

**Amendments preprinted in the Congressional Record - (House of Representatives – July 14, 2014) H.R. 5016 - Financial Services and General Government Appropriations Act, 2015**

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 5016

Offered By: Mr. Fleming

**AMENDMENT NO. 1:** At the end of the bill (before the short title), insert the following:

*Sec. \_\_.* None of the funds made available by this Act may be used to implement guidance FIN-2014-G001 (relating to BSA Expectations Regarding Marijuana-Related Businesses) issued on February 14, 2014.

H.R. 5016

Offered By: Mr. Meehan

**AMENDMENT NO. 2:** At the end of the bill, before the short title, insert the following:

*Sec. \_\_X.* None of the funds made available in this Act may be used to modify or rebuild any portion of the White House bowling alley, including using phenolic synthetic material.

H.R. 5016

Offered By: Mr. Capuano

**AMENDMENT NO. 3:** Page 104, beginning on line 22, strike section 626.

H.R. 5016

Offered By: Mr. Bachus

**AMENDMENT NO. 4:** At the end of the bill (before the short title), insert the following:

*Sec. \_\_.* None of the funds made available by this Act may be used to reinstall the Red Mountain sculpture on the plaza of the Hugo Black Courthouse in Birmingham, Alabama.

H.R. 5016

Offered By: Mr. Sessions

**AMENDMENT NO. 5:** Page 2, line 17, after the dollar amount, insert ``(reduced by \$1,750,000)''.

Page 152, line 15, after the dollar amount, insert ``(increased by \$1,750,000)''.

H.R. 5016

Offered By: Mr. Price of Georgia

**AMENDMENT NO. 6:** At the end of the bill (before the short title), insert the following:

*Sec. \_\_.* None of the funds made available by this Act may be used in contravention of section 6103 of the Internal Revenue Code of 1986 (relating to confidentiality and disclosure of returns and return information).

H.R. 5016

Offered By: Mr. Lynch

**AMENDMENT NO. 7:** Page 5, line 22, after the dollar amount, insert ``(increased by \$3,339,000)"

Page 67, line 16, after the dollar amount, insert ``(reduced by \$3,339,000)"

Page 68, line 10, after the dollar amount, insert ``(reduced by \$1,669,500)"

Page 68, line 15, after the dollar amount, insert ``(reduced by \$1,669,500)"

Page 71, line 3, after the dollar amount, insert ``(reduced by \$1,669,500)"

H.R. 5016

Offered By: Ms. Waters

**AMENDMENT NO. 8:** Page 85, line 19, insert after the dollar amount insert the following: ``(increased by \$300,000,000)"

Page 86, line 16, insert after the dollar amount insert the following: ``(increased by \$300,000,000)"

H.R. 5016

Offered By: Ms. Waters

**AMENDMENT NO. 9:** Page 104, after line 21, insert the following:

*Sec. \_\_.* Section 204 of the Investment Advisers Act of 1940 (15 U.S.C. 80b-4) is amended by adding at the end the following new subsection:

``(e) *Inspection and Examination Fees.*--

``(1) **IN GENERAL.**--The Commission shall collect an annual fee from investment advisers that are subject to inspection or examination by the Commission under this title to defray the cost of such inspections and examinations.

``(2) **EXEMPTIONS FOR CERTAIN STATE-REGULATED INVESTMENT ADVISERS.**--No fees shall be collected under this subsection from any investment

adviser that is prohibited from registering with the Commission under section 203 by reason of section 203A.

**``(3) FEE AMOUNTS.--**

**``(A) AMOUNT TO BE COLLECTED.--**

**``(i) IN GENERAL.--**The Commission shall seek to ensure that the aggregate amount of fees collected under this subsection with respect to a specific fiscal year are equal to the estimated cost of the Commission in carrying out additional inspections and examinations for such fiscal year.

**``(ii) ADDITIONAL INSPECTIONS AND EXAMINATIONS DEFINED.--**For purposes of this subparagraph and with respect to a fiscal year, the term `additional inspections and examinations' means those inspections and examinations of investment advisers under this title for such fiscal year that exceed the number of inspections and examinations of investment advisers under this title conducted during fiscal year 2012.

**``(B) FEE CALCULATION FORMULA.--**The Commission shall establish by rulemaking a formula for determining the fee amount to be assessed against individual investment advisers, which shall take into account the following factors:

**``(i)** The anticipated costs of conducting inspections and examinations of investment advisers under this title, including the anticipated frequency of such inspections and examinations.

**``(ii)** The investment adviser's size, including the assets under management of the investment adviser.

**``(iii)** The number and type of clients of the investment adviser, and the extent to which the adviser's clients pay other fees established by the Commission, including registration and transaction fees.

**``(iv)** Such other objective factors, such as risk characteristics, as the Commission determines to be appropriate.

**``(C) ADJUSTMENT OF FORMULA.--**Prior to the end of each fiscal year, the Commission shall review the fee calculation formula and, if, after allowing for a period of public comment, the Commission determines that the formula needs to be revised, the Commission shall revise such formula before fees are assessed for the following fiscal year.

**“(4) PUBLIC DISCLOSURES.**--The Commission shall make the following information publicly available, including on the Web site of the Commission:

**“(A)** The formula used to determine the fee amount to be assessed against individual investment advisers, and any adjustment made to such formula.

**“(B)** The factors used to determine such formula, including any additional objective factors used by the Commission pursuant to paragraph (3)(B)(iv).

**“(5) AUDIT.**--

**“(A) IN GENERAL.**--The Comptroller General of the United States shall, every 2 years, conduct an audit of the use of the fees collected by the Commission under this subsection, the reviews of the formula used to calculate such fees, and any adjustments made by the Commission to such formula.

**“(B) REPORT.**--After conducting each audit required under subparagraph (A), the Comptroller General shall issue a report on such audit to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

**“(6) TREATMENT OF FEES.**--

**“(A) IN GENERAL.**--Funds derived from fees assessed under this subsection shall be available to the Commission, without further appropriation or fiscal year limitation, to pay any costs associated with inspecting and examining investment advisers that are subject to inspection and examination under this title.

**“(B) FUNDS NOT PUBLIC FUNDS.**--Funds derived from fees assessed under this subsection shall not be construed to be Government or public funds or appropriated money. Notwithstanding any other provision of law, funds derived from fees assessed under this subsection shall not be subject to apportionment for the purpose of chapter 15 of title 31, United States Code, or under any other authority.

**“(C) FUNDS SUPPLEMENTAL TO OTHER AMOUNTS.**--Funds derived from fees assessed under this subsection shall supplement, and be in addition to, any other amounts available to the Commission, under a regular appropriation or otherwise, for the purpose described in subparagraph (A).”.

**Amendments preprinted in the Congressional Record - (House of Representatives – July 15, 2014) H.R. 5016 - Financial Services and General Government Appropriations Act, 2015**

Under clause 8 or rule XVIII, proposed amendments were submitted as follows:

H.R. 5016

Offered By: Mrs. **Blackburn**

*Amendment No. 10:* At the end of the bill (before the short title), insert the following:.

*Sec. \_\_.* Each amount made available by this Act (other than an amount required to be made available by a provision of law) is hereby reduced by 1 percent.

H.R. 5016

Offered By: Mrs. **Blackburn**

*Amendment No. 11:* At the end of the bill (before the short title), insert the following:

*Sec. \_\_.* None of the funds made available in this Act may be used to provide funds from the Hardest Hit Fund program established by the Secretary of the Treasury under title I of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5211 et seq.) to any State or local government for the purpose of funding pension obligations of such State or local government.

H.R. 5016

Offered By: Mr. **Grayson**

*Amendment No. 12:* At the end of the bill (before the short title), insert the following:

*Sec. \_\_* None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, pursuant to the Federal Acquisition Regulation, that the offeror or any of its principals--

(1) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(2) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph (1); or

(3) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds \$3,000 for which the liability remains unsatisfied.

H.R. 5016

Offered By: Mr. **Frelinghuysen**

*Amendment No. 13:* At the end of the bill (before the short title), insert the following:

*Sec. \_\_.* The amount otherwise provided by this Act for ``National Security Council and Homeland Security Council--Salaries and Expenses" for the National Security Council is hereby reduced by \$4,200,000.

H.R. 5016

Offered By: Mr. **Marino**

*Amendment No. 14:* At the end of the bill (before the short title), insert the following:

*Sec. \_\_.* None of the funds made available by this Act may be used to collect any underpayment of any tax imposed by the Internal Revenue Code of 1986 to the extent such underpayment is attributable to the taxpayer's loss of records (except in the case of fraud).

H.R. 5016

Offered By: Mr. **MASSIE**

*Amendment No. 15:* At the end of the bill (before the short title), insert the following:

*Sec. \_\_.* None of the funds made available by this Act, including amounts made available under titles IV or VIII, may be used by any authority of the government of the District of Columbia to prohibit the ability of any person to possess, acquire, use, sell, or transport a firearm except to the extent such activity is prohibited by Federal law.

H.R. 5016

Offered By: Mr. **SHERMAN**

*Amendment No. 16:* At the end of the bill (before the short title), insert the following:

*Sec. \_\_.* None of the funds made available by this Act may be used to implement, administer, or enforce final leasing accounting standard rules, regulations, or requirements in FASB Project 2013-270, Accounting Standards Update Topic 842.

H.R. 5016

Offered By: Ms. **SCHAKOWSKY**

*Amendment No. 17:* At the end of the bill (before the short title), insert the following: S6201

*Sec. \_\_.* None of the funds made available in this Act may be used to enter into a contract with any person whose disclosures of a proceeding with a disposition listed in section 2313(c)(1) of title 41, United States Code, in the Federal Awardee Performance and Integrity Information System include the term ``Fair Labor Standards Act.".

H.R. 5016

Offered By: Mr. **POSEY**

*Amendment No. 18:* At the end of the bill (before the short title), insert the following:

*Sec. \_\_.* None of the funds made available in this Act to the Office of Personnel Management may be used to process or pay any annuity payment under chapter 83 or 84 of title 5, United States Code, to a former Federal employee with respect to whom the President of the Senate or the Speaker of the House of Representatives has certified a statement of facts to a United States attorney under section 104 of the Revised Statutes (2 U.S.C. 194).