

Calendar No. 171112TH CONGRESS
1ST SESSION**S. 1573****[Report No. 112-79]**

Making appropriations for financial services and general government for the fiscal year ending September 30, 2012, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 2011

Mr. DURBIN, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

Making appropriations for financial services and general government for the fiscal year ending September 30, 2012, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for fi-
5 nancial services and general government for the fiscal year
6 ending September 30, 2012, and for other purposes,
7 namely:

1 “(2) FILING.—The designation shall be in writ-
2 ing and filed with the Commission.

3 “(3) MODIFICATION.—The designation may be
4 changed in the same way originally made.

5 “(b) SERVICE.—

6 “(1) PLACE OF SERVICE.—An agent may be
7 served at the agent’s office or usual place of resi-
8 dence.

9 “(2) SERVICE ON AGENT IS SERVICE ON MANU-
10 FACTURER.—Service on the agent is deemed to be
11 service on the manufacturer.

12 “(3) NO DESIGNATED AGENT.—If a manufac-
13 turer does not designate an agent, service may be
14 made by posting the notice or process in the office
15 of the Commission.”.

16 (b) The table of contents in section 1 of such Act
17 is amended by inserting after the item relating to section
18 17 the following:

“17A. Service of process.”.

19 SEC. 503. (a) Not later than 1 year after the date
20 of the enactment of this Act, the Consumer Product Safe-
21 ty Commission shall promulgate, as a final consumer prod-
22 uct safety standard under section 7(a) of the Consumer
23 Product Safety Act (15 U.S.C. 2056(a))—

24 (1) a standard requiring button cell battery
25 compartments of battery-operated or assisted con-

1 sumer products to be secured, to the greatest extent
2 practicable, in a manner that reduces access to but-
3 ton cell batteries by children that are 3 years of age
4 or younger; and

5 (2) standards requiring warning labels—

6 (A) to be included in any literature that
7 accompanies a battery-operated or assisted con-
8 sumer product, such as a user manual;

9 (B) to be included on packaging for button
10 cell batteries sold to consumers; and

11 (C) to be included, as practicable, directly
12 on a battery-operated or assisted consumer
13 product in a manner that is visible to the con-
14 sumer upon installation or replacement of the
15 button cell battery.

16 (b) Warning labels required under subsection (a)
17 shall—

18 (1) clearly identify the hazard of ingestion; and

19 (2) instruct consumers, as practicable, to keep
20 new and used batteries out of the reach of children
21 and to seek immediate medical attention if a battery
22 is ingested.

23 (c)(1) The standards required by subsection (a) shall
24 be promulgated in accordance with section 553 of title 5,
25 United States Code.

1 (2) The requirements of subsections (a) through (f)
2 and (g)(1) of section 9 of the Consumer Product Safety
3 Act (15 U.S.C. 2058) shall not apply to the promulgation
4 of the standards required by subsection (a) of this section.

5 (d) Each final consumer product safety standard re-
6 quired by subsection (a) shall apply to battery-operated
7 or assisted consumer products manufactured on or after
8 the date that is 1 year after the date on which the Com-
9 mission promulgates the standard.

10 SEC. 504. Not later than 1 year after the date of
11 the enactment of this Act, the Comptroller General of the
12 United States shall conduct an analysis of the potential
13 safety risks associated with new and emerging consumer
14 products, including chemicals and other materials used in
15 their manufacture, taking into account the ability and au-
16 thority of the Consumer Product Safety Commission—

17 (1) to identify, assess, and address such risks
18 in a timely manner; and

19 (2) to keep abreast of the effects of new and
20 emerging consumer products on public health and
21 safety.

22 SEC. 505. Not later than 150 days after the date of
23 the enactment of this Act, the Comptroller General of the
24 United States shall conduct an analysis of—

1 (1) the extent to which manufacturers comply
2 with voluntary industry standards for consumer
3 products, particularly with respect to inexpensive,
4 imported products;

5 (2) whether there are consequences for such
6 manufacturers for failing to comply with such stand-
7 ards;

8 (3) whether the Consumer Product Safety Com-
9 mission has the authority and the ability to require
10 compliance with such standards; and

11 (4) whether there are patterns of non-compli-
12 ance with such standards among certain types of
13 products or certain types of manufacturers.

14 SEC. 505. Not later than 540 days after the date of
15 the enactment of this Act, the Consumer Product Safety
16 Commission shall—

17 (1) in consultation with representatives of con-
18 sumer groups, window blind manufacturers, and
19 independent engineers and experts, examine and as-
20 sess the effectiveness of the ANSI/WCMA A100.1–
21 2010 safety standard, as in effect on the day before
22 the date of the enactment of this Act; and

23 (2) if the Commission determines that a more
24 stringent standard for window coverings, or revised
25 version of the standard described in paragraph (1),

1 would eliminate the strangulation risk posed by
 2 corded window coverings, promulgate, in accordance
 3 with section 553 of title 5, United States Code, a
 4 window covering safety standard that is more strin-
 5 gent than the standard described in paragraph (1).

6 ELECTION ASSISTANCE COMMISSION

7 SALARIES AND EXPENSES

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses to carry out the Help Amer-
 10 ica Vote Act of 2002 (Public Law 107–252), \$14,750,000,
 11 of which \$3,250,000 shall be transferred to the National
 12 Institute of Standards and Technology for election reform
 13 activities authorized under the Help America Vote Act of
 14 2002.

15 FEDERAL COMMUNICATIONS COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses of the Federal Communica-
 18 tions Commission, as authorized by law, including uni-
 19 forms and allowances therefor, as authorized by 5 U.S.C.
 20 5901–5902; not to exceed \$4,000 for official reception and
 21 representation expenses; purchase and hire of motor vehi-
 22 cles; special counsel fees; and services as authorized by
 23 5 U.S.C. 3109, \$354,181,000: *Provided*, That
 24 \$354,181,000 of offsetting collections shall be assessed
 25 and collected pursuant to section 9 of title I of the Com-