

AMENDMENTS ADOPTED TO THE
FINANCIAL SERVICES AND GENERAL GOVERNMENT
APPROPRIATIONS BILL
FOR FY 2015

Full Committee Markup
House Appropriations Committee
Wednesday, June 25, 2014

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CRENshaw
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House Appropriations Committee

Fiscal Year 2015 Financial Services and General Government Appropriations Bill

Full Committee Mark Up

Managers' Amendment offered by Mr. Crenshaw

In the Bill:

On page 41 line 10 strike "\$4,785,588,000" and insert "\$4,784,659,000" (*adjust the report accordingly*).

On page 52 line 1 strike "serving" and insert "of".

On page 80 line 16 strike "\$1,071,000" and insert "\$2,000,000" (*adjust the report accordingly*).

On page 82 line 21 correct the capitalization of the account header.

On page 106 after section 629 insert:

SEC. 630. (a) None of the funds made available in this Act to the Internal Revenue Service may be used to destroy, deface, or dispose of records, regardless of their physical form or characteristics, in contravention of chapters 29, 31, and 33 of title 44, United States Code (commonly referred to as the Federal Records Act).

(b) Not later than 90 days after the date of enactment of this Act, the Archivist of the United States shall conduct an inspection and submit a report to the Committees on Appropriations of the House of Representatives and the Senate, the House Committee on Oversight and Government Reform, and the Senate Committee on Homeland Security and Government Affairs on the compliance by the Internal Revenue Service with the provisions of chapters 29, 31, and 33 of title 44, United States Code, during calendar years 2009 through 2013.

On page 140 line 6 strike section 805 and insert the following:

SEC. 805. Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this section, the term "official duties" does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department;

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

(3) the Mayor of the District of Columbia;

(4) the Chairman of the Council of the District of Columbia;

(5) at the discretion of the Chief Medical Examiner, an employee of the Office of the Chief Medical Examiner who resides in the District and is on call 24 hours a day or is otherwise designated by the Chief Medical Examiner;

(6) at the discretion of the Director of the Homeland Security and Emergency Management Agency, an officer or employee of the Homeland Security and Emergency Management Agency who resides in the District and is on call 24 hours a day or is otherwise designated by the Director; and

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

In the Report:

On page 8 at the end of the page insert:

Cloud Computing Usage.—Well-planned cloud-based computing solutions offer the opportunity for potential savings on the order of millions of dollars. The Committee directs the Department to provide a report to the Committees on Appropriations by September 30, 2015, on current and planned cloud computing usage by bureau and office. The report should also include the costs and savings in 2014-15 realized as a result of such usage, plans to retire associated legacy systems, and milestones in meeting Federal security standards.


On page 15 after the first paragraph insert:

The Committee is concerned about the Bureau's ability to maintain efficient operations at a time of exponential growth for its regulated industries. According to the Bureau's own statistics, in the last five years wineries have grown by 40 percent, the brewery industry has grown by 98 percent, and the distilled spirits industry has grown by 107 percent. The Committee appreciates the Bureau's efforts to use technology to modernize its label and

formula approval processes, and recommends that it identify ways to streamline its processes, including using increased flexibility in its staffing decisions.

On page 20 at the end of the page insert:

Records Management.—The Committee is deeply dissatisfied with the inadequacy of the IRS' email retention policies and information technology (IT) priorities that may have led to the loss of emails potentially useful to on-going investigations in to the use of inappropriate criteria for selecting 501(c)(4) applications for additional scrutiny. To prevent other critical failures and data losses, the Committee directs the IRS to provide to the Committees on Appropriations, within 100 days of enactment, a report on its policies on document retention and classification of official records. The report should include the current government best practices, the cost to the IRS to achieve these practices, the education and outreach to employees on retention standards, and the methodologies the IRS uses to prioritize the use of IT resources.



On page 52 delete the paragraph before the heading "Federal Deposit Insurance Corporation".

On page 54 before the heading "General Services Administration" insert:

Competition.—The Committee is concerned by the increasing prevalence of foreign acquisitions of U.S.-based pharmaceutical companies that have the potential to reduce U.S.-based research and development pipelines. When successful, these transactions could reduce competition, cut U.S. jobs, and impede innovation, which could deprive patients of future therapies and cures. The Committee is specifically concerned about the impact these transactions will have on the future of competition in the pharmaceutical industry. When reviewing these mergers, the Committee expects the FTC to dutifully consider the cumulative present and future anti-competitive implications of such acquisitions on particular market segments and apply appropriate remedies to effectively preserve competition.

On page 55 after the 2nd paragraph insert:

Activities Report.--The Committee directs GSA to submit a report no later than 60 days after the enactment of this Act regarding how it ensures an appropriate level of minority, women, and veteran owned firms participation in its facilities and procurement activities.

On page 66 at the end insert:

The Committee has heard concerns about the continued exclusion of cost-of-living adjustments (COLA) from the base pay used to calculate the amount of Federal employee retirement annuities for Federal employees in non-foreign areas. COLA's exclusion from this calculation results in a standard of living discrepancy between retired Federal employees who reside in the contiguous States and those who reside in non-foreign areas, and has resulted in significant and ongoing litigation. The Committee expects OPM to re-examine its current calculation with regards to Federal employee retirement annuities.

On page 82, before the header "Title VII – General Provisions – Government-Wide" insert:

Section 630. The Committee includes language prohibiting funds for the Internal Revenue Service (IRS) to destroy, deface, or dispose of records in contravention of the Federal Records Act (FRA) and to require the Archivist to report on IRS compliance with the FRA.

On page 85 in section 805 insert "modified" after "continues".

On page 110, before the header "General Provisions – Government-Wide" insert:

Language is included that prohibits funds for the Internal Revenue Service (IRS) to destroy, deface, or dispose of records in contravention of the Federal Records Act (FRA) and to require the Archivist to report on IRS compliance with the FRA.

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Serrano #1

AGREED TO
VV

**AMENDMENT TO FINANCIAL SERVICES
APPROPRIATIONS BILL
OFFERED BY MR. SERRANO OF NEW YORK AND
MR. LATHAM OF IOWA**

Page 92, line 3, insert after the colon the following:
“*Provided further*, That 6-day delivery and rural delivery
of mail shall continue at not less than the 1983 level.”.

In the Committee Report, on page 78, strike “The
recommendation does not continue language specifying
that 6-day delivery and rural delivery of mail shall con-
tinue at not less than the 1983 level.”.



#3

YODER #1
AGLEED TO
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**AMENDMENT TO FINANCIAL SERVICES
APPROPRIATIONS BILL
OFFERED BY MR. YODER OF KANSAS**

Insert at the appropriate place the following:

1 SEC. _____. None of the funds made available by this
2 Act may be used to require the disclosure by a provider
3 of an electronic communication service or a remote com-
4 puting service of the contents or related information de-
5 tailed in section 2703(c) of title 18, United States Code,
6 of a wire or electronic communication that is in electronic
7 storage with or otherwise held or maintained by the pro-
8 vider, as such terms are defined in section 2510 of title
9 18, United States Code, by any other than a means au-
10 thorized under section 2703(b)(1)(A) of title 18, United
11 States Code.



#5

Harris #2
ADDITION
28-21

**AMENDMENT TO FINANCIAL SERVICES
APPROPRIATIONS BILL
OFFERED BY MR. HARRIS OF MARYLAND**

Page 142, strike lines 8 through 14 and insert the following:

1 SEC. 809. (a) None of the Federal funds contained
2 in this Act may be used to enact or carry out any law,
3 rule, or regulation to legalize or otherwise reduce penalties
4 associated with the possession, use, or distribution of any
5 schedule I substance under the Controlled Substances Act
6 (21 U.S.C. 801 et seq.) or any tetrahydrocannabinols de-
7 rivative for any purpose.

8 (b) None of the funds contained in this Act may be
9 used to enact or carry out any law, rule, or regulation to
10 legalize or otherwise reduce penalties associated with the
11 possession, use, or distribution of any schedule I substance
12 under the Controlled Substances Act (21 U.S.C. 801 et
13 seq.) or any tetrahydrocannabinols derivative for rec-
14 reational purposes.



#7

YODER #2

**AMENDMENT TO FINANCIAL SERVICES
APPROPRIATIONS BILL
OFFERED BY MR. YODER OF KANSAS**

AGREED
TO
VV

At the appropriate place in the bill, insert the following:

1 SEC. _____. Section 716 of the Dodd-Frank Wall
2 Street Reform and Consumer Protection Act (15 U.S.C.
3 8305) is amended—

4 (1) in subsection (b)—

5 (A) in paragraph (2)(B), by striking “in-
6 sured depository institution” and inserting
7 “covered depository institution”; and

8 (B) by adding at the end the following:

9 “(3) COVERED DEPOSITORY INSTITUTION.—

10 The term ‘covered depository institution’ means—

11 “(A) an insured depository institution, as
12 that term is defined in section 3 of the Federal
13 Deposit Insurance Act (12 U.S.C. 1813); and

14 “(B) a United States uninsured branch or
15 agency of a foreign bank.”;

16 (2) in subsection (c)—

17 (A) in the heading for such subsection, by
18 striking “INSURED” and inserting “COVERED”;

1 (B) by striking “an insured” and inserting
2 “a covered”;

3 (C) by striking “such insured” and insert-
4 ing “such covered”; and

5 (D) by striking “or savings and loan hold-
6 ing company” and inserting “savings and loan
7 holding company, or foreign banking organiza-
8 tion (as such term is defined under Regulation
9 K of the Board of Governors of the Federal Re-
10 serve System (12 C.F.R. 211.21(o))”;

11 (3) by amending subsection (d) to read as fol-
12 lows:

13 “(d) ONLY BONA FIDE HEDGING AND TRADITIONAL
14 BANK ACTIVITIES PERMITTED.—

15 “(1) IN GENERAL.—The prohibition in sub-
16 section (a) shall not apply to any covered depository
17 institution that limits its swap and security-based
18 swap activities to the following:

19 “(A) HEDGING AND OTHER SIMILAR RISK
20 MITIGATION ACTIVITIES.—Hedging and other
21 similar risk mitigating activities directly related
22 to the covered depository institution’s activities.

23 “(B) NON-STRUCTURED FINANCE SWAP
24 ACTIVITIES.—Acting as a swaps entity for

1 swaps or security-based swaps other than a
2 structured finance swap.

3 “(C) CERTAIN STRUCTURED FINANCE
4 SWAP ACTIVITIES.—Acting as a swaps entity for
5 swaps or security-based swaps that are struc-
6 tured finance swaps, if—

7 “(i) such structured finance swaps are
8 undertaken for hedging or risk manage-
9 ment purposes; or

10 “(ii) each asset-backed security under-
11 lying such structured finance swaps is of a
12 credit quality and of a type or category
13 with respect to which the prudential regu-
14 lators have jointly adopted rules author-
15 izing swap or security-based swap activity
16 by covered depository institutions.

17 “(2) DEFINITIONS.—For purposes of this sub-
18 section:

19 “(A) STRUCTURED FINANCE SWAP.—The
20 term ‘structured finance swap’ means a swap or
21 security-based swap based on an asset-backed
22 security (or group or index primarily comprised
23 of asset-backed securities).

24 “(B) ASSET-BACKED SECURITY.—The
25 term ‘asset-backed security’ has the meaning

1 given such term under section 3(a) of the Secu-
2 rities Exchange Act of 1934 (15 U.S.C.
3 78c(a)).”;
4 (4) in subsection (c), by striking “an insured”
5 and inserting “a covered”; and
6 (5) in subsection (f)—
7 (A) by striking “an insured depository”
8 and inserting “a covered depository”; and
9 (B) by striking “the insured depository”
10 each place such term appears and inserting
11 “the covered depository”.



49

Harris #1

ADDED

29-21

**AMENDMENT TO FINANCIAL SERVICES
APPROPRIATIONS BILL
OFFERED BY MR. HARRIS OF MARYLAND**

At the end of the bill (before the spending reduction account) insert the following:

1 SEC. _____. (a) No funds appropriated by this Act
2 shall be available to pay for an abortion or the administra-
3 tive expenscs in connection with a multi-State qualified
4 health plan offered under a contract under section 1334
5 of the Patient Protection and Affordable Care Act (42
6 USC 18054) which provides any benefits or coverage for
7 abortions.

8 (b) The provision of subsection (a) shall not apply
9 where the life of the mother would be endangered if the
10 fetus were carried to term, or the pregnancy is the result
11 of an act of rape or incest.