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Financial Services and General Government (FSGG) FY2018 Appropriations: Overview

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Committees of Congress

Summary

The Financial Services and General Government (FSGG) appropriations bill includes funding for the Department of the Treasury, the Executive Office of the President (EOP), the judiciary, the District of Columbia, and more than two dozen independent agencies. The House and Senate FSGG bills fund the same agencies, with one exception. The Commodity Futures Trading Commission (CFTC) is funded through the Agriculture appropriations bill in the House and the FSGG bill in the Senate.

President Trump submitted his FY2018 budget request on May 23, 2017. The request included a total of $45.2 billion for agencies funded through the FSGG appropriations bill, including $250 million for the CFTC.

The House Committee on Appropriations reported a Financial Services and General Government Appropriations Act, 2018 (H.R. 3280, H.Rept. 115-234) on July 17, 2017. Total FY2018 funding in the reported bill would have been $42.5 billion, with another $248 million for the CFTC included in the Agriculture appropriations bill (H.R. 3268, H.Rept. 115-232). The combined total of $42.7 billion would have been about $2.5 billion below the President's FY2018 request, with the largest difference in the funding for the General Services Administration (GSA).

Nearly all of H.R. 3280's text was included as Division D of H.R. 3354, an omnibus appropriations bill, when it was considered by the House of Representatives beginning on September 6, 2017. The bill was amended numerous times, shifting funding among FSGG agencies but not changing the FSGG totals. H.R. 3354 passed on September 14, 2017.

The full Senate Committee on Appropriations did not act on an FY2018 FSGG appropriations bill. A draft FY2018 chairmen's recommended FSGG bill along with an explanatory statement was released on November 20, 2017. Funding in the draft bill would have totaled $43.3 billion, about $1.9 billion below the President's FY2018 request, with most of this difference in funding for the GSA.

No appropriations bills were passed prior to the start of FY2018. Five separate continuing resolutions (CR) were enacted—on September 8, 2017 (P.L. 115-56), December 8, 2017 (P.L. 115-90), December 22, 2017 (P.L. 115-96), January 22, 2018 (P.L. 115-120), and February 8, 2018 (P.L. 115-123). The CRs generally maintained FSGG funding based on FY2017 levels, with P.L. 115-123 also adding supplemental emergency funding for the GSA ($127 million) and the Small Business Administration (SBA; $1.66 billion) largely to address natural disasters.

The Consolidated Appropriations Act, 2018 (H.R. 1625, P.L. 115-141) was enacted on March 23, 2018. FSGG appropriations were included as Division E, with the CFTC funded in the Agriculture appropriations in Division A. FY2018 enacted appropriations in P.L. 115-141 and P.L. 115-123 combined totaled $47.7 billion for the FSGG agencies, $2.5 billion above the original request with much of this difference resulting from the emergency funding for the SBA.

Although financial services are a major focus of the FSGG appropriations bills, these bills do not include funding for many financial regulatory agencies, which are funded outside of the appropriations process. The FSGG bills do, however, often contain additional legislative provisions relating to such agencies, as was the case with H.R. 3280 and H.R. 3354, which contained several provisions in Title IX and Title X that also appear in H.R. 10, a broad financial regulatory bill passed by the House on June 8, 2017. Although most of these provisions were not ultimately attached, P.L. 115-141 included the texts of H.R. 4267 and H.R. 4792, both of which addressed small business access to capital.

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The Financial Services and General Government (FSGG) appropriations bill includes funding for the Department of the Treasury (Title I), the Executive Office of the President (EOP; Title II), the judiciary (Title III), the District of Columbia (Title IV), and more than two dozen independent agencies (Title V). The bill typically funds mandatory retirement accounts in Title VI, which also contains additional general provisions applying to the funding provided to agencies through the FSGG bill. Title VII typically contains general provisions applying government-wide. FSGG bills have often also contained provisions relating to U.S. policy toward Cuba.[1]

The House and Senate FSGG bills fund the same agencies, with one exception. The Commodity Futures Trading Commission (CFTC) is funded through the Agriculture appropriations bill in the House and the FSGG bill in the Senate. This structure has existed in its current form since the 2007 reorganization of the House and Senate Committees on Appropriations. Although financial services are a major focus of the bills, FSGG appropriations bills do not include funding for many financial regulatory agencies, which are instead funded outside of the appropriations process.

Administration and Congressional Action

President Trump submitted his FY2018 budget request on May 23, 2017. The request included a total of $45.2 billion for agencies funded through the FSGG appropriations bill, including $250 million for the CFTC.[2]

On July 17, 2017, the House Committee on Appropriations reported a Financial Services and General Government Appropriations Act, 2018 (H.R. 3280, H.Rept. 115-234).[3] Total FY2018 funding in the reported bill would have been $42.5 billion, with another $248 million for the CFTC included in the Agriculture appropriations bill (H.R. 3268, H.Rept. 115-232).[4] The combined total of $42.7 billion would have been about $2.5 billion below the President's FY2018 request, with most of this difference in the funding for the General Services Administration (GSA).

Nearly all of H.R. 3280's text was included as Division D of H.R. 3354 when it was considered by the House of Representatives beginning on September 6, 2017. The bill was amended numerous times, shifting funding among FSGG agencies but not changing the FSGG totals.[5] H.R. 3354 passed on September 14, 2017.

The Senate Committee on Appropriations released an FY2018 chairmen's recommended FSGG draft bill along with an explanatory statement on November 20, 2017.[6] Funding in the

[1] These provisions typically appear in Title I due to the Department of the Treasury's role in sanctions enforcement. See CRS Report R44822, *Cuba: U.S. Policy in the 115th Congress*, by Mark P. Sullivan.

[2] The President's budget does not total the requested amounts according to the congressional appropriations structure. This total amount is as reported in H.Rept. 115-234 and H.Rept. 115-232.

[3] U.S. Congress, House Committee on Appropriations, Subcommittee on Financial Services and General Government, *Financial Services and General Government Appropriations Bill, 2018*, report to accompany H.R. 3280, 115th Cong., 1st sess., July 17, 2017, H.Rept. 115-234 (Washington: GPO, 2017).

[4] U.S. Congress, House Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, *Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2018*, report to accompany H.R. 3268, 115th Cong., 1st sess., July 17, 2017, H.Rept. 115-232 (Washington: GPO, 2017).

[5] House-passed amendments to the FSGG portion of H.R. 3354 included H.Amdt. 429, H.Amdt. 430, H.Amdt. 432, H.Amdt. 439, H.Amdt. 441, H.Amdt. 443, and H.Amdt. 445.

[6] The bill was released by the chairs of both the full committee and the subcommittee. See U.S. Congress, Senate

recommended bill totaled $43.3 billion, about $1.9 billion below the President's FY2018 request with most of this difference in funding for the GSA.

With the end of FY2017 approaching and no permanent FY2018 appropriations bills enacted, Congress passed, and the President signed, H.R. 601/P.L. 115-56. Division D of this act provided for continuing appropriations through December 8, 2017, generally termed a continuing resolution (CR). P.L. 115-556 provided funding for most FSGG agencies based on the FY2017 funding rate. In addition, the CR contained a number of deviations or "anomalies" from the general formula. The FSGG anomalies focused on decreasing funding related to the presidential transition, which had been increased in FY2017. Four additional CRs were enacted—on December 8, 2017 (P.L. 115-90), December 22, 2017 (P.L. 115-96), January 22, 2018 (P.L. 115-120), and February 8, 2018 (P.L. 115-123). P.L. 115-123 also included an additional $127 million for the GSA and $1.66 billion for the Small Business Administration (SBA), largely to address disaster costs from hurricanes in 2017.

The Consolidated Appropriations Act, 2018 (H.R. 1625, P.L. 115-141) was enacted on March 23, 2018. The bill, originally focused on eradication of human trafficking, was amended with the appropriations measure, passed in the House on March 22, 2018, and passed in the Senate on March 23, 2018. The *Congressional Record* for March 22, 2018, includes an Explanatory Statement which is to have the same effect as a joint explanatory statement of a conference committee.[7] FSGG appropriations are included in Division E, with the CFTC funded in the Agriculture appropriations in Division A. Additional legislative language affecting financial regulation is in Division S, Titles VIII and IX. FY2018 enacted appropriations in both P.L. 115-141 and P.L. 115-123 totaled $47.7 billion for the FSGG agencies, $2.5 billion above the original request with much of this difference resulting from the emergency funding for the SBA. The GSA, the Federal Communications Commission (FCC), and the Election Assistance Commission (EAC) also had substantial funding differences between requested and enacted amounts. Most of the EAC funding was for grants to states for the election reform program.

Table 1 reflects the status of FSGG appropriations measures at key points in the appropriations process. **Table 2** lists the broad amounts requested by the President and included in the various FSGG bills, largely by title, and **Table 3** details the amounts for the independent agencies. Specific columns in **Table 2** and **Table 3** are FSGG agencies' enacted amounts for FY2017, the President's FY2018 request, the FY2018 amounts from H.R. 3554 as passed by the House, from the Senate Appropriations chairmen's draft bill, and the enacted amounts combined from P.L. 115-141 and P.L. 115-123.

Committee on Banking, Housing, and Urban Affairs, "FY2018 Financial Services & General Government Appropriations Bill Released," press release, November 20, 2017, https://www.appropriations.senate.gov/news/majority/fy2018-financial-services-and-general-government-appropriations-bill-released.

[7] "Explanatory Statement Regarding the House Amendment to the Senate Amendment on H.R. 1625," *Congressional Record*, vol. 164, no. 50, Book II, March 22, 2018. It included summary tables and final committee recommendations. Any recommendations in the House Appropriations Committee report are to be considered in force unless specifically contradicted in the Explanatory Statement.

Table 1. Status of FY2018 Financial Services and General Government Appropriations

Subcommittee Markup							Final Adoption		
House	Senate	House Report	House Passage	Senate Draft	Senate Passage	Conference Report	House	Senate	Enact-ment
6/29/17	—	7/17/17	9/14/17	11/20/17	—	—	3/22/18	3/23/18	3/23/18

Source: Prepared by the Congressional Research Service (CRS).

Table 2. Financial Services and General Government Appropriations, FY2017-FY2018

(in millions of dollars)

Agency	FY2017 Enacted	FY2018 Request	FY2018 House-Passed	FY2018 Senate Chairmen's Draft	FY2018 Enacted
Department of the Treasury	$11,595	$11,223	$11,540	$11,834	$12,158
Executive Office of the President	709	689	720	718	726
The Judiciary	7,359	7,670	7,530	7,630	7,553
District of Columbia	756	704	696	704	721
Independent Agencies	1,528	3,108	488	593	4,744
Mandatory Retirement Accounts	21,376	21,800	21,800	21,800	21,800
Total	**43,325**	**45,193**	**42,723**	**43,279**	**47,702**

Sources: P.L. 115-141 and Explanatory Statement, P.L. 115-123, H.R. 3280, H.Rept. 115-234, H.R. 3268, H.Rept. 115-232, H.R. 3354, draft Senate Chairmen's bill (https://www.appropriations.senate.gov/download/fy2018-fsgg-chairmens-mark) and Explanatory Statement (https://www.appropriations.senate.gov/download/fy2018-fsgg-explanatory-statement).

Notes: Totals for each column include funding for the Commodity Futures Trading Commission (CFTC). The CFTC is funded in the House through the Agriculture appropriations bill and in the Senate through the FSGG bill. Figures are net reflecting rescissions and offsetting collections. The mandatory spending for the President's salary is contained in Title VI, Section 619 whereas the rest of presidential spending is in Title II. The Mandatory Retirement Accounts amount stems from Title VI, Section 619. Title VI, Section 620 of the Senate bill, but not the House bill includes $1 million for Public Company and Accounting Oversight Board scholarships, which is reflected under "Independent Agencies." H.R. 3354, Title IX's legislative provisions result in a $50 million savings which is included in the House-passed total. Totals may not sum due to rounding.

Table 3. FSGG Independent Agencies Appropriations, FY2017-FY2018

(in millions of dollars)

Agency	FY2017 Enacted	FY2018 Request	FY2018 House-Passed	FY2018 Senate Chairmen's Draft	FY2018 Enacted
Administrative Conference of the United States	$3	$3	$3	$3	$3
Commodity Futures Trading Commission[a]	250	250	248	250	249
Consumer Product Safety Commission	126	123	123	123	126
Election Assistance Commission	10	9	7	9	390
Federal Communications Commission[b]	(357)	(322)	(322)	(322)	600
Federal Deposit Insurance Corporation: Office of Inspector General[c]	(36)	(39)	(39)	(39)	(39)
Federal Election Commission	79	71	71	71	71
Federal Labor Relations Authority	26	26	26	26	26
Federal Trade Commission	173	164	164	164	164
General Services Administration[d]	-1,095	509	-2,068	-2,108	-416
Harry S Truman Scholarship Foundation	1	—	1	1	1
Merit Systems Protection Board	47	47	47	47	47
Morris K. Udall Foundation	5	5	—	5	5
National Archives and Records Administration[e]	376	351	355	378	378
National Credit Union Administration	2	—	2	2	2
Office of Government Ethics	16	16	16	16	16
Office of Personnel Management (discretionary)	289	310	291	291	291
Office of Special Counsel	25	27	25	27	27
Postal Regulatory Commission	16	14	15	15	15
Privacy and Civil Liberties Oversight Board	10	8	8	8	8
Public Building Reform Board	—	2	3	—	5
Public Company Accounting Oversight Board Scholarships	1	—	—	1	1
Securities and Exchange Commission[b]	(1,605)	(1,847)	(1,897)	(1,847)	(1,897)
- SEC Reserve Fund Rescission	-25	-25	-75	—	—
Selective Service System	23	23	23	23	23
Small Business Administration	887	829	860	886	2,360
- SBA Prior Year Rescission	-55	-3	-3	-3	-3
United States Postal Service (USPS)	35	58	58	58	58

Agency	FY2017 Enacted	FY2018 Request	FY2018 House-Passed	FY2018 Senate Chairmen's Draft	FY2018 Enacted
USPS Office of Inspector General	254	235	235	245	245
United States Tax Court	51	53	51	53	51
Total: Independent Agencies (net discretionary)	**1,528**	**3,108**	**488**	**593**	**4,744**

Sources: P.L. 115-141 and Explanatory Statement, P.L. 115-123, H.R. 3280, H.Rept. 115-234, H.R. 3268, H.Rept. 115-232, H.R. 3354, and draft Senate Committee bill (https://www.appropriations.senate.gov/download/fy2018-fsgg-chairmens-mark) and Explanatory Statement (https://www.appropriations.senate.gov/download/fy2018-fsgg-explanatory-statement).

Notes: All figures are rounded. Columns may not sum due to rounding. Figures in parenthesis reflect offsetting collections and are not totaled.

a. The CFTC is funded in the House through the Agriculture appropriations bill and in the Senate through the FSGG bill.

b. The Federal Communications Commission (FCC) and the Securities and Exchange Commission (SEC) are funded by collecting regulatory fees, often resulting in no direct appropriations. Therefore, the amounts shown for the FCC and SEC represent budgetary resources, but those amounts are not included in the table totals. The SEC reserve fund reduction is contained in the general provisions in Title VI rather than with the agency funding in Title V and is reflected in the totals.

c. Budget authority transferred to the Federal Deposit Insurance Corporation's (FDIC's) Office of Inspector General (OIG) is not included in total FSGG appropriations; it is counted as part of the budget authority in the appropriation account from which it came.

d. The General Services Administration's (GSA's) real property activities are funded through the Federal Buildings Fund (FBF), a multibillion-dollar revolving fund into which federal agencies deposit rental payments for leased GSA space. Congress makes the FBF revenue available each year to pay for GSA's real property activities. A negative total for the FBF occurs when the amount of funds made available for expenditure in a fiscal year is less than the amount of new revenue expected to be deposited.

e. Amount as shown in the committee reports; figures do not include appropriations for repayments of principal on the construction of the Archives II facility. The amount included in the President's budget request and the specific appropriations bills includes this principal repayment.

Financial Regulatory Agencies and FSGG Appropriations

Although financial services are a focus of the FSGG bill, the bill does not actually include funding for the regulation of much of the financial services industry.[8] Financial services as an industry is often subdivided into banking, insurance, and securities. Federal regulation of the banking industry is divided among the Federal Reserve, the Federal Deposit Insurance Corporation (FDIC), the Office of Comptroller of the Currency (OCC), and the Bureau of Consumer Financial Protection (generally known as the Consumer Financial Protection Bureau, or CFPB).[9] In addition, credit unions, which operate similarly to many banks, are regulated by the

[8] For a more complete discussion regarding the funding of financial regulators see, CRS Report R43391, *Independence of Federal Financial Regulators: Structure, Funding, and Other Issues*, by Henry B. Hogue, Marc Labonte, and Baird Webel.

[9] For more information on banking regulation, see CRS In Focus IF10035, *Introduction to Financial Services: Banking*, by Raj Gnanarajah.

National Credit Union Administration (NCUA). None of these agencies receives its primary funding through the appropriations process, with only the FDIC inspector general and a small program operated by the NCUA currently funded in the FSGG bill.

Insurance generally is regulated at the state level, with some oversight at the holding company level by the Federal Reserve. There is a relatively small Federal Insurance Office (FIO) inside the Treasury, which is funded through the Departmental Offices account, but FIO has no regulatory authority.[10]

Federal securities regulation is divided between the SEC and the CFTC, both of which are funded through appropriations.[11] The CFTC funding is a relatively straightforward appropriation from the general fund, whereas the SEC funding is provided by the FSGG bill, but then offset through fees collected by the SEC.

Although funding for many financial regulatory agencies may not be provided by the FSGG bill, legislative provisions affecting financial regulation in general and some of these agencies specifically have often been included in FSGG bills. H.R. 3280 and H.R. 3354 as passed by the House include many provisions, particularly in Title IX and Title X, that would amend the 2010 Dodd-Frank Act[12] and other statutes relating to the regulation of financial institutions and the authority and funding of financial regulators. Many of these provisions were included in other legislation, notably H.R. 10,[13] which passed the House on June 8, 2017. Of particular interest from the appropriations perspective, H.R. 3280 and H.R. 3354 as passed by the House would bring several financial regulators under the FSGG bill instead of receiving funding from outside of the appropriations process, as is currently the case.[14]

P.L. 115-141 included the texts of H.R. 4267 and H.R. 4792, both of which address small business access to capital. H.R. 4267 was also included in H.R. 10, but had not been originally included in H.R. 3280 or H.R. 3354. The texts of H.R. 4267 and H.R. 4792, however, were not included in the FSGG portion of the bill. Instead they were in Titles VIII and IX in a separate Division S. None of the language bringing financial regulators under the appropriations process was included in the law as enacted.

[10] For more information, see CRS Report R44958, *Insurance Regulation: Legislation in the 115th Congress*, by Baird Webel.

[11] For more information, see CRS In Focus IF10032, *Introduction to Financial Services: The Securities and Exchange Commission (SEC)*, by Gary Shorter and CRS In Focus IF10117, *Introduction to Financial Services: Derivatives*, by Rena S. Miller.

[12] P.L. 111-203. For more information, see CRS Report R41350, *The Dodd-Frank Wall Street Reform and Consumer Protection Act: Background and Summary*, coordinated by Baird Webel.

[13] For more information on H.R. 10, see CRS Insight IN10769, *Financial Regulation: FY2018 Appropriations and the Financial CHOICE Act (H.R. 10)*, by Baird Webel and Marc Labonte; CRS Insight IN10695, *The Financial CHOICE Act (H.R. 10) and the Dodd-Frank Act*, by Marc Labonte; and CRS Report R44839, *The Financial CHOICE Act in the 115th Congress: Selected Policy Issues*, by Marc Labonte et al.

[14] These regulators include the Federal Deposit Insurance Corporation, the Federal Housing Finance Agency, the Office of the Comptroller of the Currency, and the Board of Governors of the Federal Reserve System. H.R. 3280 included the National Credit Union Association in the group that would be brought under appropriations, but the NCUA language was removed in the floor consideration of H.R. 3354 with the passage of H.Amdt. 443. For more information on financial regulator funding, see CRS Report R43391, *Independence of Federal Financial Regulators: Structure, Funding, and Other Issues*, by Henry B. Hogue, Marc Labonte, and Baird Webel.

Committee Structure and Scope

The House and Senate Committees on Appropriations reorganized their subcommittee structures in early 2007. Each chamber created a new Financial Services and General Government Subcommittee. In the House, the jurisdiction of the FSGG Subcommittee is composed primarily of agencies that had been under the jurisdiction of the Subcommittee on Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies, commonly referred to as TTHUD.[15] In addition, the House FSGG Subcommittee was assigned four independent agencies that had been under the jurisdiction of the Science, State, Justice, Commerce, and Related Agencies Subcommittee: the Federal Communications Commission (FCC), the Federal Trade Commission (FTC), the Securities and Exchange Commission (SEC), and the Small Business Administration (SBA).

In the Senate, the jurisdiction of the new FSGG Subcommittee is a combination of agencies from the jurisdiction of three previously existing subcommittees. Most of the agencies that had been under the jurisdiction of the Transportation, Treasury, the Judiciary, and Housing and Urban Development, and Related Agencies Subcommittee were assigned to the FSGG subcommittee.[16] In addition, the District of Columbia, which had its own subcommittee in the 109th Congress, was placed under the purview of the FSGG Subcommittee, as were four independent agencies that had been under the jurisdiction of the Commerce, Justice, Science, and Related Agencies Subcommittee: the FCC, FTC, SEC, and SBA. As a result of this reorganization, the House and Senate FSGG Subcommittees have nearly identical jurisdictions, except that the CFTC is under the jurisdiction of the FSGG Subcommittee in the Senate and the Agriculture Subcommittee in the House.

CRS FSGG Appropriations Experts

Table 4 below lists various departments and agencies funded through FSGG appropriations and the names and contact information of the CRS expert(s) on these departments and agencies.

Table 4. CRS FSGG Appropriations Experts

Area of Expertise	Name
Coordinator	Baird Webel
Department of the Treasury	Gary Guenther
Executive Office of the President	Barbara L. Schwemle
Judiciary	Barry McMillion
District of Columbia	Eugene Boyd

[15] The agencies previously under the jurisdiction of the House Appropriations Subcommittee on Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies (TTHUD) that did not become part of the FSGG Subcommittee were the Department of Transportation (DOT), the Department of Housing and Urban Development (HUD), the Architectural and Transportation Barriers Compliance Board, the Federal Maritime Commission, the National Transportation Safety Board, the Neighborhood Reinvestment Corporation, and the United States Interagency Council on Homelessness.

[16] The agencies that did not transfer from the Senate Appropriations Subcommittee on Transportation, Treasury, the Judiciary, and Housing and Urban Development, and Related Agencies to FSGG were DOT, HUD, the Architectural and Transportation Barriers Compliance Board, the Federal Maritime Commission, the National Transportation Safety Board, the Neighborhood Reinvestment Corporation, and the United States Interagency Council on Homelessness.

Area of Expertise	Name
Commodity Futures Trading Commission	Rena S. Miller
Consumer Product Safety Commission	Gary Guenther
Cuba	Mark Sullivan
Election Assistance Commission	R. Sam Garrett
Federal Communications Commission	Patty Figliola
Federal Deposit Insurance Corporation: OIG	Raj Gnanarajah
	Kathryn A. Francis
Federal Election Commission	R. Sam Garrett
Federal Labor Relations Authority	David Bradley
Federal Trade Commission	Gary Guenther
General Services Administration	Garrett Hatch
Government-wide General Provisions	Barbara Schwemle
Internal Revenue Service	Gary Guenther
Merit Systems Protection Board	Barbara Schwemle
National Archives and Records Administration	Meghan Stuessy
National Credit Union Administration	Darryl Getter
Office of Personnel Management	Barbara Schwemle
Office of Special Counsel	Barbara Schwemle
Office of Government Ethics	Jacob Straus
Privacy and Civil Liberties Oversight Board	Garrett Hatch
Public Company Accounting Oversight Board	Raj Gnanarajah
Securities and Exchange Commission	Gary Shorter
Selective Service System	Kristy Kamarck
Small Business Administration	Robert Dilger
	Sean Lowry
U.S. Postal Service	Michelle Christensen
United States Tax Court	Garrett Hatch

Author Information

Baird Webel
Specialist in Financial Economics

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