included under "Federal Payment to the Court Services and Offender Supervision Agency for the District of Columbia": (1) specifying certain amounts for specific purposes and programs; (2) providing that all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies; and (3) authorizing the Director to accept and use gifts to support offender and defendant programs; to accept and use equipment, supplies, and vocational training services necessary to sustain, educate, and train offenders and defendants, including their dependent children; and specifying for recording the acceptance of such gifts.

Language is included under "Federal Payment to District of Columbia Public Defender Service": (1) providing that all amounts

under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies; (2) and authorizing the acceptance and use of voluntary and uncompensated services to facilitate the work of the District of Columbia Public Defender Service.

Language is included under "Federal Payment to the Criminal Justice Coordinating Council", specifying that the amount appropriated shall remain available until expended to support initiatives related to the coordination of Federal and local criminal justice resources.

Language is included under "Federal Payment for Judicial Commissions", specifying certain amounts for certain commissions and allowing for appropriations to remain available until September 30, 2014.

Language is included under "Federal Payment for School Improvement", allowing for appropriations to remain available until expended for payments authorized under the Scholarship for Opportunity and Results Act.

Language is included under "Federal Payment for the District of Columbia National Guard", providing funds for the National Guard Retention and College Access Program to remain available until expended.

Language is included under "Federal Payment for Redevelopment of the Saint Elizabeths Hospital Campus", providing funds for a center for innovation and entrepreneurship to remain available until expended.

Language is included under "Federal Payment for Testing and Treatment of HIV/AIDS" for testing and treatment.

Language is included under "District of Columbia Funds": (1) providing funds as proposed in the Fiscal Year 2012 Proposed Budget and Financial Plan submitted to Congress by the District of Columbia; (2) limits the amount provided in this Act for the District of Columbia to the amount of the proposed budget or the sum of total revenues; (3) providing conditions for increasing the amount provided; and (4) directing the Chief Financial Officer to ensure the District of Columbia meets all requirements, but prohibits the reprogramming of capital projects.

TITLE V—INDEPENDENT AGENCIES

The bill provides the following administrative provisions under the Bureau of Consumer Financial Protection (CFPB):

Section 501. Language is included repealing the prohibition against the Committees on Appropriations reviewing transfers from the Federal Reserve System to the CFPB.

Section 502. Language is included changing the Bureau of Consumer Financial Protection's (CFPB) source of funding from transfers from the Federal Reserve System to annual appropriations beginning in fiscal year 2014.

Section 503. Language is included requiring CFPB to submit quarterly reports about its activities and to testify about its activities when requested.

Language is included for the Consumer Product Safety Commission, "Salaries and Expenses", that provides funds for expenses, the hire of motor vehicles, services as authorized by 5 U.S.C. 3109

(with a limitation on rates for individuals), nominal awards, official reception and representation expenses, and allowing $500,000 to remain available until September 30, 2014 for a grant program authorized by section 1405 of Public Law 110–140 (15 U.S.C. 8004).

Language is included for the Election Assistance Commission, "Salaries and Expenses", that allows for the transfer of funds to the National Institute of Standards and Technology for election reform activities. Language is included providing for the transfer of any unobligated balances should the Election Assistance Commission be terminated during fiscal year 2013.

Language is included under the Federal Communications Commission, "Salaries and Expenses", permitting funds for uniforms and allowances therefor, official reception and representation expenses, purchase and hire of motor vehicles, and special counsel fees. Language provides for the assessment and collection of offsetting collections, authorizes retention of such collections, and provides that they remain available until expended. Language removes the availability for obligation of excess collections. Language waives existing law concerning proceeds from the use of a competitive bidding system.

Language is included for the Federal Deposit Insurance Corporation, "Office of Inspector General", that provides for the funds to be derived from the Deposit Insurance Fund, and the FSLIC Resolution Fund, or any successor to these funds.

Language is included for the Federal Election Commission, "Salaries and Expenses", that specifies funds for reception and representation expenses.

Language is included for the Federal Labor Relations Authority, "Salaries and Expenses", that provides funds for services authorized by 5 U.S.C. 3109, the hire of experts and consultants, hire of motor vehicles, and the rental of conference rooms; authorizes travel payments to public members of the Federal Service Impasses Panel; and allows for fees collected to be transferred to and merged with the appropriation.

Language is included for the Federal Trade Commission, "Salaries and Expenses", permitting funds for uniforms and allowances therefor, services authorized by 5 U.S.C. 3109, official reception and representation expenses, hire of motor vehicles, and contract for collection services. Language provides for the crediting and retention of certain fees. Language also prohibits funds from being used to implement subsection (e)(2)(B) of section 43 of the Federal Deposit Insurance Act.

Language is included for the General Services Administration, "Federal Buildings Fund", that allows for revenues and collections to be deposited in the Fund; specifies the conditions under which funds made available can be used; limits the availability of funds; limits full-time equivalent employees, limits square footage and requires the approval to change the amounts as reported in a plan.

Language is included for the General Services Administration, "Government-wide Policy", that provides funds for policy and evaluation activities associated with the management of real and personal property assets and certain administrative services; support responsibilities relating to acquisition, telecommunications, information technology management, and related technology activities;

and services authorized by 5 U.S.C. 3109. Language is included that limits the availability of funds.

Language is included for the General Services Administration, "Office of Inspector General", that provides funds for information and detection of fraud; and for awards in recognition of efforts that enhance the office.

Language is included for the General Services Administration, "Electronic Government", that provides funds to carry out the E-Government Act of 2002 that may be transferred to Federal agencies under certain conditions and if the office responsible for USAspending.gov changes, then funds for USAspending.gov are transferred to that office.

Language is included for the General Services Administration, "Allowances and Office Staff for Former Presidents", that allows a portion of these funds to be transferred.

Language is also included for the "Federal Citizen Services Fund", that authorizes funds to be deposited in the Fund and limits the availability of funds in the Fund.

Language is included for the General Services Administration, "Expenses, Presidential Transition", that provides funds limited to certain activities authorized under the Presidential Transition Act of 1963.

In addition, the bill provides the following administrative provisions under the General Services Administration (GSA):

Section 504. Language is included providing authority for the use of funds for the hire of motor vehicles.

Section 505. Language is included providing that funds made available for activities of the Federal Buildings Fund may be transferred between appropriations with advance approval of the Congress to apply to funds provided in prior appropriations Acts.

Section 506. Language is included requiring funds proposed for developing courthouse construction requests to meet appropriate standards and the priorities of the Judicial Conference.

Section 507. Language is included requiring GSA to prepare a 2014 budget request with a total inventory of space less than the inventory in 2013.

Section 508. Language is included providing that no funds may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided, to any agency which does not pay the requested rent.

Section 509. Language is included permitting GSA to pay small claims (up to $250,000) made against the Federal Government.

Section 510. Language is included requiring the Administrator to ensure that the delineated area of procurement for all lease agreements is identical to the delineated area included in the prospectus unless prior notice is given to the Committees.

Section 511. Language is included requiring GSA to have both the authorization and appropriation for construction before taking land from private land owners.

Section 512. Language is included requiring GSA to apply current limitations on employee awards to fiscal year 2013 funding.

Section 513. Language is included requiring the GSA Administrator to certify that the cost of conferences are appropriate and comply with all travel and conference laws and regulations.

Section 514. Language is included requiring GSA to submit quarterly spending reports on the activities of the Federal Buildings Fund.

Section 515. Language is included requiring GSA to submit a detailed report on the amounts that the Working Capital Fund charges to each office for services.

Language is included for the Harry S Truman Scholarship Foundation Trust Fund allowing appropriations to remain available until expended.

Language is included for the Merit Systems Protection Board, "Salaries and Expenses", that provides funds for services authorized by 5 U.S.C. 3109, rental of conference rooms, hire of passenger motor vehicles, direct procurement of survey printing, official reception and representation expenses, and administration expenses to adjudicate retirement appeals, and provides for the transfer of some funds.

Language is included for the Morris K. Udall and Stewart L. Udall Foundation, "Morris K. Udall and Stewart L. Udall Trust Fund", that specifies the availability of funds and specifies an amount for financial audits.

Language is included for the Morris K. Udall and Stewart L. Udall Foundation, "Environmental Dispute Resolution Fund", that specifies the availability of funds.

Language is included for the National Archives and Records Administration, "Operating Expenses", that provides funds for uniforms or allowances therefor, as authorized by 5 U.S.C. 5901 et seq., including maintenance, repairs, and cleaning, the hire of passenger motor vehicles, activities of the Public Interest Declassification Board, the review and declassification of documents, and the operations and maintenance of the electronic records archive.

Language is included for the National Archives and Records Administration, "Office of Inspector General", that provides funds for the hire of motor vehicles.

Language is included for the National Archives and Records Administration, "Repairs and Restoration", that provides funds for the repair, alteration, improvement, and provision of adequate storage; and provides that funds remain available until expended.

Language is included for the National Archives and Records Administration, "National Historical Publications and Records Commission Grants Program", that provides funds for allocations and grants for historical publications and records; and provides that funds remain available until expended.

Language is included under the National Credit Union Administration, "Community Development Credit Union Revolving Loan Fund", that provides funds for technical assistance and limits the availability of funds.

Language is included under the Office of Government Ethics, "Salaries and Expenses", that provides funds for services authorized by 5 U.S.C. 3109, rental of conference rooms, hire of passenger motor vehicles, and official reception and representation expenses. Language is also included providing funds available until expended for responsibilities under the STOCK Act.

Language is included under the Office of Personnel Management, "Salaries and Expenses", that provides funds for services authorized by 5 U.S.C. 3109, medical examinations for veterans, rental of

conference rooms, hire of passenger motor vehicles, official reception and representation expenses, advances for reimbursements, payment of per diem and/or subsistence allowances, the Enterprise Human Resources Integration project, the Human Resources Line of Business project, and the transfer of administrative expenses; limits the availability of some funds; directs that provisions shall not affect other authorities; prohibits funds for the Legal Examining Unit; and authorizes the acceptance of donations under certain conditions.

Language is included for the Office of Personnel Management, Office of Inspector General, "Salaries and Expenses", that provides funds for services authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, rental of conference rooms, and the transfer of administrative expenses.

Language is included for the Office of Special Counsel, "Salaries and Expenses", that provides funds for services authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms, and the hire of passenger motor vehicles.

Language is included for the Postal Regulatory Commission, "Salaries and Expenses", that provides for transfer of funds from the Postal Service Fund.

Language is included for the Recovery Accountability and Transparency Board that allows for the transfer of any unobligated balances should the Digital Accountability and Transparency Act of 2011 (DATA Act) be enacted during fiscal year 2013.

Language is included for the Securities and Exchange Commission, "Salaries and Expenses", that provides for rental of space, reception and representation expenses, a permanent secretariat for the International Organization of Securities Commissions, and consultations and meetings hosted by the Commission. Language is included providing for information technology initiatives. Language is included that provides for the crediting of offsetting collections. Language provides for the assessment and collection of offsetting collections, authorizes retention of such collections, and provides that they remain available until expended.

Language is included for the Selective Service System, "Salaries and Expenses", that provides funds for attendance of meetings, training, hire of passenger motor vehicles, services authorized by 5 U.S.C. 3109, and official reception and representation expenses; authorizes certain exemptions under certain conditions; and prohibits funds used in connection with the induction of any person into the Armed Forces of the United States.

Language is included for the Small Business Administration, "Salaries and Expenses", that provides for hire of motor vehicles and official reception and representation expenses. Language is also included to provide authority to charge fees and credit such fees to the account without further appropriation. Language is also included to fund grants. Language is also included for the Loan Modernization and Accounting System.

Language is included for the Small Business Administration, "Office of Inspector General", that provides funds to carry out the provisions of the Inspector General Act of 1978.

Language is included for the Small Business Administration, "Office of Advocacy", that provides funds to carry out the provisions of the Independent Office of Advocacy Act of 2003 and the Regu-

latory Flexibility Act of 1980 and allows funds to remain available until expended.

Language is also included authorizing the transfer of funds from the "Salaries and Expenses" account to cover required administrative and facilities related expenses.

Language is included for the Small Business Administration, "Business Loans Program Account", limiting commitments for certain guaranteed loan programs and for providing for the cost of direct loans and guaranteed loans. Language is also included authorizing the transfer of funds to "Salaries and Expenses" for administrative expenses.

Language is included for the Small Business Administration "Disaster Loan Program Account", that provides for the transfer of funds to the "Office of Inspector General" and to "Salaries and Expenses" and allows funds to remain available until expended.

Language is included allowing for the transfer of funds between Small Business Administration appropriations.

Language is included for the United States Postal Service, "Payment to the Postal Service Fund", that provides funds for revenue foregone; limits the availability of funds; stipulates that mail for overseas voting and mail for the blind is free; stipulates that 6-day delivery and rural mail delivery shall continue at not less than the 1983 level; prohibits funds from being used to charge a fee to a child support enforcement agency seeking the address of a postal customer; and prohibits funds from being used to consolidate or close small rural and other small post offices.

Language is included for the United States Postal Service, "Office of Inspector General", that provides for transfer from the Postal Service Fund.

Language is included for the United States Tax Court, "Salaries and Expenses", that provides funds for contract reporting and services authorized by 5 U.S.C. 3109, and that travel expenses of the judges shall be paid upon the written certificate of the judge.

GENERAL PROVISIONS—THIS ACT

In addition, the bill provides the following provisions under this title:

Section 601. Language is included prohibiting pay and other expenses for non-Federal parties in regulatory or adjudicatory proceedings funded in this Act.

Section 602. Language is included prohibiting obligations beyond the current fiscal year and prohibits transfers of funds unless expressly so provided herein.

Section 603. Language is included limiting procurement contracts for consulting service expenditures to contracts that are matters of public record and available for public inspection.

Section 604. Language is included prohibiting the transfer of funds in this Act without express authority.

Section 605. Language is included prohibiting the use of funds to engage in activities that would prohibit the enforcement of section 307 of the 1930 Tariff Act.

Section 606. Language is included concerning compliance with the Buy American Act.

Section 607. Language is included prohibiting the use of funds by any person or entity convicted of violating the Buy American Act.

Section 608. Language is included specifying reprogramming procedures. The provision requires that agencies or entities funded by the Act notify the Committee and obtain prior approval from the Committee for any reprogramming of funds that: (1) creates a new program; (2) eliminates a program, project, or activity; (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by the Congress; (4) proposes to use funds directed for a specific activity by either the House or Senate Committees on Appropriations for a different purpose; (5) augments existing programs, projects, or activities in excess of $5,000,000 or 10 percent, whichever is less; (6) reduces existing programs, projects, or activities by $5,000,000 or 10 percent, whichever is less; or (7) reorganizes offices, programs, or activities. The provision also directs the agencies funded by this Act to submit operating plans for the Committee's review within 60 days of the bill's enactment.

Section 609. Language is included providing that fifty percent of unobligated balances may remain available for certain purposes.

Section 610. Language is included prohibiting funding for the Executive Office of the President to request a Federal Bureau of Investigation background investigation except with the express consent of the individual involved or in extraordinary circumstances involving national security.

Section 611. Language is included regarding cost accounting standards for contracts under the Federal Employee Health Benefits Program.

Section 612. Language is included regarding non-foreign area cost of living allowances.

Section 613. Language is included prohibiting the expenditure of funds for abortion under the Federal Employees Health Benefits Program.

Section 614. Language is included making exceptions to the preceding section where the life of the mother is in danger or the pregnancy is a result of an act of rape or incest.

Section 615. Language is included waiving restrictions on the purchase of non-domestic articles, materials, and supplies in the case of acquisition of information technology by the Federal Government.

Section 616. Language is included prohibiting officers or employees of any regulatory agency or commission funded by this Act from accepting travel payments or reimbursements from a person or entity regulated by such agency or commission.

Section 617. Language is included permitting the Securities and Exchange Commission and Commodities Future Trading Commission to fund a joint advisory committee to advise on emerging regulatory issues, notwithstanding Section 708 of this Act.

Section 618. Language is included prohibiting the obligation of funds in fiscal year 2013 from the Securities and Exchange Commission Reserve Fund established by the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Section 619. Language is included requiring certain agencies to provide quarterly reports on unobligated prior year balances.

Section 620. Language is included requiring certain agencies in this Act to consult with the General Services Administration before

seeking new office space or making alterations to existing office space.

Section 621. Language is included prohibiting funds for the Federal Trade Commission to complete the draft report entitled "Interagency Working Group on Food Marketed to Children: Preliminary Proposed Nutrition Principles to Guide Industry Self-Regulatory Efforts", unless the Interagency Working Group on Food Marketed to Children complies with Executive Order 13563, including the requirement in section (c) to provide quantified present and future benefits and costs.

Section 622. Language is included prohibiting funding for certain czars including the White House Director of the Office of Health Reform, the Assistant to the President for Energy and Climate Change, the Senior Advisor to the Secretary of the Treasury assigned to the Presidential Task Force on the Auto Industry and Senior Counselor for Manufacturing Policy, and the White House Director of Urban Affairs or to include any substantially similar provisions.

Section 623. Language is included prohibiting funds from being used by any agency in this Act for any new hires not verified through the E-Verify Program established under section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note).

Section 624. Language is included prohibiting funding made available by this Act to be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the government.

Section 625. Language is included prohibiting funding made available by this Act to be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless an agency has considered suspension or debarment of the corporation and has made a determination that this further action is not necessary to protect the interests of the Government.

Section 626. Language is included providing for several appropriated mandatory accounts.

Section 627. Language is included amending the Virginia Graeme Baker Pool and Spa Safety Act to allow for a greater number of States and municipalities to qualify for the program.

Section 628. Language is included directing the Comptroller General to conduct a cost-benefit analysis of the Consumer Product Safety Improvement Act of 2008.

Section 629. Language is included rescinding $900,000 from the Privacy and Civil Liberties Oversight Board.

Section 630. Language is included requiring certain regulatory agencies to provide a report on increasing public participation in rulemaking, improving coordination among Federal agencies, and identifying ineffective or excessively burdensome regulations.

Section 631. Language is included prohibiting agencies within this Act from spending funds on travel, conferences, or employee awards programs that are not authorized by Federal law, regulation, or Executive Order.

Section 632. Language is included requiring the Securities and Exchange Commission to submit a report on the effectiveness of Rule 2a–7 (17 C.F.R. 270.2a–7) related to money market funds and their ability to provide liquidity to the capital and municipal markets.

Section 633. Language is included regarding restrictions relating to foreign entities.

Section 634. Language is included to prohibit the General Services Administration from providing bonuses to employees who are under investigation.

GENERAL PROVISIONS—GOVERNMENT-WIDE

In addition, the bill provides the following provisions under this title:

Section 701. Language is included requiring agencies to administer a policy designed to ensure that all of its workplaces are free from the illegal use of controlled substances.

Section 702. Language is included establishing price limitations on vehicles to be purchased by the Federal Government with an exemption for the purchase of electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.

Section 703. Language is included allowing funds made available to agencies for travel to also be used for quarter allowances and cost-of-living allowances.

Section 704. Language is included prohibiting the employment of noncitizens.

Section 705. Language is included giving agencies the authority to pay General Services Administration bills for space renovation and other services.

Section 706. Language is included allowing agencies to finance the costs of recycling and waste prevention programs with proceeds from the sale of materials recovered through such programs.

Section 707. Language is included providing that funds made available to corporations and agencies subject to 31 U.S.C. 91 may pay rent and other service costs in the District of Columbia.

Section 708. Language is included prohibiting interagency financing of groups absent prior statutory approval.

Section 709. Language is included prohibiting the use of funds for enforcing regulations disapproved in accordance with the applicable law of the U.S.

Section 710. Language is included limiting the amount of funds that can be used for redecoration of offices under certain circumstances.

Section 711. Language is included allowing for interagency funding of national security and emergency telecommunications initiatives.

Section 712. Language is included requiring agencies to certify that a Schedule C appointment was not created solely or primarily to detail the employee to the White House.

Section 713. Language is included prohibiting the payment of any employee who prohibits, threatens or prevents another employee from communicating with Congress.

Section 714. Language is included prohibiting Federal training not directly related to the performance of official duties.

Section 715. Language is included prohibiting the expenditure of funds for implementation of agreements in nondisclosure policies unless certain provisions are included.

Section 716. Language is included prohibiting, other than for normal and recognized executive-legislative relationships, propaganda, publicity and lobbying by executive agency personnel in support or defeat of legislative initiatives.

Section 717. Language is included prohibiting any Federal agency from disclosing an employee's home address to any labor organization, absent employee authorization or court order.

Section 718. Language is included prohibiting funds to be used to provide non-public information such as mailing, telephone, or electronic mailing lists to any person or organization outside the government without the approval of the Committees on Appropriations.

Section 719. Language is included prohibiting the use of funds for propaganda and publicity purposes not authorized by Congress.

Section 720. Language is included directing agency employees to use official time in an honest effort to perform official duties.

Section 721. Language is included allowing the use of funds to finance an appropriate share of the Federal Accounting Standards Advisory Board.

Section 722. Language is included allowing agencies to transfer $17,000,000 to the Government-wide Policy account of the General Services Administration to finance an appropriate share of various government-wide boards and councils.

Section 723. Language is included permitting breast feeding in a Federal building or on Federal property if the woman and child are authorized to be there.

Section 724. Language is included permitting interagency funding of the National Science and Technology Council and provides for a report on the budget and resources of the National Science and Technology Council. The report should include the entire budget of the National Science and Technology Council.

Section 725. Language is included requiring documents involving the distribution of Federal funds to indicate the agency providing the funds and the amount provided.

Section 726. Language is included prohibiting the use of funds to monitor personal access or use of Internet sites or to collect, review, or obtain any personally identifiable information relating to access to or use of an Internet site.

Section 727. Language is included requiring health plans participating in the Federal Employee Health Benefits Program to pro-

vide contraceptive coverage and provides exemptions to certain religious plans.

Section 728. Language is included supporting strict adherence to anti-doping activities.

Section 729. Language is included allowing funds for official travel to be used by departments and agencies, if consistent with OMB Circular A–126, to participate in the fractional aircraft ownership pilot program.

Section 730. Language is included prohibiting funds for implementation of Office of Personnel Management regulations limiting detailees to the Legislative Branch, and implementing limitations on the Coast Guard Congressional Fellowship Program.

Section 731. Language is included restricting the use of funds for Federal law enforcement training facilities.

Section 732. Language is included concerning transfers or reimbursements for "E-Government" initiatives.

Section 733. Language is included prohibiting Executive Branch agencies from creating prepackaged news stories that are broadcast or distributed in the United States unless the story includes a clear notification within the text or audio of that news story that the prepackaged news story was prepared or funded by that executive branch agency. This provision confirms the opinion of the Government Accountability Office dated February 17, 2005 (B–304272).

Section 734. Language is included prohibiting use of funds in contravention of section 552a of title 5, United States Code (the Privacy Act) and regulations implementing that section.

Section 735. Language is included requiring agencies to evaluate the creditworthiness of an individual before issuing the individual a government travel charge card and limits agency actions accordingly.

Section 736. Language is included prohibiting funds from being used for any Federal Government contract with any foreign incorporated entity which is treated as an inverted domestic corporation.

Section 737. Language is included requiring agencies to pay a fee to the Office of Personnel Management for processing retirement of employees who separate under Voluntary Early Retirement Authority or who receive Voluntary Separation Incentive payments.

Section 738. Language is included prohibiting funds to require any entity submitting an offer for a Federal contract or participating in an acquisition to disclose political contributions.

Section 739. Language is included concerning the non-application of these general provisions to title IV and to title VIII.

GENERAL PROVISIONS—DISTRICT OF COLUMBIA

In addition, the bill provides the following provisions under this title:

Section 801. Language is included that appropriates funds for refunding overpayments of taxes collected and for paying settlements and judgments against the District of Columbia government.

Section 802. Language is included prohibiting the use of Federal funds for publicity or propaganda purposes.

Section 803. Language is included establishing reprogramming procedures for Federal funds.

Section 804. Language is included prohibiting the use of Federal funds to provide salaries or other costs associated with the offices of a United States Senator or Representative.

Section 805. Language is included restricting the use of official vehicles to official duties.

Section 806. Language is included prohibiting the use of Federal funds for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

Section 807. Language is included prohibiting the use of Federal funds for needle exchange programs.

Section 808. Language is included regarding a "conscience clause" on legislation that pertains to contraceptive coverage by health insurance plans.

Section 809. Language is included prohibiting the use of Federal funds to legalize or reduce penalties associated with the possession, use, or distribution on any schedule I substance under the Controlled Substances Act or any tetrahydrocannabinols derivative.

Section 810. Language is included prohibiting the use of funds for abortion except in the cases of rape or incest or if necessary to save the life of the mother.

Section 811. Language is included requiring the Chief Financial Officer (CFO) to submit a revised operating budget for all agencies in the D.C. government, no later than 30 calendar days after the enactment of this Act that realigns budgeted data with anticipated actual expenditures.

Section 812. Language is included requiring the CFO to submit a revised operating budget for D.C. Public Schools, no later than 30 calendar days after the enactment of this Act that realigns school budgets to actual school enrollment.

Section 813. Language is included allowing the transfer of local funds and capital and enterprise funds.

Section 814. Language is included limiting references to "this Act" as referring to only this title and title IV.

TITLE IX—ADDITIONAL GENERAL PROVISIONS

Section 901. Language is included prohibiting new budget authority from exceeding the budget allocation in fiscal year 2013.

APPROPRIATIONS NOT AUTHORIZED BY LAW

Pursuant to clause 3(f)(1)(B) of rule XIII of the Rules of the House of Representatives, the following table lists the appropriations in the accompanying bill which are not authorized by law for the period concerned:

[Dollars in thousands]

	Last Year of Authorization	Authorization Level	Appropriation in Last Year of Authorization	Appropriations in this bill
Title I - Department of the Treasury				
Departmental Offices	n/a	n/a	n/a	202,555
Office of Terrorism and Financial Intelligence	n/a	n/a	n/a	102,117
Office of the Inspector General	n/a	n/a	n/a	28,512
Inspector General for Tax Administration	n/a	n/a	n/a	153,404
Financial Management Service	n/a	n/a	n/a	208,229
Alcohol and Tobacco Tax and Trade Bureau	n/a	n/a	n/a	95,000
Bureau of Public Debt	n/a	n/a	n/a	146,943
Community Development and Financial Institutions Fund	1998	111,000	45,000	221,000
Internal Revenue Service:				
Taxpayer Services	n/a	n/a	n/a	2,239,703
Enforcement	n/a	n/a	n/a	5,299,367
Operations Support	n/a	n/a	n/a	3,947,416
Business Systems Modernization	n/a	n/a	n/a	330,210
Title II - Executive Office of the President				
Office of Management and Budget	2003	various	61,988	80,510
Office of National Drug Control Policy				
Salaries and Expenses	2010	n/a	29,575	23,296
Other Federal Drug Control Programs	various	various	105,550	105,900
High Intensity Drug Trafficking Areas	2011	280,000	238,522	238,522
Information Technology Oversight and Reform	n/a	n/a	n/a	5,000
Title IV - District of Columbia				
Federal Payment for the DC National Guard	n/a	n/a	n/a	375
Federal Payment for Judicial Commissions	n/a	n/a	n/a	500
Federal Payment for Redevelopment of St. E's Hospital Campus	n/a	n/a	n/a	9,800
Federal Payment for Testing and Treatment of HIV/AIDs	n/a	n/a	n/a	5,000
Federal Payment for Resident Tuition Support	2012	such sums	30,000	30,000
Title V - Independent Agencies				
Consumer Product Safety Commission				
Virginia Graeme Baker Pool and Spa Safety Program	2012	n/a	500	500
Election Assistance Commission:				
Salaries and expenses	2005	10,000	13,888	5,750
Federal Communications Commission	1991	such sums	115,794	322,852
Federal Election Commission	1981	9,400	9,662	66,367
Federal Trade Commission	1998	111,000	106,500	285,500
General Services Administration:				
Federal Buildings Fund [1]	n/a	n/a	n/a	7,916,630
Real and Personal Property Management and Disposal	n/a	n/a	n/a	28,444
Office of the Administrator	n/a	n/a	n/a	28,136
Civilian Board of Contract Appeals	n/a	n/a	n/a	9,025
Electronic Government Fund	2007	such sums	3,000	16,665
Harry S Truman Scholarship Foundation	n/a	30,000	30,000	748
Morris K. Udall and Stuart L. Udall Foundation:				
Environmental Dispute Resolution Fund	2008	4,000	2,000	3,792
National Archives and Records Administration				
National Historical Publications and Records Commission: Grants Program	2004	10,000	11,250	2,500
Office of Government Ethics	2007	such sums	11,148	14,000
Office of Special Counsel	2007	such sums	15,524	18,972
Merit Systems Protection Board	2007	such sums	39,110	40,993
Small Business Administration	[2]	such sums	n/a	1,158,491

[1] Deposits into the Federal buildings fund are available for real property management and related activities in the amounts specified in annual appropriation laws, as provided by 40 USC 592 .

[2] The Small Business Administration's salaries and expenses, disaster and business loan programs, and non-credit programs are authorized by various provisions of law, many which have expired.

COMPARISON WITH THE BUDGET RESOLUTION

Pursuant to clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a)(1)(A) of the Congressional Budget Act of 1974, the following table compares the levels of new budget authority and outlays provided in the bill with the appropriate allocations made under section 302(b) of the Budget Act.

BUDGETARY IMPACT PREPARED IN CONSULTATION WITH THE CONGRESSIONAL BUDGET OFFICE

PURSUANT TO SEC. 308(a), PUBLIC LAW 93–344, AS AMENDED

Comparison of amounts in the bill with Committee allocations to its subcommittees of amounts in the First Concurrent Resolution of 2013:

SUBCOMMITTEE ON FINANCIAL SERVICES AND GENERAL GOVERNMENT

[In millions of dollars]

	302b allocation		This bill	
	Budget authority	Outlays	Budget authority	Outlays
General purpose discretionary	21,150	23,939	21,150	*23,939
Mandatory	21,240	21,234	21,240	21,234

*Includes outlays from prior year budget authority.

FIVE-YEAR OUTLAY PROJECTIONS

Pursuant to clause 3(c)(2) of rule XIII and section 308(a)(1)(B) of the Congressional Budget Act of 1974, the following table contains five-year projections associated with the budget authority provided in the accompanying bill, as provided to the Committee by the Congressional Budget Office.

[In millions of dollars]

	Outlays
2013	−38,739*
2014	2,998
2015	38
2016	−440
2017 and future years	−3,470

*Excludes outlays from prior-year budget authority.

FINANCIAL ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

Pursuant to clause 3(c)(2) of rule XIII and section 308(a)(1)(C) of the Congressional Budget Act of 1974, the Congressional Budget Office has provided the following estimates of new budget authority and outlays provided by the accompanying bill for financial assistance to State and local governments.

[In millions of dollars]

	Budget authority	Outlays
Financial assistance to State and local governments for 2013	410	443*

*Excludes outlays from prior-year budget authority.

CONSTITUTIONAL AUTHORITY

Pursuant to section 6(e) of the rules of the Committee on Appropriations, the following statement is submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill.

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defense and general welfare of the United States . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability and to set forth terms and conditions governing their use.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY

The following table provides a detailed summary, for each Department and agency, comparing the amounts recommended in the bill with amounts enacted for fiscal year 2012 and budget estimates presented for fiscal year 2013.

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE I - DEPARTMENT OF THE TREASURY					
Departmental Offices					
Salaries and expenses	308,388	301,216	202,555	-105,833	-98,661
Terrorism and Financial Intelligence	---	---	102,117	+102,117	+102,117
Department-wide systems and capital investments programs	---	7,108	---	---	-7,108
Office of Inspector General	29,641	28,593	28,512	-1,129	-81
Treasury Inspector General for Tax Administration	151,696	153,834	153,404	+1,708	-430
Special Inspector General for TARP	41,800	40,225	35,000	-6,800	-5,225
Financial Crimes Enforcement Network	110,788	102,407	110,788	---	+8,381
Treasury forfeiture fund (rescission)	-950,000	-830,000	-830,000	+120,000	---
Total, Departmental Offices	-307,687	-196,617	-197,624	+110,063	-1,007
Financial Management Service	217,805	---	208,229	-9,576	+208,229
Fiscal Service Operations	---	359,531	---	---	-359,531
Alcohol and Tobacco Tax and Trade Bureau	99,878	96,786	95,000	-4,878	-1,786
Bureau of the Public Debt	165,635	---	146,943	-18,692	+146,943
Community development financial institutions fund program account	221,000	221,000	221,000	---	---
Payment of government losses in shipment	2,000	2,000	2,000	---	---
Total, Department of the Treasury, non-IRS	398,631	482,700	475,548	+76,917	-7,152

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Internal Revenue Service					
Taxpayer services	2,239,703	2,253,133	2,239,703	---	-13,430
Enforcement	5,299,367	5,424,706	5,299,367	---	-125,339
Enhanced tax enforcement activities	---	276,964	---	---	-276,964
Subtotal	5,299,367	5,701,670	5,299,367	---	-402,303
Operations support	3,947,416	4,062,136	3,947,416	---	-114,720
Enhanced tax enforcement activities	---	414,064	---	---	-414,064
Subtotal	3,947,416	4,476,200	3,947,416	---	-528,784
Business systems modernization	330,210	330,210	330,210	---	---
Total, Internal Revenue Service	11,816,696	12,761,213	11,816,696	---	-944,517
Total, title I, Department of the Treasury	12,215,327	13,243,913	12,292,244	+76,917	-951,669
Appropriations	(13,165,327)	(13,382,885)	(13,122,244)	(-43,083)	(-260,641)
Rescissions	(-950,000)	(-830,000)	(-830,000)	(+120,000)	---
(Mandatory)	(2,000)	(2,000)	(2,000)	---	---
(Discretionary)	(12,213,327)	(13,241,913)	(12,290,244)	(+76,917)	(-951,669)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE II - EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT					
The White House					
Salaries and expenses	56,974	56,974	54,125	-2,849	-2,849
Compensation of the President	450	450	---	-450	-450
Sec. 626	---	---	(450)	(+450)	(+450)
Subtotal	57,424	57,424	54,125	-3,299	-3,299
Executive Residence at the White House:					
Operating expenses	13,425	13,200	12,754	-671	-446
White House repair and restoration	750	750	713	-37	-37
Subtotal	14,175	13,950	13,467	-708	-483
Council of Economic Advisers	4,192	4,192	4,150	-42	-42
National Security Council and Homeland Security Council	13,048	13,048	12,983	-65	-65
Office of Administration	112,952	114,952	107,304	-5,648	-7,648
Total, The White House	201,791	203,566	192,029	-9,762	-11,537
Office of Management and Budget	89,456	91,542	80,510	-8,946	-11,032

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of National Drug Control Policy					
Salaries and expenses	24,500	23,413	23,296	-1,204	-117
Rescission	-11,328	---	---	+11,328	---
High intensity drug trafficking areas program	238,522	200,000	238,522	---	+38,522
Other Federal drug control programs	105,550	118,600	105,900	+350	-12,700
Total, Office of National Drug Control Policy	357,244	342,013	367,718	+10,474	+25,705
Integrated, efficient and effective uses of information technology	5,000	5,000	5,000	---	---
Unanticipated needs	988	1,000	---	-988	-1,000
Partnership fund for program integrity innovation	---	1,000	---	---	-1,000
Special Assistance to the President and Official Residence of the Vice President:					
Salaries and expenses	4,328	4,328	4,112	-216	-216
Operating expenses	307	307	292	-15	-15
Subtotal	4,635	4,635	4,404	-231	-231
Total, title II, Executive Office of the President and Funds Appropriated to the President	659,114	648,756	649,661	-9,453	+905
(Mandatory)	(450)	(450)	---	(-450)	(-450)
(Discretionary)	(658,664)	(648,306)	(649,661)	(-9,003)	(+1,355)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE III - THE JUDICIARY					
Supreme Court of the United States					
Salaries and expenses:					
Salaries of justices	2,197	2,207	2,207	+10	---
Other salaries and expenses	72,622	74,958	72,785	+163	-2,173
Subtotal	74,819	77,165	74,992	+173	-2,173
Care of the building and grounds	8,159	11,963	9,259	+1,100	-2,704
Total, Supreme Court of the United States	82,978	89,128	84,251	+1,273	-4,877
United States Court of Appeals for the Federal Circuit					
Salaries and expenses:					
Salaries of judges	2,513	2,524	2,524	+11	---
Other salaries and expenses	29,998	31,804	29,987	-11	-1,817
Total, United States Court of Appeals for the Federal Circuit	32,511	34,328	32,511	---	-1,817

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
United States Court of International Trade					
Salaries and expenses:					
Salaries of judges	1,718	1,715	1,715	-3	---
Other salaries and expenses	19,729	21,165	19,732	+3	-1,433
Total, U.S. Court of International Trade	21,447	22,880	21,447	---	-1,433
Courts of Appeals, District Courts, and Other Judicial Services					
Salaries and expenses:					
Salaries of judges and bankruptcy judges	327,707	338,037	338,037	+10,330	---
Other salaries and expenses	4,687,293	4,810,762	4,651,086	-36,207	-159,676
Subtotal	5,015,000	5,148,799	4,989,123	-25,877	-159,676
Vaccine Injury Compensation Trust Fund	5,000	5,354	5,100	+100	-254
Defender services	1,031,000	1,063,517	1,031,000	---	-32,517
Fees of jurors and commissioners	51,908	54,635	54,635	+2,727	---
Court security	500,000	514,673	510,000	+10,000	-4,673
Total, Courts of Appeals, District Courts, and Other Judicial Services	6,602,908	6,786,978	6,589,858	-13,050	-197,120

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Administrative Office of the United States Courts					
Salaries and expenses	82,909	85,148	82,909	---	-2,239
Federal Judicial Center					
Salaries and expenses	27,000	27,729	27,000	---	-729
Judicial Retirement Funds					
Payment to judiciary trust funds	103,768	125,464	---	-103,768	-125,464
Sec. 626	---	---	(125,464)	(+125,464)	(+125,464)
United States Sentencing Commission					
Salaries and expenses	16,500	17,061	16,000	-500	-1,061
Total, title III, the Judiciary	6,970,021	7,188,716	6,853,976	-116,045	-334,740
(Mandatory)	(437,903)	(469,947)	(344,483)	(-93,420)	(-125,464)
(Discretionary)	(6,532,118)	(6,718,769)	(6,509,493)	(-22,625)	(-209,276)

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE IV - DISTRICT OF COLUMBIA					
Federal payment for resident tuition support	30,000	35,100	30,000	---	-5,100
Federal payment for emergency planning and security costs in the District of Columbia	14,900	24,700	24,700	+9,800	---
Federal payment to the District of Columbia Courts	232,841	219,651	232,181	-660	+12,530
Federal payment for defender services in District of Columbia Courts	55,000	49,890	49,890	-5,110	---
Federal payment to the Court Services and Offender Supervision Agency for the District of Columbia	212,983	215,506	214,200	+1,217	-1,306
Federal payment to the District of Columbia Public Defender Service	37,241	39,376	38,282	+1,041	-1,094
Federal payment to the District of Columbia Water and Sewer Authority	15,000	11,500	---	-15,000	-11,500
Federal payment to the Criminal Justice Coordinating Council	1,800	1,800	1,800	---	---
Federal payment for judicial commissions	500	500	500	---	---
Federal payment for school improvement	60,000	60,000	60,000	---	---
Federal payment for the D.C. National Guard	375	500	375	---	-125
Federal payment for redevelopment of the St. Elizabeth's Hospital campus	---	9,800	9,800	+9,800	---
Federal payment for HIV/AIDS prevention	5,000	5,000	5,000	---	---
Federal payment for job training pilot project	---	2,000	---	---	-2,000
Federal payment for D.C. Commission on the Arts and Humanities grants	---	2,500	---	---	-2,500
Total, Title IV, District of Columbia	665,640	677,823	666,728	+1,088	-11,095

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
TITLE V - OTHER INDEPENDENT AGENCIES					
Administrative Conference of the United States.....	2,900	3,200	---	-2,900	-3,200
Christopher Columbus Fellowship Foundation.....	450	---	---	-450	---
Civilian Property Realignment Board					
Salaries and expenses.....	---	17,000	---	---	-17,000
Asset Proceeds and Space Management Fund.....	---	40,000	---	---	-40,000
Total, Civilian Property Realignment Board.....	---	57,000	---	---	-57,000
Consumer Product Safety Commission.....	114,500	122,425	114,500	---	-7,925
Election Assistance Commission					
Salaries and expenses.....	11,500	11,500	5,750	-5,750	-5,750
Federal Communications Commission					
Salaries and expenses.....	339,844	346,782	322,852	-16,992	-23,930
Offsetting fee collections - current year.....	-339,844	-346,782	-322,852	+16,992	+23,930
Direct appropriation.....	---	---	---	---	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Federal Deposit Insurance Corporation: Office of Inspector General (by transfer)	(45,261)	(34,568)	(34,568)	(-10,693)	---
Federal Election Commission	66,367	66,367	66,367	---	---
Federal Labor Relations Authority	24,723	24,792	24,500	-223	-292
Federal Trade Commission					
Salaries and expenses	311,563	300,000	285,500	-26,063	-14,500
Offsetting fee collections - current year	-108,000	-115,000	-115,000	-7,000	---
Offsetting fee collections, telephone database	-21,000	-15,000	-15,000	+6,000	---
Direct appropriation	182,563	170,000	155,500	-27,063	-14,500
General Services Administration					
Federal Buildings Fund					
Limitations on availability of revenue:					
Construction and acquisition of facilities	50,000	56,000	50,000	---	-6,000
Repairs and Alterations	280,000	494,768	395,000	+115,000	-99,768
Installment Acquisition Payments	126,801	119,589	119,589	-7,212	---
Rental of Space	5,210,198	5,548,583	5,210,198	---	-338,385
Building Operations	2,350,968	2,400,158	---	-2,350,968	-2,400,158
Building Operations and Maintenance	---	---	1,094,972	+1,094,972	+1,094,972
Public Building Service Salaries and Expenses	---	---	1,046,871	+1,046,871	+1,046,871
Subtotal, Limitations on availability of revenue	8,017,967	8,619,098	7,916,630	-101,337	-702,468

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Repayment of debt	80,000	87,620	87,620	+7,620	---
Rental income to fund	-9,303,000	-9,777,590	-9,777,590	-474,590	---
Total, Federal Buildings Fund	-1,205,033	-1,070,872	-1,773,340	-568,307	-702,468
Government-wide policy	61,115	84,182	61,115	---	-23,067
Operating expenses	69,500	67,388	---	-69,500	-67,388
Property Disposal	---	---	28,444	+28,444	+28,444
Office of the Administrator	---	---	28,136	+28,136	+28,136
Civilian Board of Contract Appeals	---	---	9,025	+9,025	+9,025
Office of Inspector General	58,000	58,960	68,000	+10,000	+9,040
Electronic Government Fund	12,400	16,665	16,665	+4,265	---
Allowances and Office Staff for Former Presidents	3,671	3,779	3,700	+29	-79
Expenses, Presidential transition	---	8,947	8,947	+8,947	---
Federal Citizen Services Fund	34,100	31,751	31,700	-2,400	-51
Policy and operations (rescission)	-4,600	---	---	+4,600	---
Total, General Services Administration	-970,847	-799,200	-1,517,608	-546,761	-718,408
Harry S Truman Scholarship Foundation	748	---	748	---	+748
Merit Systems Protection Board					
Salaries and expenses	40,258	38,648	38,648	-1,610	---
Limitation on administrative expenses	2,345	2,345	2,345	---	---
Total, Merit Systems Protection Board	42,603	40,993	40,993	-1,610	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Morris K. Udall and Stewart L. Udall Foundation					
Morris K. Udall and Stewart L. Udall Trust Fund	2,200	2,200	2,200	---	---
Environmental Dispute Resolution Fund	3,792	3,800	3,792	---	-8
Total, Morris K. Udall and Stewart L. Udall Foundation	5,992	6,000	5,992	---	-8
National Archives and Records Administration					
Operating expenses	373,300	371,675	371,073	-2,227	-602
Reduction of debt	-15,000	-17,000	-17,000	-2,000	---
Subtotal	358,300	354,675	354,073	-4,227	-602
Office of the Inspector General	4,100	4,100	4,100	---	---
Repairs and restoration	9,100	8,000	8,000	-1,100	---
National Historical Publications and Records Commission: Grants program	5,000	3,000	2,500	-2,500	-500
Total, National Archives and Records Admin	376,500	369,775	368,673	-7,827	-1,102
National Credit Union Administration					
Community Development Revolving Loan Fund	1,247	1,187	500	-747	-687
Office of Government Ethics	13,664	13,473	14,000	+336	+527

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Office of Personnel Management					
Salaries and expenses	97,774	90,541	89,620	-8,154	-921
Limitation on administrative expenses	112,516	114,708	114,000	+1,484	-708
Office of Inspector General	3,142	4,232	4,000	+858	-232
Limitation on administrative expenses	21,174	21,172	21,172	-2	---
Govt Payment for Annuitants, Employees Health Benefits	10,862,000	10,818,000	---	-10,862,000	-10,818,000
(Sec. 626)	---	---	(10,818,000)	(+10,818,000)	(+10,818,000)
Govt Payment for Annuitants, Employee Life Insurance	52,000	51,000	---	-52,000	-51,000
(Sec. 626)	---	---	(51,000)	(+51,000)	(+51,000)
Payment to Civil Svc Retirement and Disability Fund	9,979,000	9,780,000	---	-9,979,000	-9,780,000
(Sec. 626)	---	---	(9,780,000)	(+9,780,000)	(+9,780,000)
Total, Office of Personnel Management	21,127,606	20,879,653	228,792	-20,898,814	-20,650,861
Mandatory	(20,893,000)	(20,649,000)	---	(-20,893,000)	(-20,649,000)
Discretionary	(234,606)	(230,653)	(228,792)	(-5,814)	(-1,861)
Office of Special Counsel	18,972	18,692	18,972	---	+280
Postal Regulatory Commission	14,304	14,450	14,204	-100	-246
Privacy and Civil Liberties Oversight Board	900	1,000	---	-900	-1,000
Rescission	-998	---	-900	+98	-900
Recovery and Accountability Transparency Board	28,350	31,500	31,500	+3,150	---
Securities and Exchange Commission	1,321,000	1,566,000	1,371,000	+50,000	-195,000
SEC fees	-1,321,000	-1,566,000	-1,371,000	-50,000	+195,000
Selective Service System	23,984	24,400	12,200	-11,784	-12,200

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
Small Business Administration					
Salaries and expenses	417,348	423,577	415,000	-2,348	-8,577
Office of Inspector General	16,267	19,400	17,267	+1,000	-2,133
Office of Advocacy	9,120	8,900	9,120	---	+220
Business Loans Program Account:					
Direct loans subsidy	3,678	2,844	2,844	-834	---
Guaranteed loans subsidy	207,100	348,600	402,200	+195,100	+53,600
Administrative expenses	147,958	145,060	145,060	-2,898	---
Total, Business loans program account	358,736	496,504	550,104	+191,368	+53,600
Disaster Loans Program Account:					
Guaranteed loans subsidy	---	---	---	---	---
Administrative expenses	117,300	---	167,000	+49,700	+167,000
Disaster relief category	---	167,000	---	---	-167,000
Total, Small Business Administration	918,771	1,115,381	1,158,491	+239,720	+43,110
United States Postal Service					
Payment to the Postal Service Fund:					
Advance appropriations	78,153	89,092	89,092	+10,939	---
Office of Inspector General	241,468	241,468	241,468	---	---
Total, United States Postal Service	319,621	330,560	330,560	+10,939	---

COMPARATIVE STATEMENT OF NEW BUDGET (OBLIGATIONAL) AUTHORITY FOR 2012
AND BUDGET REQUESTS AND AMOUNTS RECOMMENDED IN THE BILL FOR 2013
(Amounts in thousands)

	FY 2012 Enacted	FY 2013 Request	Bill	Bill vs. Enacted	Bill vs. Request
United States Tax Court	51,079	53,103	51,079	---	-2,024
Total, title V, Independent Agencies	22,375,499	22,556,251	1,124,813	-21,250,686	-21,431,438
Appropriations	(22,302,944)	(22,300,159)	(1,036,621)	(-21,266,323)	(-21,263,538)
Rescissions	(-5,598)	---	(-900)	(+4,698)	(-900)
Advances	(78,153)	(89,092)	(89,092)	(+10,939)	---
(by transfer)	(45,261)	(34,568)	(34,568)	(-10,693)	---
(Mandatory)	(20,893,000)	(20,649,000)	---	(-20,893,000)	(-20,649,000)
(Discretionary)	(1,458,613)	(1,881,851)	(1,113,513)	(-345,100)	(-768,338)
TITLE VI - GENERAL PROVISIONS					
Mandatory appropriations (Sec. 626)	---	---	20,763,450	+20,763,450	+20,763,450
Grand total	42,885,601	44,315,459	42,350,872	-534,729	-1,964,587
Appropriations	(43,774,374)	(44,198,339)	(43,092,680)	(-681,694)	(-1,105,659)
Rescissions	(-966,926)	(-830,000)	(-830,900)	(+136,026)	(-900)
Advances	(78,153)	(89,092)	(89,092)	(+10,939)	---
(by transfer)	(45,261)	(34,568)	(34,568)	(-10,693)	---
Discretionary total	21,526,000	23,191,123	21,150,000	-376,000	-2,041,123

MINORITY VIEWS

We want to begin by thanking Chairwoman Emerson for her leadership on this Subcommittee and her work to involve us and consider our input at every opportunity. She and her staff are consummate professionals and we appreciate her work in drafting this bill and throughout the committee process.

The fiscal year (FY) 2013 bill approved by the Committee provides net budget authority of $21.15 billion, a cut of $376 million below FY 2012 and nearly $2 billion below the Administration's request.

We are extremely disappointed that House Republicans walked away from the bipartisan agreement to establish $1.047 trillion as the Committee's allocation. A majority of their conference voted for the Budget Control Act agreement less than a year ago. By reneging on the agreement, House Republicans put themselves at odds with House Democrats, the White House, Senate Democrats, and Senate Republicans. Senate Minority Leader McConnell recently voted for an overall allocation of $1.047 trillion and Ranking Member Cochran stated that it's appropriate "for the Committee to proceed on the basis of the discretionary caps enacted into law." House Republicans introduced uncertainty about the discretionary allocation and about whether the House majority will threaten to shut down the government. This breach of trust will serve only to slow down the appropriations process, and the austere House allocation, if it stands, will stall economic growth and impede job creation.

The Financial Services and General Government bill funds programs that touch the lives of every American as consumers, as investors, and as taxpayers. The subcommittee's inadequate allocation requires unsustainable cuts. These cuts will impact all of us by not providing needed resources for the Securities and Exchange Commission (SEC), the Internal Revenue Service (IRS), and a number of agencies with budgets almost entirely composed of fixed costs, such as personnel expenses and rent. These cuts will reduce the ability of the government to effectively protect consumers and investors and investigate tax cheats and collect revenues. The bill will also necessitate the furloughing of many hundreds of federal and private workers, increase unemployment, and reduce vital services to the public.

The IRS is frozen at the FY12 enacted level, which is nearly $1 billion below the request. To deal with the FY12 funding amount, the IRS cut staffing by approximately 5,000 employees through buy-outs and attrition. To enter a second year at that level will ensure more buyouts and vacancies, and possibly furloughs, especially in the area of enforcement. Thus, fewer audits will be performed, more tax cheats will get away with not paying their fair share, and the tax gap will grow. Enforcement resources have a return-on-investment of about $4-to-$1, so as a result this reduction will decrease revenue and increase the deficit by about $4 billion per year. This cut will cost more in the outyears than it will save in fiscal year 2013.

The Judiciary is cut below the FY12 level by $23 million, which will have a significant impact on employees. The Judiciary has reduced staffing by 1,200 employees in the past year to deal with reduced budgets, and further cuts will force the federal courts to lay off support staff and stop payments to attorneys who represent indigent criminal defendants. These layoffs will include probation officers and pre-trial staff, so there will be fewer probation officers to monitor sex offenders and felons, perform law enforcement duties, and protect the general public.

The SEC is funded $195 million below the President's request, which means the agency is funded only $50 million above the FY12 level. Additionally, the small increase is dedicated only to technology improvements, so there will be no hiring of the staff needed to finalize the remaining Dodd-Frank rules and regulations. Further, the SEC Reserve Fund, authorized by Dodd-Frank, is prohibited from obligating funds for FY13. This funding level for the SEC will not allow for the full implementation of the Dodd-Frank Act.

The Election Assistance Commission will receive only $5.75 million in funding, which will significantly hinder the agency. The agency will no longer be able to help states improve their election practices and equipment to ensure fair and well-run elections in our nation.

There are numerous other cuts as well that will cause an erosion of consumer protections and assistance to disadvantaged communities. The subcommittee's allocation requires deep cuts that will significantly harm America's consumers, investors, taxpayers, workers, businesses, judiciary, the security of our elections, and even our deficit.

We are also distressed that this bill includes several controversial policy riders. The bill once again interferes in the District of Columbia's local affairs, restricting the District from spending its own funds in the provision of abortion services for low-income individuals. This micromanagement is not the proper role of Congress and authorizing issues do not belong on an appropriations bill. There are further restrictions on the Judiciary and a prohibition on the provision of abortion coverage for all health benefits programs provided under the Patient Protection and Affordable Care Act.

We appreciate the efforts the Chairwoman made to adequately fund the Small Business Administration, the Community Development Financial Institutions (CDFI) Fund, and antiterrorism programs at the Department of the Treasury. We are also pleased that the Chairwoman worked with us to remove a prohibition on the FCC's mandate that broadcasters must publish their political files online. She helped ensure that these files will be transparent and accessible online, and we appreciate those efforts and the outcome. However, the allocation the subcommittee received is simply insufficient to fund all of the important activities in this bill's jurisdiction. We hope to work with the majority to address these issues and look forward to continuing the open and positive process the Chairwoman has fostered; however, in its current form, we cannot support the bill.

NORMAN D. DICKS.
JOSÉ E. SERRANO.

○