

104TH CONGRESS
2^D SESSION

H. R. 3756

AN ACT

Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1997, and for other purposes.

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Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1997, 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 the
5 Treasury Department, the United States Postal Service,
6 the Executive Office of the President, and certain Inde-
7 pendent Agencies, for the fiscal year ending September 30,
8 1997, and for other purposes, namely:

9 TITLE I—DEPARTMENT OF THE TREASURY

10 DEPARTMENTAL OFFICES

11 SALARIES AND EXPENSES

12 For necessary expenses of the Departmental Offices
13 including operation and maintenance of the Treasury
14 Building and Annex; hire of passenger motor vehicles;
15 maintenance, repairs, and improvements of, and purchase
16 of commercial insurance policies for, real properties leased
17 or owned overseas, when necessary for the performance
18 of official business; not to exceed \$2,900,000 for official
19 travel expenses; not to exceed \$150,000 for official recep-
20 tion and representation expenses; not to exceed \$258,000
21 for unforeseen emergencies of a confidential nature, to be
22 allocated and expended under the direction of the Sec-
23 retary of the Treasury and to be accounted for solely on
24 his certificate; \$108,447,000: *Provided*, That up to

1 \$500,000 shall be made available to implement section
2 528 of this Act.

3 AUTOMATION ENHANCEMENT

4 INCLUDING TRANSFER OF FUNDS

5 For the development and acquisition of automatic
6 data processing equipment, software, and services for the
7 Department of the Treasury, \$27,100,000, of which
8 \$15,000,000 shall be available to the United States Cus-
9 toms Service for the Automated Commercial Environment
10 project, and of which \$5,600,000 shall be available to the
11 United States Customs Service for the International
12 Trade Data System: *Provided*, That these funds shall re-
13 main available until September 30, 1999: *Provided further*,
14 That these funds shall be transferred to accounts and in
15 amounts as necessary to satisfy the requirements of the
16 Department's offices, bureaus, and other organizations:
17 *Provided further*, That this transfer authority shall be in
18 addition to any other transfer authority provided in this
19 Act: *Provided further*, That none of the funds shall be used
20 to support or supplement Internal Revenue Service appro-
21 priations for Information Systems and Tax Systems Mod-
22 ernization: *Provided further*, That none of the funds avail-
23 able for the Automated Commercial Environment or the
24 International Trade Data System may be obligated with-

1 out the advance approval of the House and Senate Com-
2 mittees on Appropriations.

3 OFFICE OF INSPECTOR GENERAL

4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, as amended, not to exceed
8 \$2,000,000 for official travel expenses; including hire of
9 passenger motor vehicles; and not to exceed \$100,000 for
10 unforeseen emergencies of a confidential nature, to be allo-
11 cated and expended under the direction of the Inspector
12 General of the Treasury; \$29,319,000.

13 OFFICE OF PROFESSIONAL RESPONSIBILITY

14 SALARIES AND EXPENSES

15 INCLUDING TRANSFER OF FUNDS

16 For necessary expenses of the Office of Professional
17 Responsibility, including purchase and hire of passenger
18 motor vehicles, up to \$3,000,000, to be derived through
19 transfer from the United States Customs Service, salaries
20 and expenses appropriation: *Provided*, That none of the
21 funds shall be obligated without the advance approval of
22 the House and Senate Committees on Appropriations.

1 TREASURY BUILDINGS AND ANNEX REPAIR AND
2 RESTORATION
3 INCLUDING TRANSFER OF FUNDS

4 For the repair, alteration, and improvement of the
5 Treasury Building and Annex, the Bureau of Alcohol, To-
6 bacco and Firearms National Laboratory Center and the
7 Fire Investigation Research and Development Center, and
8 the Rowley Secret Service Training Center, \$22,892,000,
9 to remain available until expended: *Provided*, That funds
10 for the Bureau of Alcohol, Tobacco and Firearms National
11 Laboratory Center and the Fire Investigation Research
12 and Development Center and the Rowley Secret Service
13 Training Center shall not be available until a prospectus
14 authorizing such facilities is approved by the House Com-
15 mittee on Transportation and Infrastructure: *Provided*
16 *further*, That funds previously made available under this
17 title for the Secret Service Headquarter's building shall
18 be transferred to the Secret Service Acquisition, Construc-
19 tion, Improvement and Related Expenses appropriation.

20 FINANCIAL CRIMES ENFORCEMENT NETWORK
21 SALARIES AND EXPENSES

22 For necessary expenses of the Financial Crimes En-
23 forcement Network, including hire of passenger motor ve-
24 hicles; travel expenses of non-Federal law enforcement
25 personnel to attend meetings concerned with financial in-

1 telligence activities, law enforcement, and financial regula-
2 tion; not to exceed \$14,000 for official reception and rep-
3 resentation expenses; and for assistance to Federal law en-
4 forcement agencies, with or without reimbursement;
5 \$22,387,000: *Provided*, That notwithstanding any other
6 provision of law, the Director of the Financial Crimes En-
7 forcement Network may procure up to \$500,000 in spe-
8 cialized, unique, or novel automatic data processing equip-
9 ment, ancillary equipment, software, services, and related
10 resources from commercial vendors without regard to oth-
11 erwise applicable procurement laws and regulations and
12 without full and open competition, utilizing procedures
13 best suited under the circumstances of the procurement
14 to efficiently fulfill the agency's requirements: *Provided*
15 *further*, That funds appropriated in this account may be
16 used to procure personal services contracts.

17 DEPARTMENT OF THE TREASURY FORFEITURE FUND

18 For necessary expenses of the Treasury Forfeiture
19 Fund, notwithstanding any other provision of law, not to
20 exceed \$7,500,000 shall be made available for the develop-
21 ment of a Federal wireless communication system, to be
22 derived from deposits in the Fund: *Provided*, That the
23 Secretary of the Treasury is authorized to receive all un-
24 available collections transferred from the Special Forfeit-
25 ure Fund established by section 6073 of the Anti-Drug

1 Abuse Act of 1988 (21 U.S.C. 1509) by the Director of
2 the Office of Drug Control Policy as a deposit into the
3 Treasury Forfeiture Fund (31 U.S.C. 9703(a)).

4 VIOLENT CRIME REDUCTION PROGRAMS

5 INCLUDING TRANSFER OF FUNDS

6 For activities authorized by Public Law 103–322, to
7 remain available until expended, which shall be derived
8 from the Violent Crime Reduction Trust Fund, as follows:

9 (a) As authorized by section 190001(e), \$89,800,000,
10 of which \$15,005,000 shall be available to the United
11 States Customs Service; of which \$47,624,000 shall be
12 available to the Bureau of Alcohol, Tobacco and Firearms,
13 of which \$2,500,000 shall be available for administering
14 the Gang Resistance Education and Training program, of
15 which \$3,662,000 shall be available for ballistics tech-
16 nologies, and of which \$41,462,000 shall be available to
17 enhance training and purchase equipment and services; of
18 which \$5,971,000 shall be available to the Secretary as
19 authorized by section 732 of Public Law 104–132; of
20 which \$1,000,000 shall be available to the Financial
21 Crimes Enforcement Network; of which \$20,200,000 shall
22 be available to the United States Secret Service, of which
23 no less than \$1,000,000 shall be available for a grant for
24 activities related to the investigations of missing and ex-
25 ploited children.

1 (b) As authorized by section 32401, \$7,200,000, for
2 disbursement through grants, cooperative agreements or
3 contracts, to local governments for Gang Resistance Edu-
4 cation and Training: *Provided*, That notwithstanding sec-
5 tions 32401 and 310001, such funds shall be allocated
6 only to the affected State and local law enforcement and
7 prevention organizations participating in such projects.

8 TREASURY FRANCHISE FUND

9 There is hereby established in the Treasury a fran-
10 chise fund pilot, as authorized by section 403 of Public
11 Law 103–356, to be available as provided in such section
12 for expenses and equipment necessary for the maintenance
13 and operation of such financial and administrative support
14 services as the Secretary determines may be performed
15 more advantageously as central services: *Provided*, That
16 any inventories, equipment, and other assets pertaining to
17 the services to be provided by such fund, either on hand
18 or on order, less the related liabilities or unpaid obliga-
19 tions, and any appropriations made for the purpose of pro-
20 viding capital, shall be used to capitalize such fund: *Pro-*
21 *vided further*, That such fund shall be reimbursed or cred-
22 ited with the payments, including advanced payments,
23 from applicable appropriations and funds available to the
24 Department and other Federal agencies for which such ad-
25 ministrative and financial services are performed, at rates

1 which will recover all expenses of operation, including ac-
2 crued leave, depreciation of fund plant and equipment,
3 amortization of Automatic Data Processing (ADP) soft-
4 ware and systems, and an amount necessary to maintain
5 a reasonable operating reserve, as determined by the Sec-
6 retary: *Provided further*, That such fund shall provide
7 services on a competitive basis: *Provided further*, That an
8 amount not to exceed 4 percent of the total annual income
9 to such fund may be retained in the fund for fiscal year
10 1997 and each fiscal year thereafter, to remain available
11 until expended, to be used for the acquisition of capital
12 equipment and for the improvement and implementation
13 of Treasury financial management, ADP, and other sup-
14 port systems: *Provided further*, That no later than 30 days
15 after the end of each fiscal year, amounts in excess of this
16 reserve limitation shall be deposited as miscellaneous re-
17 ceipts in the Treasury: *Provided further*, That such fran-
18 chise fund pilot shall terminate pursuant to section 403(f)
19 of Public Law 103–356.

20 FEDERAL LAW ENFORCEMENT TRAINING CENTER

21 SALARIES AND EXPENSES

22 For necessary expenses of the Federal Law Enforce-
23 ment Training Center, as a bureau of the Department of
24 the Treasury, including materials and support costs of
25 Federal law enforcement basic training; purchase (not to

1 exceed 52 for police-type use, without regard to the gen-
2 eral purchase price limitation) and hire of passenger
3 motor vehicles; for expenses for student athletic and relat-
4 ed activities; uniforms without regard to the general pur-
5 chase price limitation for the current fiscal year; the con-
6 ducting of and participating in firearms matches and pres-
7 entation of awards; for public awareness and enhancing
8 community support of law enforcement training; not to ex-
9 ceed \$9,500 for official reception and representation ex-
10 penses; room and board for student interns; and services
11 as authorized by 5 U.S.C. 3109; \$51,681,000, of which
12 \$9,423,000 for materials and support costs of Federal law
13 enforcement basic training shall remain available until
14 September 30, 1999: *Provided*, That the Center is author-
15 ized to accept and use gifts of property, both real and per-
16 sonal, and to accept services, for authorized purposes, in-
17 cluding funding of a gift of intrinsic value which shall be
18 awarded annually by the Director of the Center to the out-
19 standing student who graduated from a basic training pro-
20 gram at the Center during the previous fiscal year, which
21 shall be funded only by gifts received through the Center's
22 gift authority: *Provided further*, That notwithstanding any
23 other provision of law, students attending training at any
24 Federal Law Enforcement Training Center site shall re-
25 side in on-Center or Center-provided housing, insofar as

1 available and in accordance with Center policy: *Provided*
2 *further*, That funds appropriated in this account shall be
3 available for training United States Postal Service law en-
4 forcement personnel and Postal police officers, at the dis-
5 cretion of the Director; State and local government law
6 enforcement training on a space-available basis; training
7 of foreign law enforcement officials on a space-available
8 basis with reimbursement of actual costs to this appropria-
9 tion; training of private sector security officials on a space-
10 available basis with reimbursement of actual costs to this
11 appropriation; and travel expenses of non-Federal person-
12 nel to attend course development meetings and training
13 at the Center: *Provided further*, That the Center is author-
14 ized to obligate funds in anticipation of reimbursements
15 from agencies receiving training at the Federal Law En-
16 forcement Training Center, except that total obligations
17 at the end of the fiscal year shall not exceed total budg-
18 etary resources available at the end of the fiscal year: *Pro-*
19 *vided further*, That the Federal Law Enforcement Train-
20 ing Center is authorized to provide short term medical
21 services for students undergoing training at the Center.

22 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND
23 RELATED EXPENSES

24 For expansion of the Federal Law Enforcement
25 Training Center, for acquisition of necessary additional

1 real property and facilities, and for ongoing maintenance,
2 facility improvements, and related expenses, \$18,884,000,
3 to remain available until expended.

4 FINANCIAL MANAGEMENT SERVICE

5 SALARIES AND EXPENSES

6 For necessary expenses of the Financial Management
7 Service, \$191,799,000, of which not to exceed
8 \$14,277,000 shall remain available until expended for sys-
9 tems modernization initiatives. In addition, \$90,000, to be
10 derived from the Oil Spill Liability Trust Fund, to reim-
11 burse the Service for administrative and personnel ex-
12 penses for financial management of the Fund, as author-
13 ized by section 1012 of Public Law 101-380: *Provided,*
14 That none of the funds made available for systems mod-
15 ernization initiatives may not be obligated until the Com-
16 missioner of the Financial Management Service has sub-
17 mitted, and the Committees on Appropriations of the
18 House and Senate have approved, a report that identifies,
19 evaluates, and prioritizes all computer systems invest-
20 ments planned for fiscal year 1997, a milestone schedule
21 for the development and implementation of all projects in-
22 cluded in the systems investment plan, and a systems ar-
23 chitecture plan.

1 BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

2 SALARIES AND EXPENSES

3 For necessary expenses of the Bureau of Alcohol, To-
4 bacco and Firearms, including purchase of not to exceed
5 650 vehicles for police-type use for replacement only and
6 hire of passenger motor vehicles; hire of aircraft; and serv-
7 ices of expert witnesses at such rates as may be deter-
8 mined by the Director; for payment of per diem and/or
9 subsistence allowances to employees where an assignment
10 to the National Response Team during the investigation
11 of a bombing or arson incident requires an employee to
12 work 16 hours or more per day or to remain overnight
13 at his or her post of duty; not to exceed \$12,500 for offi-
14 cial reception and representation expenses; for training of
15 State and local law enforcement agencies with or without
16 reimbursement, including training in connection with the
17 training and acquisition of canines for explosives and fire
18 accelerants detection; provision of laboratory assistance to
19 State and local agencies, with or without reimbursement;
20 \$389,982,000, of which \$12,011,000, to remain available
21 until expended, shall be available for arson investigations,
22 with priority assigned to any arson involving religious in-
23 stitutions; which not to exceed \$1,000,000 shall be avail-
24 able for the payment of attorneys' fees as provided by 18
25 U.S.C. 924(d)(2); and of which \$1,000,000 shall be avail-

1 able for the equipping of any vessel, vehicle, equipment,
2 or aircraft available for official use by a State or local law
3 enforcement agency if the conveyance will be used in drug-
4 related joint law enforcement operations with the Bureau
5 of Alcohol, Tobacco and Firearms and for the payment
6 of overtime salaries, travel, fuel, training, equipment, and
7 other similar costs of State and local law enforcement offi-
8 cers that are incurred in joint operations with the Bureau
9 of Alcohol, Tobacco and Firearms: *Provided*, That no
10 funds made available by this or any other Act may be used
11 to transfer the functions, missions, or activities of the Bu-
12 reau of Alcohol, Tobacco and Firearms to other agencies
13 or Departments in the fiscal year ending on September
14 30, 1997: *Provided further*, That no funds appropriated
15 herein shall be available for salaries or administrative ex-
16 penses in connection with consolidating or centralizing,
17 within the Department of the Treasury, the records, or
18 any portion thereof, of acquisition and disposition of fire-
19 arms maintained by Federal firearms licensees: *Provided*
20 *further*, That no funds appropriated herein shall be used
21 to pay administrative expenses or the compensation of any
22 officer or employee of the United States to implement an
23 amendment or amendments to 27 CFR 178.118 or to
24 change the definition of “Curios or relics” in 27 CFR
25 178.11 or remove any item from ATF Publication

1 5300.11 as it existed on January 1, 1994: *Provided fur-*
2 *ther*, That none of the funds appropriated herein shall be
3 available to investigate or act upon applications for relief
4 from Federal firearms disabilities under 18 U.S.C. 925(c)
5 and the inability of the Bureau of Alcohol, Tobacco and
6 Firearms to process or act upon such applications for fel-
7 ons convicted of a violent crime, firearms violations, or
8 drug-related crimes shall not be subject to judicial review:
9 *Provided further*, That such funds shall be available to in-
10 vestigate and act upon applications filed by corporations
11 for relief from Federal firearms disabilities under 18
12 U.S.C. 925(c): *Provided further*, That no funds in this Act
13 may be used to provide ballistics imaging equipment to
14 State or local authorities who have obtained similar equip-
15 ment through a Federal grant or subsidy: *Provided fur-*
16 *ther*, That, notwithstanding any other provision of law, all
17 aircraft owned and operated by the Bureau of Alcohol, To-
18 bacco and Firearms shall be transferred to the United
19 States Customs Service: *Provided further*, That no funds
20 under this heading shall be available to conduct a reduc-
21 tion in force: *Provided further*, That no funds available for
22 separation incentive payments as authorized by section
23 525 of this Act may be obligated without the advance ap-
24 proval of the House and Senate Committees on Appropria-
25 tions: *Provided further*, That no funds under this Act may

1 be used to electronically retrieve information gathered pur-
2 suant to 18 U.S.C. 923(g)(4) by name or any personal
3 identification code.

4 UNITED STATES CUSTOMS SERVICE

5 SALARIES AND EXPENSES

6 INCLUDING TRANSFER OF FUNDS

7 For necessary expenses of the United States Customs
8 Service, including purchase of up to 1,000 motor vehicles
9 of which 960 are for replacement only, including 990 for
10 police-type use and commercial operations; hire of motor
11 vehicles; contracting with individuals for personal services
12 abroad; not to exceed \$20,000 for official reception and
13 representation expenses; and awards of compensation to
14 informers, as authorized by any Act enforced by the
15 United States Customs Service; \$1,489,224,000 (in-
16 creased by \$500,000) (reduced by \$500,000) (reduced by
17 \$2,000,000); of which \$65,000,000 shall be available until
18 expended for Operation Hardline; of which \$28,000,000
19 shall be available until expended for expenses associated
20 with Operation Gateway; of which up to \$3,000,000 shall
21 be available for transfer to the Office of Professional Re-
22 sponsibility; and of which such sums as become available
23 in the Customs User Fee Account, except sums subject
24 to section 13031(f)(3) of the Consolidated Omnibus Rec-
25 onciliation Act of 1985, as amended (19 U.S.C. 58c(f)(3)),
26 shall be derived from that Account; of the total, not to

1 exceed \$150,000 shall be available for payment for rental
2 space in connection with preclearance operations, and not
3 to exceed \$4,000,000 shall be available until expended for
4 research and not to exceed \$1,000,000 shall be available
5 until expended for conducting special operations pursuant
6 to 19 U.S.C. 2081 and up to \$6,000,000 shall be available
7 until expended for the procurement of automation infra-
8 structure items, including hardware, software, and instal-
9 lation: *Provided*, That uniforms may be purchased without
10 regard to the general purchase price limitation for the cur-
11 rent fiscal year: *Provided further*, That the United States
12 Custom Service shall implement the General Aviation Tel-
13 ephonic Entry program within 30 days of enactment of
14 this Act: *Provided further*, That no funds under this head-
15 ing shall be available to conduct a reduction in force: *Pro-*
16 *vided further*, That no funds available for separation in-
17 centive payments as authorized by section 525 of this Act
18 may be obligated without the advance approval of the
19 House and Senate Committees on Appropriations: *Pro-*
20 *vided further*, That the Spirit of St. Louis Airport in St.
21 Louis County, Missouri, shall be designated a port of
22 entry: *Provided further*, that no funds under this Act may
23 be used to provide less than 30 days public notice for any
24 change in apparel regulations.

1 OPERATION AND MAINTENANCE, AIR AND MARINE
2 INTERDICTION PROGRAMS

3 For expenses, not otherwise provided for, necessary
4 for the operation and maintenance of marine vessels, air-
5 craft, and other related equipment of the Air and Marine
6 Programs, including operational training and mission-re-
7 lated travel, and rental payments for facilities occupied by
8 the air or marine interdiction and demand reduction pro-
9 grams, the operations of which include: the interdiction
10 of narcotics and other goods; the provision of support to
11 Customs and other Federal, State, and local agencies in
12 the enforcement or administration of laws enforced by the
13 Customs Service; and, at the discretion of the Commis-
14 sioner of Customs, the provision of assistance to Federal,
15 State, and local agencies in other law enforcement and
16 emergency humanitarian efforts; \$83,363,000, which shall
17 remain available until expended: *Provided*, That no air-
18 craft or other related equipment, with the exception of air-
19 craft which is one of a kind and has been identified as
20 excess to Customs requirements and aircraft which has
21 been damaged beyond repair, shall be transferred to any
22 other Federal agency, Department, or office outside of the
23 Department of the Treasury, during fiscal year 1997 with-
24 out the prior approval of the House and Senate Commit-
25 tees on Appropriations.

1 AIR INTERDICTION PROCUREMENT

2 For the purchase and restoration of aircraft, marine
3 vessels and air surveillance equipment for the Customs air
4 and marine interdiction programs, \$28,000,000: *Provided*,
5 That such resources shall not be available until September
6 30, 1997, and shall remain available until expended.

7 CUSTOMS SERVICES AT SMALL AIRPORTS

8 (TO BE DERIVED FROM FEES COLLECTED)

9 Such sums as may be necessary for expenses for the
10 provision of Customs services at certain small airports or
11 other facilities when authorized by law and designated by
12 the Secretary of the Treasury, including expenditures for
13 the salary and expenses of individuals employed to provide
14 such services, to be derived from fees collected by the Sec-
15 retary pursuant to section 236 of Public Law 98-573 for
16 each of these airports or other facilities when authorized
17 by law and designated by the Secretary, and to remain
18 available until expended.

19 HARBOR MAINTENANCE FEE COLLECTION

20 For administrative expenses related to the collection
21 of the Harbor Maintenance Fee, pursuant to Public Law
22 103-182, \$3,000,000, to be derived from the Harbor
23 Maintenance Trust Fund and to be transferred to and
24 merged with the Customs "Salaries and Expenses" ac-
25 count for such purposes.

1 BUREAU OF THE PUBLIC DEBT

2 ADMINISTERING THE PUBLIC DEBT

3 For necessary expenses connected with any public-
4 debt issues of the United States; \$169,735,000: *Provided*,
5 That the sum appropriated herein from the General Fund
6 for fiscal year 1997 shall be reduced by not more than
7 \$4,400,000 as definitive security issue fees and Treasury
8 Direct Investor Account Maintenance fees are collected,
9 so as to result in a final fiscal year 1997 appropriation
10 from the General Fund estimated at \$165,335,000.

11 INTERNAL REVENUE SERVICE

12 PROCESSING, ASSISTANCE, AND MANAGEMENT

13 For necessary expenses of the Internal Revenue Serv-
14 ice, not otherwise provided for; including processing tax
15 returns; revenue accounting; providing assistance to tax-
16 payers, management services, and inspection; including
17 purchase (not to exceed 150 for replacement only for po-
18 lice-type use) and hire of passenger motor vehicles (31
19 U.S.C. 1343(b)); and services as authorized by 5 U.S.C.
20 3109, at such rates as may be determined by the Commis-
21 sioner; \$1,722,985,000, of which up to \$3,700,000 shall
22 be for the Tax Counseling for the Elderly Program, and
23 of which not to exceed \$25,000 shall be for official recep-
24 tion and representation expenses.

TAX LAW ENFORCEMENT

1
2 For necessary expenses of the Internal Revenue Serv-
3 ice for determining and establishing tax liabilities; tax and
4 enforcement litigation; technical rulings; examining em-
5 ployee plans and exempt organizations; investigation and
6 enforcement activities; securing unfiled tax returns; col-
7 lecting unpaid accounts; statistics of income and compli-
8 ance research; the purchase (for police-type use, not to
9 exceed 850), and hire of passenger motor vehicles (31
10 U.S.C. 1343(b)); and services as authorized by 5 U.S.C.
11 3109, at such rates as may be determined by the Commis-
12 sioner; \$4,052,586,000.

INFORMATION SYSTEMS

INCLUDING TRANSFER OF FUNDS

13
14
15 For necessary expenses for data processing and tele-
16 communications support for Internal Revenue Service ac-
17 tivities, including tax systems modernization (modernized
18 developmental systems), modernized operational systems,
19 services and compliance, and support systems; the hire of
20 passenger motor vehicles (31 U.S.C. 1343(b)); and serv-
21 ices as authorized by 5 U.S.C. 3109, at such rates as may
22 be determined by the Commissioner; \$1,077,450,000, of
23 which \$424,500,000 shall be available for tax systems
24 modernization program activities: *Provided*, That none of
25 the funds made available for tax systems modernization
26 shall be available until the Internal Revenue Service estab-

1 lishes a restructured contractual relationship with a com-
2 mercial sector company to manage, integrate, test, and im-
3 plement all portions of the tax systems modernization pro-
4 gram, except that funds up to \$59,100,000 may be used
5 to support a Government Program Management Office,
6 not to exceed a total staffing of 50 individuals, and other
7 necessary Program Management activities: *Provided fur-*
8 *ther*, That none of the funds made available for tax sys-
9 tems modernization may be used by the Internal Revenue
10 Service to carry out activities associated with the develop-
11 ment of a request for proposal and contract award, except
12 that funds shall be available for the sharing of data and
13 information and general oversight of the process by the
14 Associate Commissioner of the Internal Revenue Service
15 for Modernization, and such funds as may be necessary
16 shall be transferred to the Department of Defense which
17 will conduct all technical activities associated with the de-
18 velopment of a request for proposal and contract award:
19 *Provided further*, That none of these funds may be used
20 to support in excess of 150 full-time equivalent positions
21 in support of tax systems modernization: *Provided further*,
22 That these funds shall remain available until September
23 30, 1999.

1 INFORMATION SYSTEMS

2 (RESCISSION)

3 Of the funds made available under this heading for
4 Tax Systems Modernization in Public Law 104–52,
5 \$100,000,000 are rescinded, in Public Law 103–329,
6 \$51,685,000 are rescinded, in Public Law 102–393,
7 \$2,421,000 are rescinded, and in Public Law 102–141,
8 \$20,341,000 are rescinded.

9 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

10 SERVICE

11 SECTION 101. Not to exceed 5 percent of any appro-
12 priation made available in this Act to the Internal Revenue
13 Service may be transferred to any other Internal Revenue
14 Service appropriation upon the advance approval of the
15 House and Senate Committees on Appropriations.

16 SEC. 102. The Internal Revenue Service shall main-
17 tain a training program to insure that Internal Revenue
18 Service employees are trained in taxpayers' rights, in deal-
19 ing courteously with the taxpayers, and in cross-cultural
20 relations.

21 SEC. 103. The funds provided in this Act for the In-
22 ternal Revenue Service shall be used to provide as a mini-
23 mum, the fiscal year 1995 level of service, staffing, and
24 funding for Taxpayer Services.

25 SEC. 104. No funds available in this Act to the Inter-
26 nal Revenue Service for separation incentive payments as

1 authorized by section 525 of this Act may be obligated
2 without the advance approval of the House and Senate
3 Committees on Appropriations.

4 SEC. 105. The Internal Revenue Service shall con-
5 tract with an independent accounting firm to determine
6 the revenue losses (if any) which would result from imple-
7 menting H.R. 2450, as introduced in the 104th Congress.

8 UNITED STATES SECRET SERVICE

9 SALARIES AND EXPENSES

10 For necessary expenses of the United States Secret
11 Service, including purchase (not to exceed 702 vehicles for
12 police-type use, of which 665 shall be for replacement
13 only), and hire of passenger motor vehicles; hire of air-
14 craft; training and assistance requested by State and local
15 governments, which may be provided without reimburse-
16 ment; services of expert witnesses at such rates as may
17 be determined by the Director; rental of buildings in the
18 District of Columbia, and fencing, lighting, guard booths,
19 and other facilities on private or other property not in
20 Government ownership or control, as may be necessary to
21 perform protective functions; for payment of per diem and/
22 or subsistence allowances to employees where a protective
23 assignment during the actual day or days of the visit of
24 a protectee require an employee to work 16 hours per day
25 or to remain overnight at his or her post of duty; the con-

1 ducting of and participating in firearms matches; presen-
2 tation of awards; and for travel of Secret Service employ-
3 ees on protective missions without regard to the limita-
4 tions on such expenditures in this or any other Act: *Pro-*
5 *vided*, That approval is obtained in advance from the
6 House and Senate Committees on Appropriations; for re-
7 pairs, alterations, and minor construction at the James
8 J. Rowley Secret Service Training Center; for research
9 and development; for making grants to conduct behavioral
10 research in support of protective research and operations;
11 not to exceed \$20,000 for official reception and represen-
12 tation expenses; not to exceed \$50,000 to provide technical
13 assistance and equipment to foreign law enforcement orga-
14 nizations in counterfeit investigations; for payment in ad-
15 vance for commercial accommodations as may be nec-
16 essary to perform protective functions; and for uniforms
17 without regard to the general purchase price limitation for
18 the current fiscal year: *Provided further*, That 3 U.S.C.
19 203(a) is amended by deleting “but not exceeding twelve
20 hundred in number”; \$528,368,000, of which \$1,200,000
21 shall be available as a grant for activities related to the
22 investigations of missing and exploited children: *Provided*
23 *further*, That resources made available as a grant for ac-
24 tivities related to the investigations of missing and ex-

1 ploited children shall not be available until September 30,
2 1997, and shall remain available until expended.

3 ACQUISITION, CONSTRUCTION, IMPROVEMENT, AND
4 RELATED EXPENSES

5 For necessary expenses of construction, repair, alter-
6 ation, and improvement of facilities, \$31,298,000, to re-
7 main available until expended: *Provided*, That funds pre-
8 viously provided under the title, “Treasury Buildings and
9 Annex Repair and Restoration,” for the Secret Service’s
10 Headquarters Building, shall be transferred to this ac-
11 count.

12 GENERAL PROVISIONS—DEPARTMENT OF THE
13 TREASURY

14 SECTION 111. Any obligation or expenditure by the
15 Secretary in connection with law enforcement activities of
16 a Federal agency or a Department of the Treasury law
17 enforcement organization in accordance with 31 U.S.C.
18 9703(g)(4)(B) from unobligated balances remaining in the
19 Fund on September 30, 1997, shall be made in compliance
20 with the reprogramming guidelines contained in the House
21 and Senate reports accompanying this Act.

22 SEC. 112. Appropriations to the Treasury Depart-
23 ment in this Act shall be available for uniforms or allow-
24 ances therefor, as authorized by law (5 U.S.C. 5901), in-
25 cluding maintenance, repairs, and cleaning; purchase of
26 insurance for official motor vehicles operated in foreign

1 countries; purchase of motor vehicles without regard to the
2 general purchase price limitations for vehicles purchased
3 and used overseas for the current fiscal year; entering into
4 contracts with the Department of State for the furnishing
5 of health and medical services to employees and their de-
6 pendants serving in foreign countries; and services author-
7 ized by 5 U.S.C. 3109.

8 SEC. 113. None of the funds appropriated by this
9 title shall be used in connection with the collection of any
10 underpayment of any tax imposed by the Internal Revenue
11 Code of 1986 unless the conduct of officers and employees
12 of the Internal Revenue Service in connection with such
13 collection, including any private sector employees under
14 contract to the Internal Revenue Service, complies with
15 subsection (a) of section 805 (relating to communications
16 in connection with debt collection), and section 806 (relat-
17 ing to harassment or abuse), of the Fair Debt Collection
18 Practices Act (15 U.S.C. 1692).

19 SEC. 114. The Internal Revenue Service shall insti-
20 tute policies and procedures which will safeguard the con-
21 fidentiality of taxpayer information.

22 SEC. 115. The funds provided to the Bureau of Alco-
23 hol Tobacco and Firearms for fiscal year 1997 in this Act
24 for the enforcement of the Federal Alcohol Administration
25 Act shall be expended in a manner so as not to diminish

1 enforcement efforts with respect to section 105 of the Fed-
2 eral Alcohol Administration Act.

3 SEC. 116. Paragraph (3)(C) of section 9703(g) of
4 title 31, United States Code, is amended—

5 (1) by striking in the third sentence “and at
6 the end of each fiscal year thereafter”;

7 (2) by inserting in lieu thereof “1994, 1995,
8 and 1996”; and

9 (3) by adding at the end the following new sen-
10 tence: “At the end of fiscal year 1997, and at the
11 end of each fiscal year thereafter, the Secretary shall
12 reserve any amounts that are required to be retained
13 in the Fund to ensure the availability of amounts in
14 the subsequent fiscal year for purposes authorized
15 under subsection (a).”

16 SEC. 117. Of the funds available to the Internal Reve-
17 nue Service, \$13,000,000 shall be made available to con-
18 tinue the private sector debt collection program which was
19 initiated in fiscal year 1996 and \$13,000,000 shall be
20 transferred to the Departmental Offices appropriation to
21 initiate a new private sector debt collection program: *Pro-*
22 *vided*, That the transfer provided herein shall be in addi-
23 tion to any other transfer authority contained in this Act.

1 PRIORITY PLACEMENT, JOB PLACEMENT, RETRAINING,
2 AND COUNSELING PROGRAMS FOR U.S. TREASURY
3 DEPARTMENT EMPLOYEES AFFECTED BY A REDUC-
4 TION IN FORCE

5 SEC. 118. (a) DEFINITIONS.—

6 (1) For the purposes of this section, the term
7 “agency” means the United States Department of
8 the Treasury.

9 (2) For the purposes of this section, the term
10 “eligible employee” means any employee of the agen-
11 cy who—

12 (A) is scheduled to be separated from serv-
13 ice due to a reduction in force under—

14 (i) regulations prescribed under sec-
15 tion 3502 of title 5, United States Code; or

16 (ii) procedures established under sec-
17 tion 3595 of title 5, United States Code; or

18 (B) is separated from service due to such
19 a reduction in force, but does not include—

20 (i) an employee separated from service
21 for cause on charges of misconduct or de-
22 linquency; or

23 (ii) an employee who, at the time of
24 separation, meets the age and service re-
25 quirements for an immediate annuity

1 under subchapter III of chapter 83 or
2 chapter 84 of title 5, United States Code.

3 (b) PRIORITY PLACEMENT PROGRAM.—Not later
4 than 30 days after the date of the enactment of this Act,
5 the U.S. Department of the Treasury shall establish a pri-
6 ority placement program for eligible employees.

7 (c) The priority placement program established under
8 subsection (b) shall include provisions under which a va-
9 cant position shall not be filled by the appointment or
10 transfer of any individual from outside of the agency if—

11 (1) there is then available any eligible employee
12 who applies for the position within 30 days of the
13 agency issuing a job announcement and is qualified
14 (or can be trained or retrained to become qualified
15 within 90 days of assuming the position) for the po-
16 sition; and

17 (2) the position is within the same commuting
18 area as the eligible employee's last-held position or
19 residence.

20 (d) JOB PLACEMENT AND COUNSELING SERVICES.—
21 The head of the agency may establish a program to pro-
22 vide job placement and counseling services to eligible em-
23 ployees and their families.

1 (1) TYPES OF SERVICES.—A program estab-
2 lished under subsection (d) may include, is not lim-
3 ited to, such services as—

4 (A) career and personal counseling;

5 (B) training and job search skills; and

6 (C) job placement assistance, including as-
7 sistance provided through cooperative arrange-
8 ments with State and local employment services
9 offices.

10 (e) REFERRAL OF ELIGIBLE EMPLOYEES TO PRI-
11 VATE SECTOR CONTRACTORS.—Any contract related to
12 the Internal Revenue Services' Tax Systems Moderniza-
13 tion program shall contain a provision requiring that the
14 contractor, in hiring employees for the performance of the
15 contract, shall obtain referrals of eligible employees, who
16 consent to such referral, from the priority placement or
17 job placement programs established under this section.

18 This title may be cited as the “Treasury Department
19 Appropriations Act, 1997”.

20 TITLE II—POSTAL SERVICE

21 PAYMENTS TO THE POSTAL SERVICE

22 PAYMENT TO THE POSTAL SERVICE FUND

23 For payment to the Postal Service Fund for revenue
24 forgone on free and reduced rate mail, pursuant to sub-
25 sections (c) and (d) of section 2401 of title 39, United

1 States Code, \$85,080,000: *Provided*, That mail for over-
2 seas voting and mail for the blind shall continue to be free:
3 *Provided further*, That 6-day delivery and rural delivery
4 of mail shall continue at not less than the 1983 level: *Pro-*
5 *vided further*, That none of the funds made available to
6 the Postal Service by this Act shall be used to implement
7 any rule, regulation, or policy of charging any officer or
8 employee of any State or local child support enforcement
9 agency, or any individual participating in a State or local
10 program of child support enforcement, a fee for informa-
11 tion requested or provided concerning an address of a
12 postal customer: *Provided further*, That none of the funds
13 provided in this Act shall be used to consolidate or close
14 small rural and other small post offices in the fiscal year
15 ending on September 30, 1997.

16 TITLE III—EXECUTIVE OFFICE OF THE
17 PRESIDENT AND FUNDS APPROPRIATED TO
18 THE PRESIDENT

19 COMPENSATION OF THE PRESIDENT AND
20 THE WHITE HOUSE OFFICE
21 COMPENSATION OF THE PRESIDENT

22 For compensation of the President, including an ex-
23 pense allowance at the rate of \$50,000 per annum as au-
24 thorized by 3 U.S.C. 102, \$250,000: *Provided*, That none
25 of the funds made available for official expenses shall be

1 expended for any other purpose and any unused amount
2 shall revert to the Treasury pursuant to section 1552 of
3 title 31, United States Code: *Provided further*, That none
4 of the funds made available for official expenses shall be
5 considered as taxable to the President.

6 SALARIES AND EXPENSES

7 For necessary expenses for the White House as au-
8 thorized by law, including not to exceed \$3,850,000 for
9 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;
10 including subsistence expenses as authorized by 3 U.S.C.
11 105, which shall be expended and accounted for as pro-
12 vided in that section; hire of passenger motor vehicles,
13 newspapers, periodicals, teletype news service, and travel
14 (not to exceed \$100,000 to be expended and accounted
15 for as provided by 3 U.S.C. 103); not to exceed \$19,000
16 for official entertainment expenses, to be available for allo-
17 cation within the Executive Office of the President;
18 \$40,193,000: *Provided*, That \$420,000 of the funds ap-
19 propriated may not be obligated until the Director of the
20 Office of Administration has submitted, and the Commit-
21 tees on Appropriations of the House and Senate have ap-
22 proved, a report that identifies, evaluates, and prioritizes
23 all computer systems investments planned for fiscal year
24 1997, a milestone schedule for the development and imple-

1 mentation of all projects included in the systems invest-
2 ment plan, and a systems architecture plan.

3 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

4 OPERATING EXPENSES

5 For the care, maintenance, repair and alteration, re-
6 furnishing, improvement, heating and lighting, including
7 electric power and fixtures, of the Executive Residence at
8 the White House and official entertainment expenses of
9 the President, \$7,827,000, to be expended and accounted
10 for as provided by 3 U.S.C. 105, 109–110, 112–114.

11 SPECIAL ASSISTANCE TO THE PRESIDENT AND THE

12 OFFICIAL RESIDENCE OF THE VICE PRESIDENT

13 SALARIES AND EXPENSES

14 For necessary expenses to enable the Vice President
15 to provide assistance to the President in connection with
16 specially assigned functions, services as authorized by 5
17 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
18 penses as authorized by 3 U.S.C. 106, which shall be ex-
19 pended and accounted for as provided in that section; and
20 hire of passenger motor vehicles; \$3,280,000: *Provided,*
21 That \$150,000 of the funds appropriated may not be obli-
22 gated until the Director of the Office of Administration
23 has submitted, and the Committees on Appropriations of
24 the House and Senate have approved, a report that identi-
25 fies, evaluates, and prioritizes all computer systems invest-

1 ments planned for fiscal year 1997, a milestone schedule
2 for the development and implementation of all projects in-
3 cluded in the systems investment plan, and a systems ar-
4 chitecture plan.

5 OPERATING EXPENSES

6 For the care, operation, refurnishing, improvement,
7 heating and lighting, including electric power and fixtures,
8 of the official residence of the Vice President, the hire of
9 passenger motor vehicles, and not to exceed \$90,000 for
10 official entertainment expenses of the Vice President, to
11 be accounted for solely on his certificate; \$324,000: *Pro-*
12 *vided*, That advances or repayments or transfers from this
13 appropriation may be made to any department or agency
14 for expenses of carrying out such activities: *Provided fur-*
15 *ther*, That \$8,000 of the funds appropriated may not be
16 obligated until the Director of the Office of Administration
17 has submitted for approval to the Committees on Appro-
18 priations of the House and Senate a report that identifies,
19 evaluates, and prioritizes all computer systems invest-
20 ments planned for fiscal year 1997, a milestone schedule
21 for the development and implementation of all projects in-
22 cluded in the systems investment plan, and a systems ar-
23 chitecture plan.

1 COUNCIL OF ECONOMIC ADVISERS

2 SALARIES AND EXPENSES

3 For necessary expenses of the Council in carrying out
4 its functions under the Employment Act of 1946 (15
5 U.S.C. 1021), \$3,439,000.

6 OFFICE OF POLICY DEVELOPMENT

7 SALARIES AND EXPENSES

8 For necessary expenses of the Office of Policy Devel-
9 opment, including services as authorized by 5 U.S.C.
10 3109, and 3 U.S.C. 107; \$3,867,000: *Provided*, That
11 \$45,000 of the funds appropriated may not be obligated
12 until the Director of the Office of Administration has sub-
13 mitted, and the Committees on Appropriations of the
14 House and Senate have approved, a report that identifies,
15 evaluates, and prioritizes all computer systems invest-
16 ments planned for fiscal year 1997, a milestone schedule
17 for the development and implementation of all projects in-
18 cluded in the systems investment plan, and a systems ar-
19 chitecture plan.

20 NATIONAL SECURITY COUNCIL

21 SALARIES AND EXPENSES

22 For necessary expenses of the National Security
23 Council, including services as authorized by 5 U.S.C.
24 3109, \$6,648,000: *Provided*, That \$3,000 of the funds ap-
25 propriated may not be obligated until the Director of the

1 Office of Administration has submitted, and the Commit-
2 tees on Appropriations of the House and Senate have ap-
3 proved, a report that identifies, evaluates, and prioritizes
4 all computer systems investments planned for fiscal year
5 1997, a milestone schedule for the development and imple-
6 mentation of all projects included in the systems invest-
7 ment plan, and a systems architecture plan.

8 OFFICE OF ADMINISTRATION
9 SALARIES AND EXPENSES

10 For necessary expenses of the Office of Administra-
11 tion, \$26,100,000, including services as authorized by 5
12 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger
13 motor vehicles: *Provided*, That \$340,700 of the funds ap-
14 propriated may not be obligated until the Director of the
15 Office of Administration has submitted, and the Commit-
16 tees on Appropriations of the House and Senate have ap-
17 proved, a report that identifies, evaluates, and prioritizes
18 all computer systems investments planned for fiscal year
19 1997, a milestone schedule for the development and imple-
20 mentation of all projects included in the systems invest-
21 ment plan, and a systems architecture plan.

22 OFFICE OF MANAGEMENT AND BUDGET
23 SALARIES AND EXPENSES

24 For necessary expenses of the Office of Management
25 and Budget, including hire of passenger motor vehicles,

1 services as authorized by 5 U.S.C. 3109, \$55,573,000, of
2 which not to exceed \$5,000,000 shall be available to carry
3 out the provisions of 44 U.S.C. chapter 35: *Provided*,
4 That, as provided in 31 U.S.C. 1301(a), appropriations
5 shall be applied only to the objects for which appropria-
6 tions were made except as otherwise provided by law: *Pro-*
7 *vided further*, That none of the funds appropriated in this
8 Act for the Office of Management and Budget may be
9 used for the purpose of reviewing any agricultural market-
10 ing orders or any activities or regulations under the provi-
11 sions of the Agricultural Marketing Agreement Act of
12 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none
13 of the funds made available for the Office of Management
14 and Budget by this Act may be expended for the altering
15 of the transcript of actual testimony of witnesses, except
16 for testimony of officials of the Office of Management and
17 Budget, before the House and Senate Committees on Ap-
18 propriations or the House and Senate Committees on Vet-
19 erans' Affairs or their subcommittees: *Provided further*,
20 That this proviso shall not apply to printed hearings re-
21 leased by the House and Senate Committees on Appro-
22 priations or the House and Senate Committees on Veter-
23 ans' Affairs.

1 OFFICE OF NATIONAL DRUG CONTROL POLICY
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the Office of National
5 Drug Control Policy; for research activities pursuant to
6 title I of Public Law 100–690; not to exceed \$8,000 for
7 official reception and representation expenses; and for par-
8 ticipation in joint projects or in the provision of services
9 on matters of mutual interest with nonprofit, research, or
10 public organizations or agencies, with or without reim-
11 bursement; \$34,838,000, of which \$18,000,000 shall re-
12 main available until expended, consisting of \$1,000,000
13 for policy research and evaluation and \$17,000,000 for the
14 Counter-Drug Technology Assessment Center for
15 counternarcotics research and development projects, of
16 which \$1,000,000 shall be obligated for State conferences
17 on model State drug laws: *Provided*, That the \$17,000,000
18 for the Counter-Drug Technology Assessment Center shall
19 be available for transfer to other Federal departments or
20 agencies: *Provided further*, That the Office is authorized
21 to accept, hold, administer, and utilize gifts, both real and
22 personal, for the purpose of aiding or facilitating the work
23 of the Office: *Provided further*, That \$2,500,000 of the
24 funds available for the salaries and expenses of the Office
25 of National Drug Control Policy may not be obligated

1 until the Director reaches agreement with the House and
2 Senate Committees on Appropriations on a final fiscal
3 year 1997 organizational plan: *Provided further*, That the
4 Secretary of the Treasury is authorized to receive all un-
5 available collections transferred from the Special Forfeit-
6 ure Fund established by section 6073 of the Anti-Drug
7 Abuse Act of 1988 (21 U.S.C. 1509) by the Director of
8 the Office of Drug Control Policy as a deposit into the
9 Treasury Forfeiture Fund (31 U.S.C. 9703(a)).

10 FEDERAL DRUG CONTROL PROGRAMS

11 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses of the Office of National
14 Drug Control Policy's High Intensity Drug Trafficking
15 Areas Program, \$113,000,000 for drug control activities
16 consistent with the approved strategy for each of the des-
17 ignated High Intensity Drug Trafficking Areas, of which
18 \$3,000,000 shall be used for a newly designated High In-
19 tensity Drug Trafficking Area in Lake County, Indiana;
20 of which \$2,000,000 shall be used for a newly designated
21 High Intensity Drug Trafficking Area for the Gulf Coast
22 States of Louisiana, Alabama, and Mississippi; of which
23 \$5,000,000 shall be used for a newly designated High In-
24 tensity Drug Trafficking Area dedicated to combating
25 methamphetamine use, production and trafficking in a five
26 State area including Iowa, Missouri, Nebraska, South Da-

1 kota, and Kansas; of which no less than \$59,000,000 shall
 2 be transferred to State and local entities for drug control
 3 activities; and of which up to \$54,000,000 may be trans-
 4 ferred to Federal agencies and departments at a rate to
 5 be determined by the Director: *Provided*, That the funds
 6 made available under this head shall be obligated within
 7 90 days of the date of enactment of this Act.

8 This title may be cited as the “Executive Office Ap-
 9 propriations Act, 1997”.

10 TITLE IV—INDEPENDENT AGENCIES

11 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE

12 BLIND OR SEVERELY DISABLED

13 SALARIES AND EXPENSES

14 For necessary expenses of the Committee for Pur-
 15 chase From People Who Are Blind or Severely Disabled
 16 established by the Act of June 23, 1971, Public Law 92-
 17 28; \$1,800,000.

18 FEDERAL ELECTION COMMISSION

19 SALARIES AND EXPENSES

20 For necessary expenses to carry out the provisions
 21 of the Federal Election Campaign Act of 1971, as amend-
 22 ed, \$27,524,000, of which no less than \$2,500,000 shall
 23 be available for internal automated data processing sys-
 24 tems, and of which not to exceed \$5,000 shall be available
 25 for reception and representation expenses.

1 FEDERAL LABOR RELATIONS AUTHORITY
2 SALARIES AND EXPENSES

3 For necessary expenses to carry out functions of the
4 Federal Labor Relations Authority, pursuant to Reorga-
5 nization Plan Numbered 2 of 1978, and the Civil Service
6 Reform Act of 1978, including services as authorized by
7 5 U.S.C. 3109, including hire of experts and consultants,
8 hire of passenger motor vehicles, rental of conference
9 rooms in the District of Columbia and elsewhere;
10 \$21,588,000: *Provided*, That public members of the Fed-
11 eral Service Impasses Panel may be paid travel expenses
12 and per diem in lieu of subsistence as authorized by law
13 (5 U.S.C. 5703) for persons employed intermittently in
14 the Government service, and compensation as authorized
15 by 5 U.S.C. 3109: *Provided further*, That notwithstanding
16 31 U.S.C. 3302, funds received from fees charged to non-
17 Federal participants at labor-management relations con-
18 ferences shall be credited to and merged with this account,
19 to be available without further appropriation for the costs
20 of carrying out these conferences.

21 GENERAL SERVICES ADMINISTRATION
22 FEDERAL BUILDINGS FUND
23 LIMITATIONS ON AVAILABILITY OF REVENUE

24 For additional expenses necessary to carry out the
25 purpose of the Fund established pursuant to section

1 210(f) of the Federal Property and Administrative Serv-
2 ices Act of 1949, as amended (40 U.S.C. 490(f)),
3 \$209,193,000, to be deposited into said Fund. The reve-
4 nues and collections deposited into the Fund shall be avail-
5 able for necessary expenses of real property management
6 and related activities not otherwise provided for, including
7 operation, maintenance, and protection of Federally owned
8 and leased buildings; rental of buildings in the District
9 of Columbia; restoration of leased premises; moving gov-
10 ernmental agencies (including space adjustments and tele-
11 communications relocation expenses) in connection with
12 the assignment, allocation and transfer of space; contrac-
13 tual services incident to cleaning or servicing buildings,
14 and moving; repair and alteration of federally owned build-
15 ings including grounds, approaches and appurtenances;
16 care and safeguarding of sites; maintenance, preservation,
17 demolition, and equipment; acquisition of buildings and
18 sites by purchase, condemnation, or as otherwise author-
19 ized by law; acquisition of options to purchase buildings
20 and sites; conversion and extension of Federally owned
21 buildings; preliminary planning and design of projects by
22 contract or otherwise; construction of new buildings (in-
23 cluding equipment for such buildings); and payment of
24 principal, interest, taxes, and any other obligations for
25 public buildings acquired by installment purchase and pur-

1 chase contract, in the aggregate amount of
2 \$5,364,392,000, of which (1) not to exceed \$540,000,000
3 shall remain available until expended for construction of
4 additional projects at locations as follows: Fresno, Califor-
5 nia, Federal Building and U.S. Courthouse; Denver, Colo-
6 rado, U.S. Courthouse; District of Columbia, U.S. Court-
7 house Annex; Miami, Florida, U.S. Courthouse; Orlando,
8 Florida, U.S. Courthouse; Covington, Kentucky, U.S.
9 Courthouse; London, Kentucky, U.S. Courthouse; Babb,
10 Montana, Piegan Border Station; Sweetgrass, Montana,
11 Border Station; Las Vegas, Nevada, U.S. Courthouse;
12 Brooklyn, New York, U.S. Courthouse; Cleveland, Ohio,
13 U.S. Courthouse; Youngstown, Ohio, U.S. Courthouse;
14 Portland, Oregon, Consolidated Law Enforcement Federal
15 Office Building; Erie, Pennsylvania, U.S. Courthouse;
16 Philadelphia, Pennsylvania, Department of Veterans Af-
17 fairs—Federal Complex, phase II; Columbia, South Caro-
18 lina, U.S. Courthouse; Corpus Christi, Texas, U.S. Court-
19 house; Salt Lake City, Utah, Moss Courthouse Annex and
20 Alteration; Blaine, Washington, U.S. Border Station;
21 Oroville, Washington, U.S. Border Station; Seattle, Wash-
22 ington, U.S. Courthouse; and, Sumas, Washington, U.S.
23 Border Station, (Claim): *Provided*, That the total cost of
24 the immediately foregoing United States Courthouse or
25 United States Courthouse annex construction projects

1 shall be reduced by no less than 10 percent from the pro-
2 spectus level estimate by improving design efficiencies,
3 curtailing planned interior finishes requiring more effi-
4 cient use of courtroom and library space, and by otherwise
5 limiting space requirements: *Provided further*, That each
6 of the immediately foregoing construction projects may
7 not exceed the original authorized level for site acquisition,
8 design, or construction, unless advanced approval is ob-
9 tained from the House and Senate Committees on Appro-
10 priations: *Provided further*, That from funds available in
11 the Federal Buildings Fund, \$20,000,000 shall be avail-
12 able until expended for environmental clean up activities
13 at the Southeast Federal Center in the District of Colum-
14 bia: *Provided further*, That all funds for direct construc-
15 tion projects shall expire on September 30, 1999, and re-
16 main in the Federal Buildings Fund except funds for
17 projects as to which funds for design or other funds have
18 been obligated in whole or in part prior to such date: *Pro-*
19 *vided further*, That claims against the Government of less
20 than \$250,000 arising from direct construction projects,
21 acquisitions of buildings and purchase contract projects
22 pursuant to Public Law 92-313, be liquidated with prior
23 notification to the Committees on Appropriations of the
24 House and Senate to the extent savings are effected in
25 other such projects; (2) not to exceed \$635,000,000 shall

1 remain available until expended, for repairs and alter-
2 ations which includes associated design and construction
3 services, as follows: District of Columbia, Ariel Rios Build-
4 ing; District of Columbia, Department of Justice Building
5 (Main), phase, 1; District of Columbia, Lafayette Build-
6 ing; District of Columbia, State Department Building;
7 Honolulu, Hawaii, Prince Jonah Kuhio Kalaniana'ole Fed-
8 eral Building and U.S. Courthouse; Chicago, Illinois, Ev-
9 ert M. Dirksen Federal Building; Chicago, Illinois, John
10 C. Kluczynski, Jr. Federal Building (IRS); Andover, Mas-
11 sachusetts, IRS Regional Service Center; Concord, New
12 Hampshire, J.C. Cleveland Federal Building; Camden,
13 New Jersey, U.S. Post Office-Courthouse; Albany, New
14 York, James T. Foley Post Office-Courthouse;
15 Brookhaven, New York, IRS Service Center; New York,
16 New York, Jacob K. Javits Federal Building; Scranton,
17 Pennsylvania, Federal Building-U.S. Courthouse; Provi-
18 dence, Rhode Island, Federal Building-U.S. Courthouse;
19 Fort Worth, Texas, Federal Center; Nationwide repairs
20 and alterations: Security Upgrades; Chlorofluorocarbons
21 Program; Elevator Program; and, Energy Program: *Pro-*
22 *vided further*, That additional projects for which
23 prospectuses have been fully approved may be funded
24 under this category only if advance approval is obtained
25 from the Committees on Appropriations of the House and

1 Senate: *Provided further*, That the amounts provided in
2 this or any prior Act for Repairs and Alterations may be
3 used to fund costs associated with implementing security
4 improvements to buildings necessary to meet the minimum
5 standards for security in accordance with current law and
6 in compliance with the reprogramming guidelines of the
7 appropriate Committees of the House and Senate: *Pro-*
8 *vided further*, That funds in the Federal Buildings Fund
9 for Repairs and Alterations shall, for prospectus projects,
10 be limited to the originally authorized amount, except each
11 project may be increased by an amount not to exceed 10
12 percent when advance approval is obtained from the Com-
13 mittees on Appropriations of the House and Senate of a
14 greater amount: *Provided further*, That the difference be-
15 tween the funds appropriated and expended on any
16 projects in this or any prior Act, under the heading “Re-
17 pairs and Alterations”, may be transferred to Basic Re-
18 pairs and Alterations or used to fund authorized increases
19 in prospectus projects: *Provided further*, That such sums
20 as may be necessary shall be made available for ongoing
21 renovation and consolidation efforts at the National Vet-
22 erinary Services Laboratory and a biocontainment facility
23 at the National Animal Disease Center, as directed in
24 Public Law 104–52: *Provided further*, That all funds for
25 repairs and alterations prospectus projects shall expire on

1 September 30, 1999, and remain in the Federal Buildings
2 Fund except funds for projects as to which funds for de-
3 sign or other funds have been obligated in whole or in part
4 prior to such date: *Provided further*, That the amount pro-
5 vided in this or any prior Act for Basic Repairs and Alter-
6 ations may be used to pay claims against the Government
7 arising from any projects under the heading “Repairs and
8 Alterations” or used to fund authorized increases in pro-
9 spectus projects: *Provided further*, That \$5,700,000 of the
10 funds provided under this heading in Public Law 103-
11 329, for the IRS Service Center, Holtsville, New York,
12 shall be available until September 30, 1998; (3) not to
13 exceed \$173,075,000 for installment acquisition payments
14 including payments on purchase contracts which shall re-
15 main available until expended; (4) not to exceed
16 \$3,903,205,000, to remain available until expended, for
17 building operations, leasing activities, and rental of space,
18 of which up to \$205,000,000 shall be available for security
19 enhancements; and (5) not to exceed \$4,800,000 for the
20 development and acquisition of automatic data processing
21 equipment, software, and services for the Public Buildings
22 Service which shall remain available until September 30,
23 1999 for transfer to accounts and in amounts as necessary
24 to satisfy the requirements of the Public Buildings Service:
25 *Provided further*, That funds available to the General Serv-

1 ices Administration shall not be available for expenses in
2 connection with any construction, repair, alteration, and
3 acquisition project for which a prospectus, if required by
4 the Public Buildings Act of 1959, as amended, has not
5 been approved, except that necessary funds may be ex-
6 pended for each project for required expenses in connec-
7 tion with the development of a proposed prospectus: *Pro-*
8 *vided further*, That the Administrator is authorized in fis-
9 cal year 1997 and thereafter, to enter into and perform
10 such leases, contracts, or other transactions with any
11 agency or instrumentality of the United States, the several
12 States, or the District of Columbia, or with any person,
13 firm, association, or corporation, as may be necessary to
14 implement the trade center plan at the Federal Triangle
15 Project and is hereby granted all the rights and authori-
16 ties of the former Pennsylvania Avenue Development Cor-
17 poration (PADC) with regards to property transferred
18 from PADC to the General Services Administration in fis-
19 cal year 1996: *Provided further*, That for the purposes of
20 this authorization, buildings constructed pursuant to the
21 purchase contract authority of the Public Buildings
22 Amendments of 1972 (40 U.S.C. 602a), buildings occu-
23 pied pursuant to installment purchase contracts, and
24 buildings under the control of another department or
25 agency where alterations of such buildings are required

1 in connection with the moving of such other department
2 or agency from buildings then, or thereafter to be, under
3 the control of the General Services Administration shall
4 be considered to be federally owned buildings: *Provided*
5 *further*, That funds available in the Federal Buildings
6 Fund may be expended for emergency repairs when ad-
7 vance approval is obtained from the Committees on Appro-
8 priations of the House and Senate: *Provided further*, That
9 amounts necessary to provide reimbursable special services
10 to other agencies under section 210(f)(6) of the Federal
11 Property and Administrative Services Act of 1949, as
12 amended (40 U.S.C. 490(f)(6)) and amounts to provide
13 such reimbursable fencing, lighting, guard booths, and
14 other facilities on private or other property not in Govern-
15 ment ownership or control as may be appropriate to enable
16 the United States Secret Service to perform its protective
17 functions pursuant to 18 U.S.C. 3056, as amended, shall
18 be available from such revenues and collections: *Provided*
19 *further*, That revenues and collections and any other sums
20 accruing to this Fund during fiscal year 1997, excluding
21 reimbursements under section 210(f)(6) of the Federal
22 Property and Administrative Services Act of 1949 (40
23 U.S.C. 490(f)(6)) in excess of \$5,364,392,000 shall re-
24 main in the Fund and shall not be available for expendi-
25 ture except as authorized in appropriations Acts.

1 POLICY AND OPERATIONS

2 For expenses authorized by law, not otherwise pro-
3 vided for, for Government-wide policy and oversight activi-
4 ties associated with asset management activities; utiliza-
5 tion and donation of surplus personal property; transpor-
6 tation management activities; procurement and supply
7 management activities; Government-wide and internal re-
8 sponsibilities relating to automated data management,
9 telecommunications, information resources management,
10 and related technology activities; utilization survey, deed
11 compliance inspection, appraisal, environmental and cul-
12 tural analysis, and land use planning functions pertaining
13 to excess and surplus real property; agency-wide policy di-
14 rection; Board of Contract Appeals; accounting, records
15 management, and other support services incident to adju-
16 dication of Indian Tribal Claims by the United States
17 Court of Federal Claims; services as authorized by 5
18 U.S.C. 3109; and not to exceed \$5,000 for official recep-
19 tion and representation expenses; \$109,091,000.

20 OFFICE OF INSPECTOR GENERAL

21 For necessary expenses of the Office of Inspector
22 General and services authorized by 5 U.S.C. 3109,
23 \$33,274,000: *Provided*, That not to exceed \$5,000 shall
24 be available for payment for information and detection of
25 fraud against the Government, including payment for re-

1 covery of stolen Government property: *Provided further*,
2 That not to exceed \$2,500 shall be available for awards
3 to employees of other Federal agencies and private citizens
4 in recognition of efforts and initiatives resulting in en-
5 hanced Office of Inspector General effectiveness.

6 ALLOWANCES AND OFFICE STAFF FOR FORMER

7 PRESIDENTS

8 For carrying out the provisions of the Act of August
9 25, 1958, as amended (3 U.S.C. 102 note), and Public
10 Law 95-138, \$2,180,000: *Provided*, That the Adminis-
11 trator of General Services shall transfer to the Secretary
12 of the Treasury such sums as may be necessary to carry
13 out the provisions of such Acts.

14 EXPENSES, PRESIDENTIAL TRANSITION

15 For expenses necessary to carry out the Presidential
16 Transition Act of 1963, as amended (3 U.S.C. 102 note),
17 \$5,600,000.

18 GENERAL PROVISIONS—GENERAL SERVICES

19 ADMINISTRATION

20 SECTION 401. The appropriate appropriation or fund
21 available to the General Services Administration shall be
22 credited with the cost of operation, protection, mainte-
23 nance, upkeep, repair, and improvement, included as part
24 of rentals received from Government corporations pursu-
25 ant to law (40 U.S.C. 129).

1 SEC. 402. Funds available to the General Services
2 Administration shall be available for the hire of passenger
3 motor vehicles.

4 SEC. 403. Funds in the Federal Buildings Fund
5 made available for fiscal year 1997 for Federal Buildings
6 Fund activities may be transferred between such activities
7 only to the extent necessary to meet program require-
8 ments: *Provided*, That any proposed transfers shall be ap-
9 proved in advance by the Committees on Appropriations
10 of the House and Senate.

11 SEC. 404. Section 10 of the General Services Admin-
12 istration General Provisions, Public Law 100–440, dated
13 September 22, 1988, is hereby repealed.

14 SEC. 405. No funds made available by this Act shall
15 be used to transmit a fiscal year 1998 request for United
16 States Courthouse construction that does not meet the de-
17 sign guide standards for construction as established by the
18 General Services Administration, the Judicial Conference
19 of the United States, and the Office of Management and
20 Budget and does not reflect the priorities of the Judicial
21 Conference of the United States as set out in its approved
22 5-year construction plan: *Provided*, That the request must
23 be accompanied by a standardized courtroom utilization
24 study of each facility to be replaced or expanded.

1 SEC. 406. None of the funds provided in this Act may
2 be used to implement a plan for the Ronald Reagan Build-
3 ing (International Trade Center, Washington, D.C.) which
4 would permit the Woodrow Wilson Center to pay the Gen-
5 eral Services Administration less than the rate per square
6 foot assessment for space and services which is paid by
7 other Federal entities.

8 SEC. 407. None of the funds provided in this Act may
9 be used to increase the amount of occupiable square feet,
10 provide cleaning services, security enhancements, or any
11 other service usually provided through the Federal Build-
12 ings Fund, to any agency which does not pay the re-
13 quested rate per square foot assessment for space and
14 services as determined by the General Services Adminis-
15 tration in compliance with the Public Buildings Amend-
16 ments Act of 1972 (Public Law 92–313).

17 SEC. 408. The Administrator of the General Services
18 is directed to ensure that the materials used for the facade
19 on the United States Courthouse Annex, Savannah, Geor-
20 gia project are compatible with the existing Savannah
21 Federal Building-U.S. Courthouse facade, in order to en-
22 sure compatibility of this new facility with the Savannah
23 historic district and to ensure that the Annex will not en-
24 danger the National Landmark status of the Savannah
25 historic district.

1 JOHN F. KENNEDY ASSASSINATION RECORDS REVIEW
2 BOARD

3 For necessary expenses to carry out the John F. Ken-
4 nedy Assassination Records Collection Act of 1992,
5 \$2,150,000.

6 MERIT SYSTEMS PROTECTION BOARD
7 SALARIES AND EXPENSES
8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses to carry out functions of the
10 Merit Systems Protection Board pursuant to Reorganiza-
11 tion Plan Numbered 2 of 1978 and the Civil Service Re-
12 form Act of 1978, including services as authorized by 5
13 U.S.C. 3109, rental of conference rooms in the District
14 of Columbia and elsewhere, hire of passenger motor vehi-
15 cles, and direct procurement of survey printing,
16 \$23,297,000, together with not to exceed \$2,430,000 for
17 administrative expenses to adjudicate retirement appeals
18 to be transferred from the Civil Service Retirement and
19 Disability Fund in amounts determined by the Merit Sys-
20 tems Protection Board.

21 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
22 OPERATING EXPENSES

23 For necessary expenses in connection with the admin-
24 istration of the National Archives (including the Informa-
25 tion Security Oversight Office) and records and related ac-

1 tivities, as provided by law, and for expenses necessary
2 for the review and declassification of documents, and for
3 the hire of passenger motor vehicles, \$195,109,000: *Pro-*
4 *vided*, That the Archivist of the United States is author-
5 ized to use any excess funds available from the amount
6 borrowed for construction of the National Archives facil-
7 ity, for expenses necessary to move into the facility.

8 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
9 (RESCISSION)

10 Of the funds made available under this heading in
11 Public Law 104–52, \$4,500,000 are rescinded.

12 ARCHIVES FACILITIES AND PRESIDENTIAL LIBRARIES
13 REPAIRS AND RESTORATION

14 For the repair, alteration, and improvement of ar-
15 chives facilities and presidential libraries, \$9,500,000 to
16 remain available until expended.

17 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS
18 COMMISSION
19 GRANTS PROGRAM

20 For necessary expenses for allocations and grants for
21 historical publications and records as authorized by 44
22 U.S.C. 2504, as amended, \$4,000,000 to remain available
23 until expended.

1 OFFICE OF GOVERNMENT ETHICS
2 SALARIES AND EXPENSES

3 For necessary expenses to carry out functions of the
4 Office of Government Ethics pursuant to the Ethics in
5 Government Act of 1978, as amended by Public Law 100–
6 598, and the Ethics Reform Act of 1989, Public Law 101–
7 194, including services as authorized by 5 U.S.C. 3109,
8 rental of conference rooms in the District of Columbia and
9 elsewhere, hire of passenger motor vehicles, and not to ex-
10 ceed \$1,500 for official reception and representation ex-
11 penses; \$8,078,000.

12 OFFICE OF PERSONNEL MANAGEMENT
13 SALARIES AND EXPENSES
14 (INCLUDING TRANSFER OF TRUST FUNDS)

15 For necessary expenses to carry out functions of the
16 Office of Personnel Management pursuant to Reorganiza-
17 tion Plan Numbered 2 of 1978 and the Civil Service Re-
18 form Act of 1978, including services as authorized by 5
19 U.S.C. 3109; medical examinations performed for veterans
20 by private physicians on a fee basis; rental of conference
21 rooms in the District of Columbia and elsewhere; hire of
22 passenger motor vehicles; not to exceed \$2,500 for official
23 reception and representation expenses; advances for reim-
24 bursements to applicable funds of the Office of Personnel
25 Management and the Federal Bureau of Investigation for

1 expenses incurred under Executive Order 10422 of Janu-
2 ary 9, 1953, as amended; and payment of per diem and/
3 or subsistence allowances to employees where Voting
4 Rights Act activities require an employee to remain over-
5 night at his or her post of duty; \$86,576,000; and in addi-
6 tion \$93,486,000 for administrative expenses, to be trans-
7 ferred from the appropriate trust funds of the Office of
8 Personnel Management without regard to other statutes,
9 including direct procurement of printing materials for an-
10 nuitants, for the retirement and insurance programs, of
11 which \$2,250,000 shall be transferred at such times as
12 the Office of Personnel Management deems appropriate,
13 and shall remain available until expended for the costs of
14 automating the retirement recordkeeping systems, to-
15 gether with remaining amounts authorized in previous
16 Acts for the recordkeeping systems: *Provided*, That the
17 provisions of this appropriation shall not affect the author-
18 ity to use applicable trust funds as provided by section
19 8348(a)(1)(B) of title 5, United States Code: *Provided*
20 *further*, That, except as may be consistent with 5 U.S.C.
21 8902a(f)(1) and (i), no payment may be made from the
22 Employees Health Benefits Fund to any physician, hos-
23 pital, or other provider of health care services or supplies
24 who is, at the time such services or supplies are provided
25 to an individual covered under chapter 89 of title 5, Unit-

1 ed States Code, excluded, pursuant to section 1128 or
2 1128A of the Social Security Act (42 U.S.C. 1320a-7-
3 1320a-7a), from participation in any program under title
4 XVIII of the Social Security Act (42 U.S.C. 1395 et seq.):
5 *Provided further*, That no part of this appropriation shall
6 be available for salaries and expenses of the Legal Exam-
7 ining Unit of the Office of Personnel Management estab-
8 lished pursuant to Executive Order 9358 of July 1, 1943,
9 or any successor unit of like purpose: *Provided further*,
10 That the President's Commission on White House Fel-
11 lows, established by Executive Order 11183 of October 3,
12 1964, may, during the fiscal year ending September 30,
13 1997, accept donations of money, property, and personal
14 services in connection with the development of a publicity
15 brochure to provide information about the White House
16 Fellows, except that no such donations shall be accepted
17 for travel or reimbursement of travel expenses, or for the
18 salaries of employees of such Commission.

19 GENERAL PROVISIONS—OFFICE OF PERSONNEL

20 MANAGEMENT

21 SEC. 421. The first sentence of section 1304(e)(1)
22 of title 5, United States Code, is amended by inserting
23 after “basis” the following “, including personnel manage-
24 ment services performed at the request of individual agen-
25 cies (which would otherwise be the responsibility of such

1 agencies), or at the request of nonappropriated fund in-
2 strumentalities”.

3 OFFICE OF INSPECTOR GENERAL

4 SALARIES AND EXPENSES

5 (INCLUDING TRANSFER OF TRUST FUNDS)

6 For necessary expenses of the Office of Inspector
7 General in carrying out the provisions of the Inspector
8 General Act, as amended, including services as authorized
9 by 5 U.S.C. 3109, hire of passenger motor vehicles,
10 \$960,000; and in addition, not to exceed \$8,645,000 for
11 administrative expenses to audit the Office of Personnel
12 Management’s retirement and insurance programs, to be
13 transferred from the appropriate trust funds of the Office
14 of Personnel Management, as determined by the Inspector
15 General: *Provided*, That the Inspector General is author-
16 ized to rent conference rooms in the District of Columbia
17 and elsewhere.

18 REVOLVING FUND

19 For reducing any accumulated deficit in the accounts
20 of the revolving fund established under 5 U.S.C. 1304(e),
21 \$4,755,000.

22 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES

23 HEALTH BENEFITS

24 For payment of Government contributions with re-
25 spect to retired employees, as authorized by chapter 89
26 of title 5, United States Code, and the Retired Federal

1 Employees Health Benefits Act (74 Stat. 849), as amend-
2 ed, such sums as may be necessary.

3 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE
4 LIFE INSURANCE

5 For payment of Government contributions with re-
6 spect to employees retiring after December 31, 1989, as
7 required by chapter 87 of title 5, United States Code, such
8 sums as may be necessary.

9 PAYMENT TO CIVIL SERVICE RETIREMENT AND
10 DISABILITY FUND

11 For financing the unfunded liability of new and in-
12 creased annuity benefits becoming effective on or after Oc-
13 tober 20, 1969, as authorized by 5 U.S.C. 8348, and an-
14 nuities under special Acts to be credited to the Civil Serv-
15 ice Retirement and Disability Fund, such sums as may
16 be necessary: *Provided*, That annuities authorized by the
17 Act of May 29, 1944, as amended, and the Act of August
18 19, 1950, as amended (33 U.S.C. 771–75), may hereafter
19 be paid out of the Civil Service Retirement and Disability
20 Fund.

21 OFFICE OF SPECIAL COUNSEL
22 SALARIES AND EXPENSES

23 For necessary expenses to carry out functions of the
24 Office of Special Counsel pursuant to Reorganization Plan
25 Numbered 2 of 1978, the Civil Service Reform Act of

1 1978 (Public Law 95–454), the Whistleblower Protection
2 Act of 1989 (Public Law 101–12), Public Law 103–424,
3 and the Uniformed Services Employment and Reemploy-
4 ment Act of 1994 (Public Law 103–353), including serv-
5 ices as authorized by 5 U.S.C. 3109, payment of fees and
6 expenses for witnesses, rental of conference rooms in the
7 District of Columbia and elsewhere, and hire of passenger
8 motor vehicles; \$7,840,000.

9 UNITED STATES TAX COURT

10 SALARIES AND EXPENSES

11 For necessary expenses, including contract reporting
12 and other services as authorized by 5 U.S.C. 3109,
13 \$33,269,000: *Provided*, That travel expenses of the judges
14 shall be paid upon the written certificate of the judge.

15 This title may be cited as the “Independent Agencies
16 Appropriations Act, 1997”.

17 TITLE V—GENERAL PROVISIONS

18 THIS ACT

19 SECTION 501. No part of any appropriation con-
20 tained in this Act shall remain available for obligation be-
21 yond the current fiscal year unless expressly so provided
22 herein.

23 SEC. 502. The expenditure of any appropriation
24 under this Act for any consulting service through procure-
25 ment contract, pursuant to 5 U.S.C. 3109, shall be limited

1 to those contracts where such expenditures are a matter
2 of public record and available for public inspection, except
3 where otherwise provided under existing law, or under ex-
4 isting Executive order issued pursuant to existing law.

5 SEC. 503. None of the funds made available to the
6 General Services Administration pursuant to section
7 210(f) of the Federal Property and Administrative Serv-
8 ices Act of 1949 shall be obligated or expended after the
9 date of enactment of this Act for the procurement by con-
10 tract of any guard, elevator operator, messenger or custo-
11 dial services if any permanent veterans preference em-
12 ployee of the General Services Administration at said date,
13 would be terminated as a result of the procurement of
14 such services, except that such funds may be obligated or
15 expended for the procurement by contract of the covered
16 services with sheltered workshops employing the severely
17 handicapped under Public Law 92–28. Only if such work-
18 shops decline to contract for the provision of the covered
19 services may the General Services Administration procure
20 the services by competitive contract, for a period not to
21 exceed 5 years. At such time as such competitive contract
22 expires or is terminated for any reason, the General Serv-
23 ices Administration shall again offer to contract for the
24 services from a sheltered workshop prior to offering such
25 services for competitive procurement.

1 SEC. 504. None of the funds made available by this
2 Act shall be available for any activity or for paying the
3 salary of any Government employee where funding an ac-
4 tivity or paying a salary to a Government employee would
5 result in a decision, determination, rule, regulation, or pol-
6 icy that would prohibit the enforcement of section 307 of
7 the Tariff Act of 1930.

8 SEC. 505. None of the funds made available by this
9 Act shall be available for the purpose of transferring con-
10 trol over the Federal Law Enforcement Training Center
11 located at Glynco, Georgia, and Artesia, New Mexico, out
12 of the Treasury Department.

13 SEC. 506. No part of any appropriation contained in
14 this Act shall be used for publicity or propaganda purposes
15 within the United States not heretofore authorized by the
16 Congress.

17 SEC. 507. No part of any appropriation contained in
18 this Act shall be available for the payment of the salary
19 of any officer or employee of the United States Postal
20 Service, who—

21 (1) prohibits or prevents, or attempts or threat-
22 ens to prohibit or prevent, any officer or employee
23 of the United States Postal Service from having any
24 direct oral or written communication or contact with
25 any Member or committee of Congress in connection

1 with any matter pertaining to the employment of
2 such officer or employee or pertaining to the United
3 States Postal Service in any way, irrespective of
4 whether such communication or contact is at the ini-
5 tiative of such officer or employee or in response to
6 the request or inquiry of such Member or committee;
7 or

8 (2) removes, suspends from duty without pay,
9 demotes, reduces in rank, seniority, status, pay, or
10 performance of efficiency rating, denies promotion
11 to, relocates, reassigns, transfers, disciplines, or dis-
12 criminates in regard to any employment right, enti-
13 tlement, or benefit, or any term or condition of em-
14 ployment of, any officer or employee of the United
15 States Postal Service, or attempts or threatens to
16 commit any of the foregoing actions with respect to
17 such officer or employee, by reason of any commu-
18 nication or contact of such officer or employee with
19 any Member or committee of Congress as described
20 in paragraph (1).

21 SEC. 508. The Office of Personnel Management may,
22 during the fiscal year ending September 30, 1997, accept
23 donations of supplies, services, land, and equipment for
24 the Federal Executive Institute and Management Develop-

1 ment Centers to assist in enhancing the quality of Federal
2 management.

3 SEC. 509. The United States Secret Service may,
4 during the fiscal year ending September 30, 1997, and
5 hereafter, accept donations of money to off-set costs in-
6 curred while protecting former Presidents and spouses of
7 former Presidents when the former President or spouse
8 travels for the purpose of making an appearance or speech
9 for a payment of money or any thing of value.

10 SEC. 510. No part of any appropriation contained in
11 this Act shall be available to pay the salary for any person
12 filling a position, other than a temporary position, for-
13 merly held by an employee who has left to enter the Armed
14 Forces of the United States and has satisfactorily com-
15 pleted his period of active military or naval service and
16 has within 90 days after his release from such service or
17 from hospitalization continuing after discharge for a pe-
18 riod of not more than 1 year made application for restora-
19 tion to his former position and has been certified by the
20 Office of Personnel Management as still qualified to per-
21 form the duties of his former position and has not been
22 restored thereto.

23 SEC. 511. None of the funds made available in this
24 Act may be used to provide any non-public information
25 such as mailing or telephone lists to any person or any

1 organization outside of the Federal Government without
2 the approval of the House and Senate Committees on Ap-
3 propriations.

4 SEC. 512. No funds appropriated pursuant to this
5 Act may be expended by an entity unless the entity agrees
6 that in expending the assistance the entity will comply
7 with sections 2 through 4 of the Act of March 3, 1933
8 (41 U.S.C. 10a–10c, popularly known as the “Buy Amer-
9 ican Act”).

10 SEC. 513. (a) PURCHASE OF AMERICAN-MADE
11 EQUIPMENT AND PRODUCTS.—In the case of any equip-
12 ment or products that may be authorized to be purchased
13 with financial assistance provided under this Act, it is the
14 sense of the Congress that entities receiving such assist-
15 ance should, in expending the assistance, purchase only
16 American-made equipment and products.

17 (b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In
18 providing financial assistance under this Act, the Sec-
19 retary of the Treasury shall provide to each recipient of
20 the assistance a notice describing the statement made in
21 subsection (a) by the Congress.

22 SEC. 514. If it has been finally determined by a court
23 or Federal agency that any person intentionally affixed a
24 label bearing a “Made in America” inscription, or any in-
25 scription with the same meaning, to any product sold in

1 or shipped to the United States that is not made in the
2 United States, such person shall be ineligible to receive
3 any contract or subcontract made with funds provided
4 pursuant to this Act, pursuant to the debarment, suspen-
5 sion, and ineligibility procedures described in section
6 9.400 through 9.409 of title 48, Code of Federal Regula-
7 tions.

8 SEC. 515. Except as otherwise specifically provided
9 by law, not to exceed 50 percent of unobligated balances
10 remaining available at the end of fiscal year 1997 from
11 appropriations made available for salaries and expenses
12 for fiscal year 1997 in this Act, shall remain available
13 through September 30, 1998, for each such account for
14 the purposes authorized: *Provided*, That a request shall
15 be submitted to the House and Senate Committees on Ap-
16 propriations for approval prior to the expenditure of such
17 funds.

18 SEC. 516. Where appropriations in this Act are ex-
19 pendable for travel expenses of employees and no specific
20 limitation has been placed thereon, the expenditures for
21 such travel expenses may not exceed the amount set forth
22 in the budget estimates submitted for appropriations with-
23 out the advance approval of the House and Senate Com-
24 mittees on Appropriations: *Provided*, That this section
25 shall not apply to travel performed by uncompensated offi-

1 cials of local boards and appeal boards in the Selective
2 Service System; to travel performed directly in connection
3 with care and treatment of medical beneficiaries of the De-
4 partment of Veterans Affairs; to travel of the Office of
5 Personnel Management in carrying out its observation re-
6 sponsibilities of the Voting Rights Act; or to payments to
7 interagency motor pools separately set forth in the budget
8 schedules.

9 SEC. 517. Notwithstanding any other provision of law
10 or regulation during the fiscal year ending September 30,
11 1997, and thereafter:

12 (1) The authority of the special police officers
13 of the Bureau of Engraving and Printing, in the
14 Washington, DC Metropolitan area, extends to
15 buildings and land under the custody and control of
16 the Bureau; to buildings and land acquired by or for
17 the Bureau through lease, unless otherwise provided
18 by the acquisition agency; to the streets, sidewalks
19 and open areas immediately adjacent to the Bureau
20 along Wallenberg Place (15th Street) and 14th
21 Street between Independence and Maine Avenues
22 and C and D Streets between 12th and 14th
23 Streets; to areas which include surrounding parking
24 facilities used by Bureau employees, including the
25 lots at 12th and C Streets, SW, Maine Avenue and

1 Water Streets, SW, Maiden Lane, the Tidal Basin
2 and East Potomac Park; to the protection in transit
3 of United States securities, plates and dies used in
4 the production of United States securities, or other
5 products or implements of the Bureau of Engraving
6 and Printing which the Director of that agency so
7 designates.

8 (2) The authority of the special police officers
9 of the United States Mint extends to the buildings
10 and land under the custody and control of the Mint;
11 to the streets, sidewalks and open areas in the vicin-
12 ity to such facilities; to surrounding parking facili-
13 ties used by Mint employees; and to the protection
14 in transit of bullion, coins, dies, and other property
15 and assets of, or in the custody of, the Mint.

16 (3) The exercise of police authority by Bureau
17 or Mint officers, with the exception of the exercise
18 of authority upon property under the custody and
19 control of the Bureau or the Mint, respectively, shall
20 be deemed supplementary to the Federal police force
21 with primary jurisdictional responsibility. This au-
22 thority shall be in addition to any other law enforce-
23 ment authority which has been provided to these of-
24 ficers under other provisions of law or regulations.

1 SEC. 518. No funds appropriated by this Act shall
2 be available to pay for an abortion, or the administrative
3 expenses in connection with any health plan under the
4 Federal employees health benefit program which provides
5 any benefits or coverage for abortions.

6 SEC. 519. The provision of section 518 shall not
7 apply where the life of the mother would be endangered
8 if the fetus were carried to term, or the pregnancy is the
9 result of an act of rape or incest.

10 SEC. 520. No part of any appropriation made avail-
11 able in this Act shall be used to implement Bureau of Al-
12 cohoh, Tobacco and Firearms Ruling TD ATF-360; Re:
13 Notice Nos. 782, 780, 91F009P.

14 SEC. 521. Notwithstanding title 5, United States
15 Code, Personal Service Contractors (PSC) employed by
16 the Department of the Treasury for assignment in a coun-
17 try other than the United States, shall be considered as
18 Federal Government employees for purposes of making
19 available Federal employee health and life insurance.

20 SEC. 522. Section 5131 of title 31, United States
21 Code, is amended by striking subsection (c); and by redес-
22 ignating subsection (d) as subsection (c).

23 SEC. 523. Section 5112(i)(4) of title 31, United
24 States Code, is amended by adding at the end the follow-
25 ing new subparagraph:

1 “(C) The Secretary may continue to mint and issue
2 coins in accordance with the specifications contained in
3 paragraphs (7), (8), (9), and (10) of subsection (a) and
4 paragraph (1)(A) of this subsection at the same time the
5 Secretary in minting and issuing other bullion and proof
6 gold coins under this subsection in accordance with such
7 program procedures and coin specifications, designs, vari-
8 eties, quantities, denominations, and inscriptions as the
9 Secretary, in the Secretary’s discretion, may prescribe
10 from time to time.”: *Provided*, That profits generated
11 from the sale of gold to the United States Mint for this
12 program shall be considered as a receipt to be deposited
13 into the General Fund of the Treasury.

14 SEC. 524. Section 5112 of title 31, United States
15 Code, is amended by adding at the end the following new
16 subsection:

17 “(k) The Secretary may mint and issue bullion and
18 proof platinum coins in accordance with such specifica-
19 tions, designs, varieties, quantities, denominations, and in-
20 scriptions as the Secretary, in the Secretary’s discretion,
21 may prescribe from time to time.”: *Provided*, That the
22 Secretary is authorized to use Government platinum re-
23 serves stockpiled at the United States Mint as working
24 inventory and shall ensure that reserves utilized are re-
25 placed by the Mint.

1 SEC. 525. VOLUNTARY SEPARATION INCENTIVES
2 FOR EMPLOYEES OF CERTAIN FEDERAL AGENCIES.—(a)
3 DEFINITIONS.—For the purposes of this section—

4 (1) the term “agency” means the Internal Rev-
5 enue Service, the Bureau of Alcohol, Tobacco and
6 Firearms, and the United States Customs Service;

7 (2) the term “employee” means an employee
8 (as defined by section 2105 of title 5, United States
9 Code) who is employed by an agency, is serving
10 under an appointment without time limitation, and
11 has been currently employed for a continuous period
12 of at least 12 months, but does not include—

13 (A) any employee who, upon separation
14 and application, would then be eligible for an
15 immediate annuity under subchapter III of
16 chapter 83 or chapter 84 of title 5, United
17 States Code, or another retirement system for
18 employees of the agency;

19 (B) a reemployed annuitant under sub-
20 chapter III of chapter 83 or chapter 84 of title
21 5, United States Code, or another retirement
22 system for employees of the agency;

23 (C) an employee having a disability on the
24 basis of which such employee is or would be eli-
25 gible for disability retirement under the applica-

1 ble retirement system referred to in subpara-
2 graph (A);

3 (D) an employee who is in receipt of a spe-
4 cific notice of involuntary separation for mis-
5 conduct or unacceptable performance;

6 (E) an employee who, upon completing an
7 additional period of service is referred to in sec-
8 tion 3(b)(2)(B)(ii) of the Federal Workforce
9 Restructuring Act of 1994 (5 U.S.C. 5597
10 note), would qualify for a voluntary separation
11 incentive payment under section 3 of such Act;

12 (F) an employee who has previously re-
13 ceived any voluntary separation incentive pay-
14 ment by the Federal Government under this
15 section or any other authority and has not re-
16 paid such payment;

17 (G) an employee covered by statutory re-
18 employment rights who is on transfer to an-
19 other organization; or

20 (H) any employee who, during the twenty
21 four month period preceding the date of separa-
22 tion, has received a recruitment or relocation
23 bonus under section 5753 of title 5, United
24 States Code, or who, within the twelve month
25 period preceding the date of separation, re-

1 ceived a retention allowable under section 5754
2 of title 5, United States Code.

3 (b) AGENCY STRATEGIC PLAN.—

4 (1) IN GENERAL.—The head of each agency,
5 prior to obligating any resources for voluntary sepa-
6 ration incentive payments, shall submit to the House
7 and Senate Committees on Appropriations and the
8 Committee on Governmental Affairs of the Senate
9 and the Committee on Government Reform and
10 Oversight of the House of Representatives a strate-
11 gic plan outlining the intended use of such incentive
12 payments and a proposed organizational chart for
13 the agency once such incentive payments have been
14 completed.

15 (2) CONTENTS.—The agency's plan shall in-
16 clude—

17 (A) the positions and functions to be re-
18 duced or eliminated, identified by organizational
19 unit, geographic location, occupational category
20 and grade level;

21 (B) the number and amounts of voluntary
22 separation incentive payments to be offered;
23 and

1 (C) a description of how the agency will
2 operate without the eliminated positions and
3 functions.

4 (c) AUTHORITY TO PROVIDE VOLUNTARY SEPARA-
5 TION INCENTIVE PAYMENTS.—

6 (1) IN GENERAL.—A voluntary separation in-
7 centive payment under this section may be paid by
8 an agency to any employee only to the extent nec-
9 essary to eliminate the positions and functions iden-
10 tified by the strategic plan.

11 (2) AMOUNT AND TREATMENT OF PAYMENTS.—
12 A voluntary separation incentive payment—

13 (A) shall be paid in a lump sum after the
14 employee's separation;

15 (B) shall be paid from appropriations or
16 funds available for the payment of the basic pay
17 of the employees;

18 (C) shall be equal to the lesser of—

19 (i) an amount equal to the amount
20 the employee would be entitled to receive
21 under section 5595(c) of title 5, United
22 States Code; or

23 (ii) an amount determined by the
24 agency head not to exceed \$25,000;

1 (D) may not be made except in the case of
2 any qualifying employee who voluntarily sepa-
3 rates (whether by retirement or resignation) be-
4 fore March 31, 1997;

5 (E) shall not be a basis for payment, and
6 shall not be included in the computation, of any
7 other type of Government benefit; and

8 (F) shall not be taken into account in de-
9 termining the amount of any severance pay to
10 which the employee may be entitled under sec-
11 tion 5595 of title 5, United States Code, based
12 on any other separation.

13 (d) ADDITIONAL AGENCY CONTRIBUTIONS TO THE
14 RETIREMENT FUND.—

15 (1) IN GENERAL.—In addition to any other
16 payments which it is required to make under sub-
17 chapter III of chapter 83 of title 5, United States
18 Code, an agency shall remit to the Office of Person-
19 nel Management for deposit in the Treasury of the
20 United States to the credit of the Civil Service Re-
21 tirement and Disability Fund an amount equal to 15
22 percent of the final basic pay of each employee of
23 the agency who is covered under subchapter III of
24 chapter 83 or chapter 84 of title 5, United States

1 Code, to whom a voluntary separation incentive has
2 been paid under this section.

3 (2) DEFINITION.—For the purpose of para-
4 graph (1), the term “final basic pay”, with respect
5 to an employee, means the total amount of basic pay
6 which would be payable for a year of service by such
7 employee, computed using the employee’s final rate
8 of basic pay, and, if last serving on other than a
9 full-time basis, with appropriate adjustment there-
10 for.

11 (e) EFFECT OF SUBSEQUENT EMPLOYMENT WITH
12 THE GOVERNMENT.—An individual who has received a
13 voluntary separation incentive payment under this section
14 and accepts any employment for compensation with the
15 Government of the United States, or who works for any
16 agency of the United States Government through a per-
17 sonal services contract, within 5 years after the date of
18 the separation on which the payment is based shall be re-
19 quired to pay, prior to the individual’s first day of employ-
20 ment, the entire amount of the incentive payment to the
21 agency that paid the incentive payment.

22 (f) REDUCTION OF AGENCY EMPLOYMENT LEV-
23 ELS.—

24 (1) IN GENERAL.—The total number of funded
25 employee positions in the agency shall be reduced by

1 one position for each vacancy created by the separa-
2 tion of any employee who has received, or is due to
3 receive, a voluntary separation incentive payment
4 under this section. For the purposes of this sub-
5 section, positions shall be counted on a full-time-
6 equivalent basis.

7 (2) ENFORCEMENT.—The President, through
8 the Office of Management and Budget, shall monitor
9 the agency and take any action necessary to ensure
10 that the requirements of this subsection are met.

11 (g) EFFECTIVE DATE.—This section shall take effect
12 October 1, 1996.

13 SEC. 525A. VOLUNTARY SEPARATION INCENTIVES
14 FOR EMPLOYEES OF THE UNITED STATES AGENCY FOR
15 INTERNATIONAL DEVELOPMENT.—

16 (a) AUTHORITY.—The United States Agency for
17 International Development is authorized to offer voluntary
18 separation incentive payments to no more than 100 of its
19 employees in accordance with section 525 of this Act.

20 (b) EXCEPTION.—Section 525(a)(2)(A) of this Act
21 shall not apply to an employee of the United States Agen-
22 cy for International Development who, upon separation
23 and application, would be eligible for an immediate annu-
24 ity under sections 8336(d)(2) and 8414(b)(1)(B) of title
25 5, United States Code.

1 (c) EFFECTIVE DATE.—This section shall take effect
2 on the date of enactment of this Act.

3 SEC. 526. That provisions of law governing procure-
4 ment or public contracts shall not be applicable to the pro-
5 curement of goods or services necessary for carrying out
6 Bureau of Engraving and Printing program and oper-
7 ation: *Provided*, That the authority contained in this provi-
8 sion shall expire on September 30, 1999.

9 SEC. 527. The United States Mint is hereby author-
10 ized to establish a demonstration project under the au-
11 thorities of title V, U.S.C., chapter 47: *Provided*, That the
12 Director of the United States Mint shall be appointed by
13 the President, by and with the advice and consent of the
14 Senate; the Director shall serve on the basis of a six-year
15 contract, which may be renewed, so long as the Director's
16 performance, as set forth in an annual performance agree-
17 ment with the Secretary of the Treasury, is satisfactory;
18 and the Director shall receive as basic compensation for
19 a calendar year an amount equal to the annual rate of
20 basic pay for level I of the Executive Schedule under sec-
21 tion 5312 of title 5 and, in addition, may receive an an-
22 nual bonus awarded by the Secretary, based upon the Sec-
23 retary's evaluation of the Director's performance in ac-
24 cordance with the performance agreement.

1 SEC. 528. (a) REIMBURSEMENT OF CERTAIN ATTOR-
2 NEY FEES AND COSTS.—

3 (1) IN GENERAL.—The Secretary of the Treas-
4 ury shall pay from amounts appropriated in title I
5 of this Act under the heading, “Departmental Of-
6 fices, Salaries and Expenses”, up to \$500,000 to re-
7 imburse former employees of the White House Trav-
8 el Office whose employment in that Office was ter-
9 minated on May 19, 1993, for any attorney fees and
10 costs they incurred with respect to that termination.

11 (2) VERIFICATION REQUIRED.—The Secretary
12 shall pay an individual in full under paragraph (1)
13 upon submission by the individual of documentation
14 verifying the attorney fees and costs.

15 (3) NO INFERENCE OF LIABILITY.—Liability of
16 the United States shall not be inferred from enact-
17 ment of or payment under this subsection.

18 (b) LIMITATION ON FILING OF CLAIMS.—The Sec-
19 retary of the Treasury shall not pay any claim filed under
20 this section that is filed later than 120 days after the date
21 of the enactment of this Act.

22 (c) REDUCTION.—The amount paid pursuant to this
23 section to an individual for attorney fees and costs de-
24 scribed in subsection (a) shall be reduced by any amount
25 received before the date of the enactment of this Act, with-

1 out obligation for repayment by the individual, for pay-
2 ment of such attorney fees and costs (including any
3 amount received from the funds appropriated for the indi-
4 vidual in the matter relating to the “Office of the General
5 Counsel” under the heading “Office of the Secretary” in
6 title I of the Department of Transportation and Related
7 Agencies Appropriations Act, 1994).

8 (d) PAYMENT IN FULL SETTLEMENT OF CLAIMS
9 AGAINST THE UNITED STATES.—Payment under this sec-
10 tion, when accepted by an individual described in sub-
11 section (a), shall be in full satisfaction of all claims of,
12 or on behalf of, the individual against the United States
13 that arose out of the termination of the White House
14 Travel Office employment of that individual on May 19,
15 1993.

16 SEC. 529. None of the funds made available in this
17 Act may be used by the Executive Office of the President
18 to request from the Federal Bureau of Investigation any
19 official background investigation report on any individual,
20 except when it is made known to the Federal official hav-
21 ing authority to obligate or expend such funds that—

22 (1) such individual has given his or her express
23 written consent for such request not more than 6
24 months prior to the date of such request and during
25 the same presidential administration; or

1 (2) such request is required due to extraor-
2 dinary circumstances involving national security.

3 TITLE VI—GENERAL PROVISIONS

4 DEPARTMENTS, AGENCIES, AND CORPORATIONS

5 SECTION 601. Funds appropriated in this or any
6 other Act may be used to pay travel to the United States
7 for the immediate family of employees serving abroad in
8 cases of death or life threatening illness of said employee.

9 SEC. 602. No department, agency, or instrumentality
10 of the United States receiving appropriated funds under
11 this or any other Act for fiscal year 1997 shall obligate
12 or expend any such funds, unless such department, agen-
13 cy, or instrumentality has in place, and will continue to
14 administer in good faith, a written policy designed to en-
15 sure that all of its workplaces are free from the illegal
16 use, possession, or distribution of controlled substances
17 (as defined in the Controlled Substances Act) by the offi-
18 cers and employees of such department, agency, or instru-
19 mentality.

20 SEC. 603. Notwithstanding 31 U.S.C. 1345, any
21 agency, department or instrumentality of the United
22 States which provides or proposes to provide child care
23 services for Federal employees may reimburse any Federal
24 employee or any person employed to provide such services
25 for travel, transportation, and subsistence expenses in-

1 curred for training classes, conferences or other meetings
2 in connection with the provision of such services: *Provided*,
3 That any per diem allowance made pursuant to this sec-
4 tion shall not exceed the rate specified in regulations pre-
5 scribed pursuant to section 5707 of title 5, United States
6 Code.

7 SEC. 604. Unless otherwise specifically provided, the
8 maximum amount allowable during the current fiscal year
9 in accordance with section 16 of the Act of August 2, 1946
10 (60 Stat. 810), for the purchase of any passenger motor
11 vehicle (exclusive of buses, ambulances, law enforcement,
12 and undercover surveillance vehicles), is hereby fixed at
13 \$8,100 except station wagons for which the maximum
14 shall be \$9,100: *Provided*, That these limits may be ex-
15 ceeded by not to exceed \$3,700 for police-type vehicles,
16 and by not to exceed \$4,000 for special heavy-duty vehi-
17 cles: *Provided further*, That the limits set forth in this sec-
18 tion may not be exceeded by more than 5 percent for elec-
19 tric or hybrid vehicles purchased for demonstration under
20 the provisions of the Electric and Hybrid Vehicle Re-
21 search, Development, and Demonstration Act of 1976:
22 *Provided further*, That the limits set forth in this section
23 may be exceeded by the incremental cost of clean alter-
24 native fuels vehicles acquired pursuant to Public Law

1 101–549 over the cost of comparable conventionally fueled
2 vehicles.

3 SEC. 605. Appropriations of the executive depart-
4 ments and independent establishments for the current fis-
5 cal year available for expenses of travel or for the expenses
6 of the activity concerned, are hereby made available for
7 quarters allowances and cost-of-living allowances, in ac-
8 cordance with 5 U.S.C. 5922–24.

9 SEC. 606. Unless otherwise specified during the cur-
10 rent fiscal year, no part of any appropriation contained
11 in this or any other Act shall be used to pay the compensa-
12 tion of any officer or employee of the Government of the
13 United States (including any agency the majority of the
14 stock of which is owned by the Government of the United
15 States) whose post of duty is in the continental United
16 States unless such person (1) is a citizen of the United
17 States, (2) is a person in the service of the United States
18 on the date of enactment of this Act who, being eligible
19 for citizenship, has filed a declaration of intention to be-
20 come a citizen of the United States prior to such date and
21 is actually residing in the United States, (3) is a person
22 who owes allegiance to the United States, (4) is an alien
23 from Cuba, Poland, South Vietnam, the countries of the
24 former Soviet Union, or the Baltic countries lawfully ad-
25 mitted to the United States for permanent residence, (5)

1 is a South Vietnamese, Cambodian, or Laotian refugee pa-
2 roled in the United States after January 1, 1975, or (6)
3 is a national of the People's Republic of China who
4 qualifys for adjustment of status pursuant to the Chinese
5 Student Protection Act of 1992: *Provided*, That for the
6 purpose of this section, an affidavit signed by any such
7 person shall be considered prima facie evidence that the
8 requirements of this section with respect to his or her sta-
9 tus have been complied with: *Provided further*, That any
10 person making a false affidavit shall be guilty of a felony,
11 and, upon conviction, shall be fined no more than \$4,000
12 or imprisoned for not more than 1 year, or both: *Provided*
13 *further*, That the above penal clause shall be in addition
14 to, and not in substitution for, any other provisions of ex-
15 isting law: *Provided further*, That any payment made to
16 any officer or employee contrary to the provisions of this
17 section shall be recoverable in action by the Federal Gov-
18 ernment. This section shall not apply to citizens of Ire-
19 land, Israel, or the Republic of the Philippines, or to na-
20 tionals of those countries allied with the United States in
21 the current defense effort, or to international broadcasters
22 employed by the United States Information Agency, or to
23 temporary employment of translators, or to temporary em-
24 ployment in the field service (not to exceed 60 days) as
25 a result of emergencies.

1 SEC. 607. Appropriations available to any depart-
2 ment or agency during the current fiscal year for nec-
3 essary expenses, including maintenance or operating ex-
4 penses, shall also be available for payment to the General
5 Services Administration for charges for space and services
6 and those expenses of renovation and alteration of build-
7 ings and facilities which constitute public improvements
8 performed in accordance with the Public Buildings Act of
9 1959 (73 Stat. 749), the Public Buildings Amendments
10 of 1972 (87 Stat. 216), or other applicable law.

11 SEC. 608. In addition to funds provided in this or
12 any other Act, all Federal agencies are authorized to re-
13 ceive and use funds resulting from the sale of materials
14 recovered through recycling or waste prevention programs.
15 Such funds shall be available until expended for the follow-
16 ing purposes:

17 (1) Acquisition, waste reduction and prevention,
18 and recycling programs as described in Executive
19 Order 12873 (October 20, 1993), including any such
20 programs adopted prior to the effective date of the
21 Executive Order.

22 (2) Other Federal agency environmental man-
23 agement programs, including, but not limited to, the
24 development and implementation of hazardous waste
25 management and pollution prevention programs.

1 (3) Other employee programs as authorized by
2 law or as deemed appropriate by the head of the
3 Federal agency.

4 SEC. 609. Funds made available by this or any other
5 Act for administrative expenses in the current fiscal year
6 of the corporations and agencies subject to chapter 91 of
7 title 31, United States Code, shall be available, in addition
8 to objects for which such funds are otherwise available,
9 for rent in the District of Columbia; services in accordance
10 with 5 U.S.C. 3109; and the objects specified under this
11 head, all the provisions of which shall be applicable to the
12 expenditure of such funds unless otherwise specified in the
13 Act by which they are made available: *Provided*, That in
14 the event any functions budgeted as administrative ex-
15 penses are subsequently transferred to or paid from other
16 funds, the limitations on administrative expenses shall be
17 correspondingly reduced.

18 SEC. 610. No part of any appropriation for the cur-
19 rent fiscal year contained in this or any other Act shall
20 be paid to any person for the filling of any position for
21 which he or she has been nominated after the Senate has
22 voted not to approve the nomination of said person.

23 SEC. 611. For the fiscal year ending September 30,
24 1997, and thereafter, any department or agency to which
25 the Administrator of General Services has delegated the

1 authority to operate, maintain or repair any building or
2 facility pursuant to section 205(d) of the Federal Property
3 and Administrative Services Act of 1949, as amended,
4 shall retain that portion of the GSA rental payment avail-
5 able for operation, maintenance or repair of the building
6 or facility, as determined by the Administrator, and ex-
7 pend such funds directly for the operation, maintenance
8 or repair of the building or facility. Any funds retained
9 under this section shall remain available until expended
10 for such purposes.

11 SEC. 612. (a) IN GENERAL.—Section 1306 of title
12 31, United States Code, is amended to read as follows:

13 **“§ 1306. Use of foreign credits**

14 “(a) IN GENERAL.—Foreign credits (including cur-
15 rencies) owed to or owned by the United States may be
16 used by any agency for any purpose for which appropria-
17 tions are made for the agency for the current fiscal year
18 (including the carrying out of Acts requiring or authoriz-
19 ing the use of such credits), but only when reimbursement
20 therefor is made to the Treasury from applicable appro-
21 priations of the agency.

22 “(b) EXCEPTION TO REIMBURSEMENT REQUIRE-
23 MENT.—Credits described in subsection (a) that are re-
24 ceived as exchanged allowances, or as the proceeds of the
25 sale of personal property, may be used in whole or partial

1 payment for the acquisition of similar items, to the extent
2 and in the manner authorized by law, without reimburse-
3 ment to the Treasury.”.

4 (b) APPLICABILITY.—The amendment made by this
5 section shall take effect on the date of the enactment of
6 this Act and shall apply thereafter.

7 SEC. 613. No part of any appropriation contained in
8 this or any other Act shall be available for interagency
9 financing of boards, commissions, councils, committees, or
10 similar groups (whether or not they are interagency enti-
11 ties) which do not have a prior and specific statutory ap-
12 proval to receive financial support from more than one
13 agency or instrumentality.

14 SEC. 614. Funds made available by this or any other
15 Act to the “Postal Service Fund” (39 U.S.C. 2003) shall
16 be available for employment of guards for all buildings and
17 areas owned or occupied by the Postal Service and under
18 the charge and control of the Postal Service, and such
19 guards shall have, with respect to such property, the pow-
20 ers of special policemen provided by the first section of
21 the Act of June 1, 1948, as amended (62 Stat. 281; 40
22 U.S.C. 318), and, as to property owned or occupied by
23 the Postal Service, the Postmaster General may take the
24 same actions as the Administrator of General Services
25 may take under the provisions of sections 2 and 3 of the

1 Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C.
2 318a, 318b), attaching thereto penal consequences under
3 the authority and within the limits provided in section 4
4 of the Act of June 1, 1948, as amended (62 Stat. 281;
5 40 U.S.C. 318c).

6 SEC. 615. None of the funds made available pursuant
7 to the provisions of this Act shall be used to implement,
8 administer, or enforce any regulation which has been dis-
9 approved pursuant to a resolution of disapproval duly
10 adopted in accordance with the applicable law of the Unit-
11 ed States.

12 SEC. 616. (a) Notwithstanding any other provision
13 of law, and except as otherwise provided in this section,
14 no part of any of the funds appropriated for the fiscal
15 year ending on September 30, 1997, by this or any other
16 Act, may be used to pay any prevailing rate employee de-
17 scribed in section 5342(a)(2)(A) of title 5, United States
18 Code—

19 (1) during the period from the date of expira-
20 tion of the limitation imposed by section 616 of the
21 Treasury, Postal Service and General Government
22 Appropriations Act, 1996, until the normal effective
23 date of the applicable wage survey adjustment that
24 is to take effect in fiscal year 1997, in an amount
25 that exceeds the rate payable for the applicable

1 grade and step of the applicable wage schedule in
2 accordance with such section 616; and

3 (2) during the period consisting of the remain-
4 der of fiscal year 1997, in an amount that exceeds,
5 as a result of a wage survey adjustment, the rate
6 payable under paragraph (1) by more than the sum
7 of—

8 (A) the percentage adjustment taking ef-
9 fect in fiscal year 1997 under section 5303 of
10 title 5, United States Code, in the rates of pay
11 under the General Schedule; and

12 (B) the difference between the overall aver-
13 age percentage of the locality-based comparabil-
14 ity payments taking effect in fiscal year 1997
15 under section 5304 of such title (whether by
16 adjustment or otherwise), and the overall aver-
17 age percentage of such payments which was ef-
18 fective in fiscal year 1996 under such section.

19 (b) Notwithstanding any other provision of law, no
20 prevailing rate employee described in subparagraph (B) or
21 (C) of section 5342(a)(2) of title 5, United States Code,
22 and no employee covered by section 5348 of such title,
23 may be paid during the periods for which subsection (a)
24 is in effect at a rate that exceeds the rates that would

1 be payable under subsection (a) were subsection (a) appli-
2 cable to such employee.

3 (c) For the purposes of this section, the rates payable
4 to an employee who is covered by this section and who
5 is paid from a schedule not in existence on September 30,
6 1996, shall be determined under regulations prescribed by
7 the Office of Personnel Management.

8 (d) Notwithstanding any other provision of law, rates
9 of premium pay for employees subject to this section may
10 not be changed from the rates in effect on September 30,
11 1996, except to the extent determined by the Office of
12 Personnel Management to be consistent with the purpose
13 of this section.

14 (e) This section shall apply with respect to pay for
15 service performed after September 30, 1996.

16 (f) For the purpose of administering any provision
17 of law (including section 8431 of title 5, United States
18 Code, and any rule or regulation that provides premium
19 pay, retirement, life insurance, or any other employee ben-
20 efit) that requires any deduction or contribution, or that
21 imposes any requirement or limitation on the basis of a
22 rate of salary or basic pay, the rate of salary or basic pay
23 payable after the application of this section shall be treat-
24 ed as the rate of salary or basic pay.

1 (g) Nothing in this section shall be considered to per-
2 mit or require the payment to any employee covered by
3 this section at a rate in excess of the rate that would be
4 payable were this section not in effect.

5 (h) The Office of Personnel Management may provide
6 for exceptions to the limitations imposed by this section
7 if the Office determines that such exceptions are necessary
8 to ensure the recruitment or retention of qualified employ-
9 ees.

10 SEC. 617. During the period in which the head of
11 any department or agency, or any other officer or civilian
12 employee of the Government appointed by the President
13 of the United States, holds office, no funds may be obli-
14 gated or expended in excess of \$5,000 to furnish or re-
15 decorate the office of such department head, agency head,
16 officer or employee, or to purchase furniture or make im-
17 provements for any such office, unless advance notice of
18 such furnishing or redecoration is expressly approved by
19 the Committees on Appropriations of the House and Sen-
20 ate. For the purposes of this section, the word "office"
21 shall include the entire suite of offices assigned to the indi-
22 vidual, as well as any other space used primarily by the
23 individual or the use of which is directly controlled by the
24 individual.

1 SEC. 618. Notwithstanding any other provision of
2 law, no executive branch agency shall purchase, construct,
3 and/or lease any additional facilities, except within or con-
4 tiguous to existing locations, to be used for the purpose
5 of conducting Federal law enforcement training without
6 the advance approval of the House and Senate Committees
7 on Appropriations.

8 SEC. 619. Notwithstanding section 1346 of title 31,
9 United States Code, or section 613 of this Act, funds
10 made available for fiscal year 1997 by this or any other
11 Act shall be available for the interagency funding of na-
12 tional security and emergency preparedness telecommuni-
13 cations initiatives which benefit multiple Federal depart-
14 ments, agencies, or entities, as provided by Executive
15 Order Numbered 12472 (April 3, 1984).

16 SEC. 620. (a) None of the funds appropriated by this
17 or any other Act may be obligated or expended by any
18 Federal department, agency, or other instrumentality for
19 the salaries or expenses of any employee appointed to a
20 position of a confidential or policy-determining character
21 excepted from the competitive service pursuant to section
22 3302 of title 5, United States Code, without a certification
23 to the Office of Personnel Management from the head of
24 the Federal department, agency, or other instrumentality
25 employing the Schedule C appointee that the Schedule C

1 position was not created solely or primarily in order to
2 detail the employee to the White House.

3 (b) The provisions of this section shall not apply to
4 Federal employees or members of the armed services de-
5 tailed to or from—

6 (1) the Central Intelligence Agency;

7 (2) the National Security Agency;

8 (3) the Defense Intelligence Agency;

9 (4) the offices within the Department of De-
10 fense for the collection of specialized national foreign
11 intelligence through reconnaissance programs;

12 (5) the Bureau of Intelligence and Research of
13 the Department of State;

14 (6) any agency, office, or unit of the Army,
15 Navy, Air Force, and Marine Corps, the Federal Bu-
16 reau of Investigation and the Drug Enforcement Ad-
17 ministration of the Department of Justice, the De-
18 partment of Transportation, the Department of the
19 Treasury, and the Department of Energy perform-
20 ing intelligence functions; and

21 (7) the Director of Central Intelligence.

22 SEC. 621. No department, agency, or instrumentality
23 of the United States receiving appropriated funds under
24 this or any other Act for fiscal year 1997 shall obligate
25 or expend any such funds, unless such department, agency

1 or instrumentality has in place, and will continue to ad-
2 minister in good faith, a written policy designed to ensure
3 that all of its workplaces are free from discrimination and
4 sexual harassment and that all of its workplaces are not
5 in violation of title VII of the Civil Rights Act of 1964,
6 as amended, the Age Discrimination in Employment Act
7 of 1967, and the Rehabilitation Act of 1973.

8 SEC. 622. No part of any appropriation contained in
9 this Act may be used to pay for the expenses of travel
10 of employees, including employees of the Executive Office
11 of the President, not directly responsible for the discharge
12 of official governmental tasks and duties: *Provided*, That
13 this restriction shall not apply to the family of the Presi-
14 dent, Members of Congress or their spouses, Heads of
15 State of a foreign country or their designees, persons pro-
16 viding assistance to the President for official purposes, or
17 other individuals so designated by the President.

18 SEC. 623. Notwithstanding any provision of law, the
19 President, or his designee, must certify to Congress, annu-
20 ally, that no person or persons with direct or indirect re-
21 sponsibility for administering the Executive Office of the
22 President's Drug-Free Workplace Plan are themselves
23 subject to a program of individual random drug testing.

24 SEC. 624. (a) None of the funds made available in
25 this Act or any other Act may be obligated or expended

1 for any employee training when it is made known to the
2 Federal official having authority to obligate or expend
3 such funds that such employee training—

4 (1) does not meet identified needs for knowl-
5 edge, skills, and abilities bearing directly upon the
6 performance of official duties;

7 (2) contains elements likely to induce high lev-
8 els of emotional response or psychological stress in
9 some participants;

10 (3) does not require prior employee notification
11 of the content and methods to be used in the train-
12 ing and written end of course evaluation;

13 (4) contains any methods or content associated
14 with religious or quasi-religious belief systems or
15 “new age” belief systems as defined in Equal Em-
16 ployment Opportunity Commission Notice N-
17 915.022, dated September 2, 1988;

18 (5) is offensive to, or designed to change, par-
19 ticipants’ personal values or lifestyle outside the
20 workplace; or

21 (6) includes content related to human
22 immunodeficiency virus/acquired immune deficiency
23 syndrome (HIV/AIDS) other than that necessary to
24 make employees more aware of the medical ramifica-

1 tions of HIV/AIDS and the workplace rights of
2 HIV-positive employees.

3 (b) Nothing in this section shall prohibit, restrict, or
4 otherwise preclude an agency from conducting training
5 bearing directly upon the performance of official duties.

6 SEC. 625. No funds appropriated in this or any other
7 Act for fiscal year 1997 may be used to implement or en-
8 force the agreements in Standard Forms 312 and 4355
9 of the Government or any other nondisclosure policy,
10 form, or agreement if such policy, form, or agreement does
11 not contain the following provisions: “These restrictions
12 are consistent with and do not supersede, conflict with,
13 or otherwise alter the employee obligations, rights, or li-
14 abilities created by Executive Order 12356; section 7211
15 of title 5, United States Code (governing disclosures to
16 Congress); section 1034 of title 10, United States Code,
17 as amended by the Military Whistleblower Protection Act
18 (governing disclosure to Congress by members of the mili-
19 tary); section 2302(b)(8) of title 5, United States Code,
20 as amended by the Whistleblower Protection Act (govern-
21 ing disclosures of illegality, waste, fraud, abuse or public
22 health or safety threats); the Intelligence Identities Pro-
23 tection Act of 1982 (50 U.S.C. 421 et seq.) (governing
24 disclosures that could expose confidential Government
25 agents); and the statutes which protect against disclosure

1 that may compromise the national security, including sec-
2 tions 641, 793, 794, 798, and 952 of title 18, United
3 States Code, and section 4(b) of the Subversive Activities
4 Act of 1950 (50 U.S.C. section 783(b)). The definitions,
5 requirements, obligations, rights, sanctions, and liabilities
6 created by said Executive Order and listed statutes are
7 incorporated into this agreement and are controlling.”:
8 *Provided*, That notwithstanding the preceding paragraph,
9 a nondisclosure policy form or agreement that is to be exe-
10 cuted by a person connected with the conduct of an intel-
11 ligence or intelligence-related activity, other than an em-
12 ployee or officer of the United States Government, may
13 contain provisions appropriate to the particular activity
14 for which such document is to be used. Such form or
15 agreement shall, at a minimum, require that the person
16 will not disclose any classified information received in the
17 course of such activity unless specifically authorized to do
18 so by the United States Government. Such nondisclosure
19 forms shall also make it clear that they do not bar disclo-
20 sures to Congress or to an authorized official of an execu-
21 tive agency or the Department of Justice that are essential
22 to reporting a substantial violation of law.

23 SEC. 626. (a) None of the funds appropriated by this
24 or any other Act may be expended by any Federal Agency
25 to procure any product or service subject to section 5124

1 of Public Law 104–106 and that will be available under
2 the procurement by the Administrator of General Services
3 known as “FTS2000” unless—

4 (1) such product or service is procured by the
5 Administrator of General Services as part of the
6 procurement known as “FTS2000”; or

7 (2) that agency establishes to the satisfaction of
8 the Administrator of General Services that—

9 (A) that agency’s requirements for such
10 procurement are unique and cannot be satisfied
11 by property and service procured by the Admin-
12 istrator of General Services as part of the pro-
13 curement known as “FTS2000”; and

14 (B) the agency procurement, pursuant to
15 such delegation, would be cost-effective and
16 would not adversely affect the cost-effectiveness
17 of the FTS2000 procurement.

18 (b) After July 31, 1997, subsection (a) shall apply
19 only if the Administrator of General Services has reported
20 that the FTS2000 procurement is producing prices that
21 allow the Government to satisfy its requirements for such
22 procurement in the most cost-effective manner.

23 SEC. 627. Subsection (f) of section 403 of Public Law
24 103–356 is amended by deleting “October 1, 1999” and
25 inserting “October 1, 2001”.

1 SEC. 628. (a) IN GENERAL.—Notwithstanding any
2 other provision of law, none of the funds made available
3 by this Act for the Department of the Treasury shall be
4 available for any activity or for paying the salary of any
5 Government employee where funding an activity or paying
6 a salary to a Government employee would result in a deci-
7 sion, determination, rule, regulation, or policy that would
8 permit the Secretary of the Treasury to make any loan
9 or extension of credit under section 5302 of title 31, Unit-
10 ed States Code, with respect to a single foreign entity or
11 government of a foreign country (including agencies or
12 other entities of that government)—

13 (1) with respect to a loan or extension of credit
14 for more than 60 days, unless the President certifies
15 to the Committee on Banking, Housing, and Urban
16 Affairs of the Senate and the Committee on Banking
17 and Financial Services of the House of Representa-
18 tives that—

19 (A) there is no projected cost (as that term
20 is defined in section 502 of the Federal Credit
21 Reform Act of 1990) to the United States from
22 the proposed loan or extension of credit; and

23 (B) any proposed obligation or expenditure
24 of United States funds to or on behalf of the
25 foreign government is adequately backed by an

1 assured source of repayment to ensure that all
2 United States funds will be repaid; and

3 (2) other than as provided by an Act of Con-
4 gress, if that loan or extension of credit would result
5 in expenditures and obligations, including contingent
6 obligations, aggregating more than \$1,000,000,000
7 with respect to that foreign country for more than
8 180 days during the 12-month period beginning on
9 the date on which the first such action is taken.

10 (b) WAIVER OF LIMITATIONS.—The President may
11 exceed the dollar and time limitations in subsection (a)(2)
12 if he certifies in writing to the Congress that a financial
13 crisis in that foreign country poses a threat to vital United
14 States economic interests or to the stability of the inter-
15 national financial system.

16 (c) EXPEDITED PROCEDURES IN THE SENATE FOR
17 A RESOLUTION OF DISAPPROVAL.—A presidential certifi-
18 cation pursuant to subsection (b) shall not take effect, if
19 the Congress, within 30 calendar days after receiving such
20 certification, enacts a joint resolution of disapproval, as
21 described in paragraph (5) of this subsection.

22 (1) REFERENCE TO COMMITTEES.—All joint
23 resolutions introduced in the Senate to disapprove
24 the certification shall be referred to the Committee
25 on Banking, Housing, and Urban Affairs.

1 (2) DISCHARGE OF COMMITTEES.—(A) If the
2 committee of the Senate to which a joint resolution
3 has been referred has not reported it at the end of
4 15 days after its introduction, it is in order to move
5 either to discharge the committee from further con-
6 sideration of the joint resolution or to discharge the
7 committee from further consideration of any other
8 joint resolution introduced with respect to the same
9 matter, except no motion to discharge shall be in
10 order after the committee has reported a joint reso-
11 lution with respect to the same matter.

12 (B) In the Senate a motion to discharge may
13 be made only by an individual favoring the joint res-
14 olution, and is privileged; and debate thereon shall
15 be limited to not more than 1 hour, the time to be
16 divided equally between, and controlled by, the ma-
17 jority leader and the minority leader or their des-
18 ignees.

19 (3) FLOOR CONSIDERATION.—(A) A motion in
20 the Senate to proceed to the consideration of a joint
21 resolution shall be privileged.

22 (B) Debate in the Senate on a joint resolution,
23 and all debatable motions and appeals in connection
24 therewith, shall be limited to not more than 4 hours,
25 to be equally divided between, and controlled by, the

1 majority leader and the minority leader or their des-
2 ignees.

3 (C) Debate in the Senate on any debatable mo-
4 tion or appeal in connection with a joint resolution
5 shall be limited to not more than 20 minutes, to be
6 equally divided between, and controlled by, the
7 mover and the manager of the joint resolution, ex-
8 cept that in the event the manager of the joint reso-
9 lution is in favor of any such motion or appeal, the
10 time in opposition thereto, shall be controlled by the
11 minority leader or his designee. Such leaders, or ei-
12 ther of them, may, from time under their control on
13 the passage of a joint resolution, allot additional
14 time to any Senator during the consideration of any
15 debatable motion or appeal.

16 (D) A motion in the Senate to further limit de-
17 bate on a joint resolution, debatable motion, or ap-
18 peal is not debatable. No amendment to, or motion
19 to recommit, a resolution is in order.

20 (4) If prior to the passage by the Senate of a
21 joint resolution, the Senate receives a joint resolu-
22 tion with respect to the same matter from the House
23 of Representatives, then—

1 (A) the procedure in the Senate shall
2 be the same as if no resolution had been
3 received from the House; but

4 (B) the vote on final passage shall be
5 on the resolution of the House.

6 (5) For purposes of this subsection, the term
7 “joint resolution” means only a joint resolution of
8 the 2 Houses of Congress, the matter after the re-
9 solving clause of which is as follows: “That the Con-
10 gress disapproves the action of the President under
11 section 628(c) of the Treasury, Postal Service, and
12 General Government Appropriations Act, 1997, no-
13 tice of which was submitted to the Congress on
14 _____.”, with the blank space being filled with
15 the appropriate date.

16 (d) APPLICABILITY.—This section—

17 (1) shall not apply to any action taken as part
18 of the program of assistance to Mexico announced
19 by the President on January 31, 1995; and

20 (2) shall remain in effect through fiscal year
21 1997.

22 SEC. 629. (a) TECHNICAL AMENDMENT.—Section
23 640 of Public Law 104–52 (109 Stat. 513) is amended
24 by striking “Service performed” and inserting “Hereafter,
25 service performed”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) shall take effect as if included in Public
3 Law 104–52 on the date of its enactment.

4 SEC. 630. Notwithstanding any other provision of
5 law, no part of any appropriation contained in this Act
6 for any fiscal year shall be available for paying Sunday
7 premium or differential pay to any employee unless such
8 employee actually performed work during the time cor-
9 responding to such premium or differential pay.

10 SEC. 631. No part of any funds appropriated in this
11 or any other Act shall be used by an agency of the execu-
12 tive branch, other than for normal and recognized execu-
13 tive-legislative relationships, for publicity or propaganda
14 purposes, and for the preparation, distribution or use of
15 any kit, pamphlet, booklet, publication, radio, television or
16 film presentation designed to support or defeat legislation
17 pending before the Congress, except in presentation to the
18 Congress itself.

19 SEC. 632. (a) FEDERAL EMPLOYEE REPRESENTA-
20 TION IMPROVEMENT.—Subsection (d) of section 205 of
21 title 18, United States Code, is amended to read as fol-
22 lows:

23 “(d)(1) Nothing in subsection (a) or (b) prevents an
24 officer or employee, if not inconsistent with the faithful
25 performance of that officer’s or employee’s duties, from

1 acting without compensation as agent or attorney for, or
2 otherwise representing—

3 “(A) any person who is the subject of discipli-
4 nary, loyalty, or other personnel administration pro-
5 ceedings in connection with those proceedings; or

6 “(B) except as provided in paragraph (2), any
7 cooperative, voluntary, professional, recreational, or
8 similar organization or group not established or op-
9 erated for profit, if a majority of the organization’s
10 or group’s members are current officers or employ-
11 ees of the United States or of the District of Colum-
12 bia, or their spouses or dependent children.

13 “(2) Paragraph (1)(B) does not apply with respect
14 to a covered matter that—

15 “(A) is a claim under subsection (a)(1) or
16 (b)(1);

17 “(B) is a judicial or administrative proceeding
18 where the organization or group is a party; or

19 “(C) involves a grant, contract, or other agree-
20 ment (including a request for any such grant, con-
21 tract, or agreement) providing for the disbursement
22 of Federal funds to the organization or group.”.

23 (b) APPLICATION TO LABOR-MANAGEMENT RELA-
24 TIONS.—Section 205 of title 18, United States Code, is
25 amended by adding at the end the following:

1 “(i) Nothing in this section prevents an employee
2 from acting pursuant to—

3 “(1) chapter 71 of title 5;

4 “(2) section 1004 or chapter 12 of title 39;

5 “(3) section 3 of the Tennessee Valley Author-
6 ity Act of 1933 (16 U.S.C. 831b);

7 “(4) chapter 10 of title I of the Foreign Service
8 Act of 1980 (22 U.S.C. 4104 et seq.); or

9 “(5) any provision of any other Federal or Dis-
10 trict of Columbia law that authorizes labor-manage-
11 ment relations between an agency or instrumentality
12 of the United States or the District of Columbia and
13 any labor organization that represents its employ-
14 ees.”.

15 (c) APPLICABILITY.—The amendments made by this
16 section shall take effect on the date of the enactment of
17 this Act and shall apply thereafter.

18 SEC. 633. SURVIVOR ANNUITY RESUMPTION UPON
19 TERMINATION OF MARRIAGE.—(a) AMENDMENTS.—

20 (1) CIVIL SERVICE RETIREMENT SYSTEM.—Sec-
21 tion 8341(e) of title 5, United States Code, is
22 amended by adding at the end the following:

23 “(4) If the annuity of a child under this subchapter
24 terminates under paragraph (3)(E) because of marriage,
25 then, if such marriage ends, such annuity shall resume

1 on the first day of the month in which it ends, but only
2 if—

3 “(A) any lump sum paid is returned to the
4 Fund; and

5 “(B) that individual is not otherwise ineligible
6 for such annuity.”.

7 (2) FEDERAL EMPLOYEES’ RETIREMENT SYS-
8 TEM.—Section 8443(b) of such title is amended by
9 adding at the end the following: “If the annuity of
10 a child under this subchapter terminates under sub-
11 paragraph (E) because of marriage, then, if such
12 marriage ends, such annuity shall resume on the
13 first day of the month in which it ends, but only if
14 any lump sum paid is returned to the Fund, and
15 that individual is not otherwise ineligible for such
16 annuity.”.

17 (b) APPLICABILITY.—The amendments made by sec-
18 tion 1 shall apply with respect to any termination of mar-
19 riage taking effect on or after November 1, 1993, except
20 that any recomputation of benefits shall be payable only
21 with respect to amounts accruing for periods beginning on
22 or after the date of the enactment of this Act.

23 SEC. 634. AVAILABILITY OF ANNUAL LEAVE TO
24 MEET MINIMUM AGE AND SERVICE REQUIREMENTS FOR
25 TITLE TO AN IMMEDIATE ANNUITY.—(a) CIVIL SERVICE

1 RETIREMENT SYSTEM.—Section 8336 of title 5, United
2 States Code, is amended by adding at the end the follow-
3 ing:

4 “(o)(1) An employee involuntarily separated from
5 service due to a reduction in force shall, upon written elec-
6 tion, be given credit for days of unused annual leave
7 standing to such employee’s credit under a formal leave
8 system as of the date of separation, if and to the extent
9 necessary in order to meet the minimum age and service
10 requirements for title to an annuity under this section.

11 “(2) The Office shall prescribe any regulations which
12 may be necessary to carry out this subsection, including
13 regulations under which contributions to the Fund shall,
14 with respect to the days of leave for which credit is given
15 under this subsection, be made—

16 “(A) by the employee, equal to the employee
17 contributions which would have been required for
18 those days if separation had not occurred; and

19 “(B) by the agency from which separated, equal
20 to the Government contributions which would have
21 been required if separation had not occurred.

22 Contributions under the preceding sentence shall be deter-
23 mined based on the rate of basic pay last in effect before
24 separation.

25 “(3) Nothing in this subsection shall be considered—

1 “(A) to allow credit to be given for any leave
2 standing to the credit of the employee (other than
3 by restoration) pursuant to subchapter III or IV of
4 chapter 63 or other similar authority;

5 “(B) to permit or require the making of any
6 contributions to the Thrift Savings Fund with re-
7 spect to any period after the date of separation; or

8 “(C) to make any days of annual leave cred-
9 itable for purposes of section 8333, any determina-
10 tion of average pay, or any computation of annuity.

11 “(4)(A) The taking of a lump-sum payment under
12 section 5551 or other similar authority shall not make any
13 of the leave to which such payment relates unavailable for
14 purposes of this subsection.

15 “(B) The use of any leave for purposes of this sub-
16 section shall not reduce the amount of leave for which a
17 lump-sum payment is payable under section 5551 or other
18 similar authority.

19 “(5) This subsection shall apply with respect to sepa-
20 rations occurring on or after the date of the enactment
21 of this subsection and before July 1, 2002.”.

22 (b) FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.—
23 Section 8412 of title 5, United States Code, is amended
24 by adding at the end the following:

1 “(i)(1) An employee involuntarily separated from
2 service due to a reduction in force shall, upon written elec-
3 tion, be given credit for days of unused annual leave
4 standing to such employee’s credit under a formal leave
5 system as of the date of separation, if and to the extent
6 necessary in order to meet the minimum age and service
7 requirements for title to an annuity under this section or
8 section 8414.

9 “(2) The Office shall prescribe any regulations which
10 may be necessary to carry out this subsection, including
11 regulations under which contributions to the Fund shall,
12 with respect to the days of leave for which credit is given
13 under this subsection, be made—

14 “(A) by the employee, equal to the employee
15 contributions which would have been required for
16 those days if separation had not occurred; and

17 “(B) by the agency from which separated, equal
18 to the Government contributions which would have
19 been required if separation had not occurred.

20 Contributions under the preceding sentence shall be deter-
21 mined based on the rate of basic pay last in effect before
22 separation.

23 “(3) Nothing in this subsection shall be considered—

24 “(A) to allow credit to be given for any leave
25 standing to the credit of the employee (other than

1 by restoration) pursuant to subchapter III or IV of
2 chapter 63 or other similar authority;

3 “(B) to permit or require the making of any
4 contributions to the Thrift Savings Fund with re-
5 spect to any period after the date of separation; or

6 “(C) to make any days of annual leave cred-
7 itable for purposes of section 8410, any determina-
8 tion of average pay, or any computation of annuity.

9 “(4)(A) The taking of a lump-sum payment under
10 section 5551 or other similar authority shall not make any
11 of the leave to which such payment relates unavailable for
12 purposes of this subsection.

13 “(B) The use of any leave for purposes of this sub-
14 section shall not reduce the amount of leave for which a
15 lump-sum payment is payable under section 5551 or other
16 similar authority.

17 “(5) This subsection shall apply with respect to sepa-
18 rations occurring on or after the date of the enactment
19 of this subsection and before July 1, 2002.”.

20 SEC. 635. Section 207(e)(6)(B) of title 18, United
21 States Code, is amended by striking “level V of the Execu-
22 tive Schedule” and inserting “level 5 of the Senior Execu-
23 tive Service”.

24 SEC. 636. REIMBURSEMENTS RELATING TO PROFES-
25 SIONAL LIABILITY INSURANCE.—(a) AUTHORITY.—Not-

1 withstanding any other provision of law, amounts appro-
2 priated by this Act (or any other Act for fiscal year 1997
3 or any fiscal year thereafter) for salaries and expenses
4 may be used to reimburse any qualified employee for not
5 to exceed one-half the costs incurred by such employee for
6 professional liability insurance. A payment under this sec-
7 tion shall be contingent upon the submission of such infor-
8 mation or documentation as the employing agency may re-
9 quire.

10 (b) QUALIFIED EMPLOYEE.—For purposes of this
11 section, the term “qualified employee” means an agency
12 employee whose position is that of—

13 (1) a law enforcement officer; or

14 (2) a supervisor or management official.

15 (c) DEFINITIONS.—For purposes of this section—

16 (1) the term “agency” means an Executive
17 agency, as defined by section 105 of title 5, United
18 States Code;

19 (2) the term “law enforcement officer” means
20 an employee, the duties of whose position are pri-
21 marily the investigation, apprehension, prosecution,
22 or detention of individuals suspected or convicted of
23 offenses against the criminal laws of the United
24 States, including any law enforcement officer under
25 section 8331(20) or 8401(17) of such title 5;

1 (3) the terms “supervisor” and “management
2 official” have the respective meanings given them by
3 section 7103(a) of such title 5, and

4 (4) the term “professional liability insurance”
5 means insurance which provides coverage for—

6 (A) legal liability for damages due to inju-
7 ries to other persons, damage to their property,
8 or other damage or loss to such other persons
9 (including the expenses of litigation and settle-
10 ment) resulting from or arising out of any
11 tortious act, error, or omission of the covered
12 individual (whether common law, statutory, or
13 constitutional) while in the performance of such
14 individual’s official duties as a qualified em-
15 ployee; and

16 (B) the cost of legal representation for the
17 covered individual in connection with any ad-
18 ministrative or judicial proceeding (including
19 any investigation or disciplinary proceeding) re-
20 lating to any act, error, or omission of the cov-
21 ered individual while in the performance of such
22 individual’s official duties as a qualified em-
23 ployee, and other legal costs and fees relating
24 to any such administrative or judicial proceed-
25 ing.

1 (d) APPLICABILITY.—The amendments made by this
2 section shall take effect on the date of the enactment of
3 this Act and shall apply thereafter.

4 SEC. 637. For purposes of each provision of law
5 amended by section 704(a)(2) of the Ethics Reform Act
6 of 1989 (5 U.S.C. 5318 note), no adjustment under sec-
7 tion 5303 of title 5, United States Code, shall be consid-
8 ered to have taken effect in fiscal year 1997 in the rates
9 of basic pay for the statutory pay systems.

10 SEC. 638. (a) For purposes of this section, the term
11 “political appointee” means any individual who—

12 (1) is employed in a position listed in sections
13 5312 through 5316 of title 5, United States Code
14 (relating to the Executive Schedule);

15 (2) is a limited term appointee, limited emer-
16 gency appointee, or noncareer appointee in the Sen-
17 ior Executive Service, as defined under section
18 3132(a) (5), (6), and (7) of title 5, United States
19 Code, respectively; or

20 (3) is employed in a position in the executive
21 branch of the Government under schedule C of sub-
22 part C of part 213 of title 5 of the Code of Federal
23 Regulations.

24 (b) The President, acting through the Office of Man-
25 agement and Budget and the Office of Personnel Manage-

1 ment, shall take such actions as necessary (including re-
2 duction-in-force actions under procedures consistent with
3 those established under section 3595 of title 5, United
4 States Code) to ensure that the number of political ap-
5 pointees shall not, during any fiscal year beginning after
6 September 30, 1997, exceed a total of 2,300 (determined
7 on a full-time equivalent basis).

8 TITLE VII—SUPPLEMENTAL APPROPRIATIONS
9 AND RESCISSIONS FOR THE FISCAL YEAR
10 ENDING SEPTEMBER 30, 1996

11 BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

12 SALARIES AND EXPENSES

13 For an additional amount for “Salaries and Ex-
14 penses” to be used in connection with investigations of
15 arson at religious institutions, \$12,011,000, available
16 upon enactment of this Act and to remain available until
17 expended.

18 INTERNAL REVENUE SERVICE

19 INFORMATION SYSTEMS

20 (RESCISSION)

21 Of the funds made available under this heading for
22 Tax Systems Modernization in Public Law 104–52,
23 \$12,011,000 are rescinded.

1 TITLE VIII—ADDITIONAL GENERAL
2 PROVISIONS

3 SEC. 801. None of the funds appropriated by this Act
4 shall be available to pay any amount to, or to pay the
5 administrative expenses in connection with, any health
6 plan under the Federal employees health benefit program,
7 when it is made known to the Federal official having au-
8 thority to obligate or expend such funds that such health
9 plan operates a health care provider incentive plan that
10 does not meet the requirements of section 1876(i)(8)(A)
11 of the Social Security Act (42 U.S.C. 1395mm(i)(8)(A))
12 for physician incentive plans in contracts with eligible or-
13 ganizations under section 1876 of such Act.

14 This Act may be cited as the “Treasury, Postal Serv-
15 ice, and General Government Appropriations Act, 1997”.

 Passed the House of Representatives July 17, 1996.

Attest:

Clerk.