

## Summary of FY 2012 Appropriations Language

Below is a summary of the Treasury appropriations language proposed for FY 2012.

### Departmental Offices Federal Funds

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#### Salaries and Expense

*(Including Transfer of Funds)*

*For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for real properties leased or owned overseas, when necessary for the performance of official business, \$324,889,000: Provided, That notwithstanding any other provision of law, of the amount appropriated under this heading, up to \$1,000,000, may be contributed to the Global Forum on Transparency and Exchange of Information for Tax Purposes, a Part II Program of the Organization for Economic Cooperation and Development, to cover the cost assessed by that organization for Treasury's participation therein: Provided further, That of the amount appropriated under this heading, not to exceed \$3,000,000, to remain available until September 30, 2013, is for information technology modernization requirements; not to exceed \$200,000 is for official reception and representation expenses; \$200,000 is to support international representation commitments of the Secretary; and not to exceed \$258,000 is for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate: Provided further, That of the amount appropriated under this heading, \$6,787,000, to remain available until September 30, 2013, is for the Treasury-wide Financial Statement Audit and Internal Control Program, of which*

*such amounts as may be necessary may be transferred to accounts of the Department's offices and bureaus to conduct audits: Provided further, That this transfer authority shall be in addition to any other provided in this Act: Provided further, That of the amount appropriated under this heading, \$500,000, to remain available until September 30, 2013, is for secure space requirements: Provided further, That of the amount appropriated under this heading, up to \$3,400,000, to remain available until September 30, 2014, is to develop and implement programs within the Office of Critical Infrastructure Protection and Compliance Policy, including entering into cooperative agreements : Provided further, That of the funds made available under this heading, \$2,500,000 is for strengthening the Department's acquisition workforce capacity and capabilities: Provided further, That with respect to the previous proviso, such funds shall be available for training, recruitment, retention, and hiring members of the acquisition workforce as defined by the Office of Federal Procurement Policy Act, as amended (41 U.S.C. 401 et seq.): Provided further, That with respect to the seventh proviso, such funds shall be available for information technology in support of acquisition workforce effectiveness or for management solutions to improve acquisition management.*

#### Office of Inspector General

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*For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$29,855,000, of which not to exceed \$2,000,000 for official travel expenses, including hire of passenger motor vehicles; and of which not to exceed \$100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the*

Treasury.

## **Treasury Inspector General for Tax Administration**

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### **Salaries and Expenses**

*For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; \$157,831,000, of which not to exceed \$6,000,000 shall be available for official travel expenses; of which not to exceed \$500,000 shall be available for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration.*

### **Treasury Forfeiture Fund**

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#### **(Cancellation)**

*Of the unobligated balances available under this heading, \$600,000,000 are hereby permanently cancelled.*

### **Community Development Financial Institutions Fund Program Account**

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*To carry out the Community Development Banking and Financial Institutions Act of 1994 (Public Law 103–325), including services authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for ES-3, \$227,259,000, to remain available until September 30, 2013; of which \$12,000,000 shall be for financial assistance, technical assistance, training and outreach programs, under sections 105 through 109 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4704–4708), designed to benefit Native communities and provided primarily through*

*qualified community development lender organizations with experience and expertise in community development banking and lending in Indian country, Native American organizations, tribes and tribal organizations and other suitable providers; of which, notwithstanding section 108(d) of such Act, up to \$25,000,000 shall be for a Healthy Food Financing Initiative to provide grants and loans to community development financial institutions for the purpose of offering affordable financing and technical assistance to expand the availability of healthy food options in distressed communities; of which \$41,425,000 shall be for initiatives to establish bank accounts for low and moderate-income persons who do not have bank accounts with financial institutions and to improve access to the provision of bank accounts as authorized by section 1204 of Public Law 111–203; of which up to \$22,965,000 may be used for administrative expenses, including administration of the New Markets Tax Credit; of which up to \$10,315,000 may be used for the cost of direct loans; and of which up to \$250,000 may be used for administrative expenses to carry out the direct loan program: Provided, That the cost of direct loans, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$25,000,000.*

### **Special Inspector General for the Troubled Asset Relief Program**

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#### **Salaries and Expenses**

*For necessary expenses of the Office of the Special Inspector General in carrying out the provisions of the Emergency Economic Stabilization Act of 2008 (Public Law 110–343), as amended, \$47,374,000.*

## **Financial Crimes Enforcement Network Federal Funds**

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### **Salaries and Expenses**

*For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel and training expenses, including for course development, of non-Federal and foreign government personnel to attend meetings and training concerned with domestic and foreign financial intelligence activities, law enforcement, and financial regulation; not to exceed \$14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, \$84,297,000, of which not to exceed \$15,835,000 shall remain available until September 30, 2014: Provided, That funds appropriated in this account may be used to procure personal services contracts.*

## **Financial Management Service Federal Funds**

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### **Salaries and Expenses**

*For necessary expenses of the Financial Management Service, \$218,805,000, of which not to exceed \$4,120,000 shall remain available until September 30, 2014, for information systems modernization initiatives; and of which not to exceed \$2,500 shall be available for official reception and representation expenses.*

## **Alcohol and Tobacco Tax and Trade Bureau Federal Funds**

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### **Salaries and Expenses**

*For necessary expenses of carrying out section 1111 of the Homeland Security Act of 2002, including hire of passenger motor vehicles, \$97,878,000; of which not to exceed \$6,000 for official reception and representation expenses; not to exceed \$50,000 for cooperative research and*

*development programs for laboratory services; and provision of laboratory assistance to State and local agencies with or without reimbursement.*

## **United States Mint Federal Funds**

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### **Public Enterprise Fund**

*Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments. The aggregate amount of new liabilities and obligations incurred during fiscal year 2012 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed \$20,000,000.*

## **Bureau of the Public Debt Federal Funds**

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### **Administering the Public Debt**

*For necessary expenses connected with any public-debt issues of the United States, \$173,635,000, of which not to exceed \$2,500 shall be available for official reception and representation expenses, and of which \$10,000,000 shall remain available until September 30, 2014, for the Do Not Pay portal initiative: Provided, That the sum appropriated herein from the general fund for fiscal year 2012 shall be reduced by not more than \$8,000,000 as definitive security issue fees and Legacy Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2012 appropriation from the general fund estimated at \$165,635,000. In addition, \$165,000 to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial*

management of the Fund, as authorized by section 1012 of Public Law 101–380.

## **Internal Revenue Service Federal Funds**

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### **Taxpayer Services**

*(Including Transfer of Funds)*

*For necessary expenses of the Internal Revenue Service to provide taxpayer services, including pre-filing assistance and education, filing and account services, taxpayer advocacy services, and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, \$2,345,133,000, of which not less than \$5,100,000 shall be for the Tax Counseling for the Elderly Program, of which not less than \$9,500,000 shall be available for low-income taxpayer clinic grants, of which not less than \$8,000,000, to remain available until September 30, 2013, shall be available for a Community Volunteer Income Tax Assistance matching grants program for tax return preparation assistance, and of which up to \$6,000,000 may be transferred as necessary from this account to "Health Insurance Tax Credit Administration" upon advance notification of the Committees on Appropriations: Provided, That this transfer authority shall be in addition to any other transfer authority provided in this Act.*

### **Enforcement**

*For necessary expenses for tax enforcement activities of the Internal Revenue Service to determine and collect owed taxes, to provide legal and litigation support, to conduct criminal investigations, to enforce criminal statutes related to violations of internal revenue laws and other financial crimes, to purchase (for police-type use, not to exceed 850) and hire passenger motor vehicles (31 U.S.C. 1343(b)), and to provide other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, \$5,966,619,000, of which not less than*

*\$60,257,000 shall be for the Interagency Crime and Drug Enforcement program: Provided, That of the amount provided under this heading, not less than \$936,000,000 shall be for the additional appropriation for Internal Revenue Service tax compliance activities included as an adjustment to the discretionary spending limits pursuant to the Concurrent Resolution on the Budget.*

### **Health Insurance Tax Credit Administration**

*For expenses necessary to implement the health insurance tax credit included in the Trade Act of 2002 (Public Law 107–210), \$18,029,000.*

### **Operations Support**

*For necessary expenses of the Internal Revenue Service to support taxpayer services and enforcement programs, including rent payments; facilities services; printing; postage; physical security; headquarters and other IRS-wide administration activities; research and statistics of income; telecommunications; information technology development, enhancement, operations, maintenance, and security; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and other services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; \$4,620,526,000, of which up to \$250,000,000 shall remain available until September 30, 2013, for information technology support; of which up to \$65,000,000 shall remain available until expended for acquisition of real property, equipment, construction and renovation of facilities; of which not to exceed \$1,000,000 shall remain available until September 30, 2014, for research; of which not to exceed \$2,000,000 shall be for the Internal Revenue Service Oversight Board; of which not to exceed \$25,000 shall be for official reception and representation: Provided, That of the amounts provided under this heading, such sums as are necessary shall be available to fully support tax enforcement activities,*

*including not less than \$321,000,000 for the additional appropriation for Internal Revenue Service tax compliance activities included as an adjustment to the discretionary spending limits pursuant to the Concurrent Resolution on the Budget.*

### **Business Systems Modernization**

*For necessary expenses of the Internal Revenue Service's business systems modernization program, \$333,600,000, to remain available until September 30, 2014, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including related Internal Revenue Service labor costs, and contractual costs associated with operations authorized by 5 U.S.C. 3109: Provided, That, with the exception of labor costs, none of these funds may be obligated until the Internal Revenue Service submits to the Committees on Appropriations a plan for expenditure that: (1) meets the capital planning and investment control review requirements established by the Office of Management and Budget, including Circular A-11; (2) complies with the Internal Revenue Service's enterprise architecture, including the modernization blueprint; (3) conforms with the Internal Revenue Service's enterprise life cycle methodology; (4) is approved by the Internal Revenue Service, the Department of the Treasury, and the Office of Management and Budget; (5) has been received by the Government Accountability Office; and (6) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.*

### **Administrative Provisions-Internal Revenue Service**

*(Including Transfer of Funds)*

*SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service or not to exceed 3 percent of appropriations under the heading*

*"Enforcement" may be transferred to any other Internal Revenue Service appropriation upon the advance notification of the Committees on Appropriations. SEC. 102. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with taxpayers, and in crosscultural relations.*

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

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

*SEC. 105. Of the funds made available by this Act to the Internal Revenue Service, not less than \$8,490,000,000 shall be available only for tax compliance, of which not less than \$1,257,000,000 shall be available for the additional appropriation for Internal Revenue Service tax compliance activities included as an adjustment to the discretionary spending limits in the Concurrent Resolution on the Budget.*

### **Administrative Provisions—Department of the Treasury**

*(Including Transfer of Funds)*

*SEC. 107. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase*

*of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.*

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

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

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

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

*SEC. 112. The Secretary of the Treasury may transfer funds from Financial Management Service, Salaries and Expenses to the Debt Collection Fund as necessary to cover the costs of debt collection: Provided, That such amounts shall be reimbursed to such salaries and expenses account from debt collections received in the Debt Collection Fund.*

*SEC. 113. Section 122(g)(1) of Public Law 105–119 (5 U.S.C. 3104 note), is further amended by striking " 12 years" and inserting " 14 years".*

This section continues, for one additional year, the Alcohol and Tobacco Tax and Trade Bureau's Pay Demonstration Project to use as an intervention tool in the recruitment and retention of critical staff positions.

*SEC. 114. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for the Department of the Treasury's intelligence or intelligence related activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2012 until the enactment of the Intelligence Authorization Act for Fiscal Year 2012.*

*SEC. 115. Not to exceed \$5,000 shall be made available from the Bureau of Engraving and Printing's Industrial Revolving Fund for necessary official reception and representation expenses.*

*SEC. 116. Section 5114(c) of Title 31, United States Code (relating to engraving and*

*printing currency and security documents), is amended by striking "for a period of not more than 4 years".*

This section refers to repealing the limit on the contract term for the manufacture of distinctive currency paper to four years, to open up the supply of U.S. currency paper to increased competition.

*SEC. 117. Section 1324 of title 31, United States Code, is amended by adding at the end thereof the following new subsection: "(c) Amounts appropriated under subsection (a) of this section shall be administered, as appropriate, as if they were made available through separate appropriations to the Secretary of the Treasury, the Secretary of Homeland Security, and the Attorney General. Funds so appropriated shall be available to the Secretary of the Treasury for refunds by the Internal Revenue Service of taxes collected pursuant to the Internal Revenue Code and related interest; separately to the Secretary of the Treasury for refunds and drawbacks of alcohol, tobacco, firearms and ammunition taxes and refunds of other taxes which may arise and any interest on such refunds, including payment of claims for prior fiscal years; to the Secretary of Homeland Security for refunds and drawbacks of receipts collected pursuant to the customs revenue functions administered by the Department of Homeland Security pursuant to delegation by the Secretary of the Treasury and any interest on such refunds, including payment of claims for prior fiscal years; and to the Attorney General for refunds of firearms taxes and refunds of other taxes which may arise and any interest on such refunds, including payment of claims for prior fiscal years.*

This section refers to funds appropriated or otherwise made available to the Secretary of the Treasury, the Secretary of Homeland Security, and the Attorney General for refunds

of taxes and related interest on such refunds, drawbacks, and payments of claims for prior fiscal years. This provision will alleviate the need for the Internal Revenue Service to make such refunds, drawbacks and payments on behalf of the other federal agencies, and will minimize the administrative and accounting burdens associated with this process. This proposal will not create any new spending.

*SEC. 118. In the current fiscal year and hereafter, any person who forwards to the Bureau of Engraving and Printing (BEP) a mutilated paper currency claim equal to or exceeding \$10,000 for redemption will be required to provide BEP their taxpayer identifying number.*

This section refers to establishment of a new requirement that taxpayer identifying numbers be provided with mutilated currency redemption claims greater than or equal to \$10,000, to reduce risks of the mutilated currency redemption program being used as a means for money laundering.

*SEC. 119. Section 5112(r) of title 31, United States Code, is amended by striking paragraph (5).*

This section would repeal the requirement that the number of \$1 coins minted and issued in a given year with the Sacagawea-design on the coin's obverse side must be not less than 20 percent of the total number of \$1 coins minted and issued in that year; this section would allow the United States Mint to meet public demand for \$1 coins of each particular design while also eliminating excessive expenses that would otherwise be incurred to mint and issue Native American \$1 Coins in amounts that exceed the public demand for them.

The following amendments (Section 120 through Section 124) will provide authority for FinCEN to rely on examinations

conducted by state supervisory agencies for nonbank financial institutions, increase information sharing between FinCEN and counterpart anti-money laundering/ counter-terrorist financing regulators, and expand the universe of individuals covered by the prohibition on Suspicious Activity Report (SAR) disclosures.

*SEC. 120. Section 5318(a)(1) of title 31, United States Code (relating to compliance, exemptions, and summons authority), is amended by - (1) Inserting after "appropriate", "federal or (in the case of financial institutions without a federal supervisor) state"; and (2) Inserting after "Service." "In lieu of delegating such authority to a state supervisory agency, the Secretary is also authorized to rely on examinations conducted by a state supervisory agency of a category of financial institution. The Secretary may only rely on such state examinations if the Secretary determines that under the laws of the state, the category of financial institution is required to comply with this subchapter and regulations prescribed under this subchapter, or the state supervisory agency is authorized to ensure that the category of financial institution complies with this subchapter and regulations prescribed under this subchapter."*

*SEC. 121. Public Law 91-508, as amended (12 U.S.C. 1958 et seq.) is amended in section 128, by - (1) Striking "sections 1730d (1) and" and inserting in lieu thereof "section"; (2) Striking "bank supervisory agency, or other"; (3) Inserting after "appropriate", "federal or (in the case of financial institutions without a federal supervisor) state"; and (4) Inserting after "agency." "In lieu of delegating such responsibility to a state supervisory agency, the Secretary is also authorized to rely on examinations conducted by a state supervisory agency of a category of financial institution.*

*The Secretary may only rely on such state examinations if the Secretary determines that under the laws of the state, the category of financial institution is required to comply with this chapter and section 1829b (and regulations prescribed under this chapter and section 1829b), or the state supervisory agency is authorized to ensure that the category of financial institution complies with this chapter and section 1829b (and regulations prescribed under this chapter and section 1829b)."*

*SEC. 122. Section 310(b)(2)(E) of title 31, United States Code (relating to the Financial Crimes Enforcement Network), is amended by inserting after "Federal" the first time that it appears, "and foreign".*

*SEC. 123. Section 5318(g)(2)(A) of title 31, United States Code (relating to reporting of suspicious transactions), is amended by - (1) Inserting after "employee" at the end of clause (ii) "; and"; and (2) Inserting after ";and" "(iii) no other person that the Secretary may prescribe by regulation, who has knowledge that such report was made, may disclose to any person involved in the transaction that the transaction has been reported".*

*SEC. 124. Section 5319 of title 31, United States Code (relating to availability of reports), is amended by inserting after "title 5", ", or under any state law having or intended to have a similar effect".*

*SEC. 125. The Secretary of the Treasury may transfer, in fiscal year 2012, from amounts that would otherwise be made available in fiscal years 2012, 2013, and 2014 under section 9703(g)(4) of title 31, United States Code, up to \$30,000,000, to remain available until September 30, 2014, to the Financial Crimes Enforcement Network for BSA IT Modernization, notwithstanding the obligation requirement of such section.*



This provision provides the Secretary authority to transfer up to \$30 million from the Treasury Forfeiture Fund's unobligated balances to the Financial Crimes Enforcement Network for Bank Secrecy Act IT Modernization, where the \$30 million will remain available until September 30, 2014.