

**Legal Services Corporation FY 2009 Appropriation  
With Selected General Provisions**

*Additional general provisions not excerpted appear in the full statute at: <http://thomas.loc.gov>*

**CONSOLIDATED APPROPRIATIONS ACT, 2009**

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Public Law No: 111-8  
123 Stat. 524  
H.R. 1105

March 11, 2009

**One Hundred Eleventh Congress of the United States of America**  
AT THE FIRST SESSION

**An Act**

Making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2009, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

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**SEC. 4. EXPLANATORY STATEMENT.**

The explanatory statement regarding this Act printed in the House of Representatives section of the Congressional Record on or about February 23, 2009 by the Chairman of the Committee on Appropriations of the House shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a joint explanatory statement of a committee of conference.

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**SEC. 5. STATEMENT OF APPROPRIATIONS.**

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2009.

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**DIVISION B--COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES  
APPROPRIATIONS ACT, 2009**

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**TITLE IV – RELATED AGENCIES**

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LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, \$390,000,000, of which \$365,800,000 is for basic field programs and required independent audits; \$4,200,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; \$16,000,000 is for management and administration; \$3,000,000 is for client self-help and information technology; and \$1,000,000 is for loan repayment assistance: *Provided*, That the Legal Services Corporation may continue to provide locality pay to officers and employees at a rate no greater than that provided by the Federal Government to Washington, DC-based employees as authorized by 5 U.S.C. 5304, notwithstanding section 1005(d) of the Legal Services Corporation Act, 42 U.S.C. 2996(d).

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105-119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2008 and 2009, respectively.

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TITLE V – GENERAL PROVISIONS

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SEC. 501. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

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SEC. 505. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2009, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through the reprogramming of funds that: (1) creates or initiates a new program, project or activity; (2) eliminates a program, project or activity, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted by this Act, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds; (4) relocates an office or employees, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds; (5) reorganizes or renames offices, programs or activities, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds; (6) contracts out or privatizes any functions or activities presently performed by Federal employees, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds; (7) proposes to use funds directed for a specific activity by either the House or Senate Committee on Appropriations for a different purpose, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds; (8) augments funds for existing programs, projects or activities in excess of \$500,000 or 10 percent, whichever is less, or reduces by 10 percent funding for any program, project or activity, or numbers of personnel by 10 percent as approved by Congress, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds; or (9) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, projects or activities as approved by Congress, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds in provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2009, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through the reprogramming of funds after August 1, except in extraordinary circumstances, and only after the House and Senate Committees on Appropriations are notified 30 days in advance of such reprogramming of funds.

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SEC. 509. Any costs incurred by a department or agency funded under this Act resulting from, or to prevent, personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds

to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

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SEC. 514. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 515. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

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SEC. 526. The Departments, agencies, and commissions funded under this Act, shall establish and maintain on the homepages of their Internet websites--

- (1) a direct link to the Internet websites of their Offices of Inspectors General; and
- (2) a mechanism on the Offices of Inspectors General website by which individuals may anonymously report cases of waste, fraud, or abuse with respect to those Departments, agencies, and commissions.

SEC. 527. None of the funds appropriated or otherwise made available by this Act may be used to enter into a contract in an amount greater than \$5,000,000 or to award a grant in excess of such amount unless the prospective contractor or grantee certifies in writing to the agency awarding the contract or grant that, to the best of its knowledge and belief, the contractor or grantee has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

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SEC. 530. None of the funds made available in this Act may be used to purchase first class or premium airline travel in contravention of sections 301-10.122 through 301-10.124 of title 41 of the Code of Federal Regulations.

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This division may be cited as the ‘Commerce, Justice, Science, and Related Agencies Appropriations Act, 2009’.

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*193 Cong. Rec. H1653 (daily ed.)  
February 23, 2009*

*EXPLANATORY STATEMENT SUBMITTED BY MR. OBEY, CHAIRMAN OF THE  
HOUSE COMMITTEE ON APPROPRIATIONS, REGARDING THE OMNIBUS  
APPROPRIATIONS ACT, 2009 OF THE HOUSE OF REPRESENTATIVES H.R. 1105*

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*LEGAL SERVICES CORPORATION  
PAYMENT TO THE LEGAL SERVICES CORPORATION*

*The bill provides \$390,000,000 for the Legal Services Corporation (LSC). Within the total provided, \$365,800,000 is for grants to basic field programs and required independent audits; \$4,200,000 is for the Office of Inspector General; \$16,000,000 is for management and administration; \$3,000,000 is for client self-help and information technology; and \$1,000,000 is for loan repayment assistance.*

*Current LSC locality pay represents reasonable compensation for LSC officers and employees, and a provision is included to authorize the continuation of locality pay.*

*ADMINISTRATIVE PROVISION - LEGAL SERVICES CORPORATION*

*The bill includes language to continue the statutory requirements and restrictions contained in previous appropriations Acts.*