

Union Calendar No. 337

104TH CONGRESS
2^D SESSION

H. R. 3756

[Report No. 104-660]

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.

IN THE HOUSE OF REPRESENTATIVES

JULY 8, 1996

Mr. LIGHTFOOT, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

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

1 Treasury Department, the United States Postal Service,
2 the Executive Office of the President, and certain Inde-
3 pendent Agencies, for the fiscal year ending September 30,
4 1997, and for other purposes, namely:

5 TITLE I—DEPARTMENT OF THE TREASURY

6 DEPARTMENTAL OFFICES

7 SALARIES AND EXPENSES

8 For necessary expenses of the Departmental Offices
9 including operation and maintenance of the Treasury
10 Building and Annex; hire of passenger motor vehicles;
11 maintenance, repairs, and improvements of, and purchase
12 of commercial insurance policies for, real properties leased
13 or owned overseas, when necessary for the performance
14 of official business; not to exceed \$2,900,000 for official
15 travel expenses; not to exceed \$150,000 for official recep-
16 tion and representation expenses; not to exceed \$258,000
17 for unforeseen emergencies of a confidential nature, to be
18 allocated and expended under the direction of the Sec-
19 retary of the Treasury and to be accounted for solely on
20 his certificate; \$108,447,000: *Provided*, That up to
21 \$500,000 shall be made available to implement section
22 528 of this Act.

1 AUTOMATION ENHANCEMENT

2 INCLUDING TRANSFER OF FUNDS

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

1 OFFICE OF INSPECTOR GENERAL AND INTERNAL AUDIT
2 OF THE INTERNAL REVENUE SERVICE
3 SALARIES AND EXPENSES

4 For necessary expenses of the Office of Inspector
5 General and the internal audit functions of the Internal
6 Revenue Service, \$135,925,000; of which, \$28,689,000
7 shall be made available for the necessary expenses of the
8 Office of Inspector General in carrying out the provisions
9 of the Inspector General Act of 1978, as amended, not
10 to exceed \$2,000,000 for official travel expenses; including
11 hire of passenger motor vehicles; and not to exceed
12 \$100,000 for unforeseen emergencies of a confidential na-
13 ture, to be allocated and expended under the direction of
14 the Inspector General of the Treasury; and of which
15 \$106,606,000 shall be available for the internal audit
16 functions of the Internal Revenue Service: *Provided*, That
17 the chief of internal audit for the Internal Revenue Service
18 shall report directly to the Deputy Secretary of the Treas-
19 ury.

20 OFFICE OF PROFESSIONAL RESPONSIBILITY
21 SALARIES AND EXPENSES
22 INCLUDING TRANSFER OF FUNDS

23 For necessary expenses of the Office of Professional
24 Responsibility, including purchase and hire of passenger
25 motor vehicles, up to \$3,000,000, to be derived through
26 transfer from the United States Customs Service, salaries

1 and expenses appropriation: *Provided*, That none of the
2 funds shall be obligated without the advance approval of
3 the House and Senate Committees on Appropriations.

4 TREASURY BUILDINGS AND ANNEX REPAIR AND
5 RESTORATION
6 INCLUDING TRANSFER OF FUNDS

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

1 FINANCIAL CRIMES ENFORCEMENT NETWORK

2 SALARIES AND EXPENSES

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

23 DEPARTMENT OF THE TREASURY FORFEITURE FUND

24 For necessary expenses of the Treasury Forfeiture
25 Fund, notwithstanding any other provision of law, not to

1 exceed \$7,500,000 shall be made available for the develop-
2 ment of a Federal wireless communication system, to be
3 derived from deposits in the Fund: *Provided*, 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 VIOLENT CRIME REDUCTION PROGRAMS

11 INCLUDING TRANSFER OF FUNDS

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

15 (a) As authorized by section 190001(e), \$89,800,000,
16 of which \$15,005,000 shall be available to the United
17 States Customs Service; of which \$47,624,000 shall be
18 available to the Bureau of Alcohol, Tobacco and Firearms,
19 of which \$2,500,000 shall be available for administering
20 the Gang Resistance Education and Training program, of
21 which \$3,662,000 shall be available for ballistics tech-
22 nologies, and of which \$41,462,000 shall be available to
23 enhance training and purchase equipment and services; of
24 which \$5,971,000 shall be available to the Secretary as
25 authorized by section 732 of Public Law 104–132; of

1 which \$1,000,000 shall be available to the Financial
2 Crimes Enforcement Network; of which \$20,200,000 shall
3 be available to the United States Secret Service, of which
4 no less than \$1,000,000 shall be available for a grant for
5 activities related to the investigations of missing and ex-
6 ploited children.

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

14 TREASURY FRANCHISE FUND

15 There is hereby established in the Treasury a fran-
16 chise fund pilot, as authorized by section 403 of Public
17 Law 103–356, to be available as provided in such section
18 for expenses and equipment necessary for the maintenance
19 and operation of such financial and administrative support
20 services as the Secretary determines may be performed
21 more advantageously as central services: *Provided*, That
22 any inventories, equipment, and other assets pertaining to
23 the services to be provided by such fund, either on hand
24 or on order, less the related liabilities or unpaid obliga-
25 tions, and any appropriations made for the purpose of pro-

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

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1 gram at the Center during the previous fiscal year, which
2 shall be funded only by gifts received through the Center's
3 gift authority: *Provided further*, That notwithstanding any
4 other provision of law, students attending training at any
5 Federal Law Enforcement Training Center site shall re-
6 side in on-Center or Center-provided housing, insofar as
7 available and in accordance with Center policy: *Provided*
8 *further*, That funds appropriated in this account shall be
9 available for training United States Postal Service law en-
10 forcement personnel and Postal police officers, at the dis-
11 cretion of the Director; State and local government law
12 enforcement training on a space-available basis; training
13 of foreign law enforcement officials on a space-available
14 basis with reimbursement of actual costs to this appropria-
15 tion; training of private sector security officials on a space-
16 available basis with reimbursement of actual costs to this
17 appropriation; and travel expenses of non-Federal person-
18 nel to attend course development meetings and training
19 at the Center: *Provided further*, That the Center is author-
20 ized to obligate funds in anticipation of reimbursements
21 from agencies receiving training at the Federal Law En-
22 forcement Training Center, except that total obligations
23 at the end of the fiscal year shall not exceed total budg-
24 etary resources available at the end of the fiscal year: *Pro-*
25 *vided further*, That the Federal Law Enforcement Train-

1 ing Center is authorized to provide short term medical
2 services for students undergoing training at the Center.

3 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND
4 RELATED EXPENSES

5 For expansion of the Federal Law Enforcement
6 Training Center, for acquisition of necessary additional
7 real property and facilities, and for ongoing maintenance,
8 facility improvements, and related expenses, \$18,884,000,
9 to remain available until expended.

10 FINANCIAL MANAGEMENT SERVICE

11 SALARIES AND EXPENSES

12 For necessary expenses of the Financial Management
13 Service, \$191,799,000, of which not to exceed
14 \$14,277,000 shall remain available until expended for sys-
15 tems modernization initiatives. In addition, \$90,000, to be
16 derived from the Oil Spill Liability Trust Fund, to reim-
17 burse the Service for administrative and personnel ex-
18 penses for financial management of the Fund, as author-
19 ized by section 1012 of Public Law 101–380: *Provided*,
20 That none of the funds made available for systems mod-
21 ernization initiatives may not be obligated until the Com-
22 missioner of the Financial Management Service has sub-
23 mitted, and the Committees on Appropriations of the
24 House and Senate have approved, a report that identifies,
25 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 BUREAU OF ALCOHOL, TOBACCO AND FIREARMS
6 SALARIES AND EXPENSES

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

1 with priority assigned to any arson involving religious in-
2 stitutions; which not to exceed \$1,000,000 shall be avail-
3 able for the payment of attorneys' fees as provided by 18
4 U.S.C. 924(d)(2); and of which \$1,000,000 shall be avail-
5 able for the equipping of any vessel, vehicle, equipment,
6 or aircraft available for official use by a State or local law
7 enforcement agency if the conveyance will be used in drug-
8 related joint law enforcement operations with the Bureau
9 of Alcohol, Tobacco and Firearms and for the payment
10 of overtime salaries, travel, fuel, training, equipment, and
11 other similar costs of State and local law enforcement offi-
12 cers that are incurred in joint operations with the Bureau
13 of Alcohol, Tobacco and Firearms: *Provided*, That no
14 funds made available by this or any other Act may be used
15 to transfer the functions, missions, or activities of the Bu-
16 reau of Alcohol, Tobacco and Firearms to other agencies
17 or Departments in the fiscal year ending on September
18 30, 1997: *Provided further*, That no funds appropriated
19 herein shall be available for salaries or administrative ex-
20 penses in connection with consolidating or centralizing,
21 within the Department of the Treasury, the records, or
22 any portion thereof, of acquisition and disposition of fire-
23 arms maintained by Federal firearms licensees: *Provided*
24 *further*, That no funds appropriated herein shall be used
25 to pay administrative expenses or the compensation of any

1 officer or employee of the United States to implement an
2 amendment or amendments to 27 CFR 178.118 or to
3 change the definition of “Curios or relics” in 27 CFR
4 178.11 or remove any item from ATF Publication
5 5300.11 as it existed on January 1, 1994: *Provided fur-*
6 *ther*, That none of the funds appropriated herein shall be
7 available to investigate or act upon applications for relief
8 from Federal firearms disabilities under 18 U.S.C. 925(c)
9 and the inability of the Bureau of Alcohol, Tobacco and
10 Firearms to process or act upon such applications for fel-
11 ons convicted of a violent crime, firearms violations, or
12 drug-related crimes shall not be subject to judicial review:
13 *Provided further*, That such funds shall be available to in-
14 vestigate and act upon applications filed by corporations
15 for relief from Federal firearms disabilities under 18
16 U.S.C. 925(c): *Provided further*, That no funds in this Act
17 may be used to provide ballistics imaging equipment to
18 State or local authorities who have obtained similar equip-
19 ment through a Federal grant or subsidy: *Provided fur-*
20 *ther*, That, notwithstanding any other provision of law, all
21 aircraft owned and operated by the Bureau of Alcohol, To-
22 bacco and Firearms shall be transferred to the United
23 States Customs Service: *Provided further*, That no funds
24 under this heading shall be available to conduct a reduc-
25 tion in force: *Provided further*, That no funds available for

1 separation incentive payments as authorized by section
2 525 of this Act may be obligated without the advance ap-
3 proval of the House and Senate Committees on Appropria-
4 tions: *Provided further*, That no funds under this Act may
5 be used to electronically retrieve information gathered pur-
6 suant to 18 U.S.C. 923(g)(4) by name or any personal
7 identification code.

8 UNITED STATES CUSTOMS SERVICE

9 SALARIES AND EXPENSES

10 INCLUDING TRANSFER OF FUNDS

11 For necessary expenses of the United States Customs
12 Service, including purchase of up to 1,000 motor vehicles
13 of which 960 are for replacement only, including 990 for
14 police-type use and commercial operations; hire of motor
15 vehicles; contracting with individuals for personal services
16 abroad; not to exceed \$20,000 for official reception and
17 representation expenses; and awards of compensation to
18 informers, as authorized by any Act enforced by the
19 United States Customs Service; \$1,489,224,000; of which
20 \$65,000,000 shall be available until expended for Oper-
21 ation Hardline; of which \$28,000,000 shall be available
22 until expended for expenses associated with Operation
23 Gateway; of which up to \$3,000,000 shall be available for
24 transfer to the Office of Professional Responsibility; and
25 of which such sums as become available in the Customs
26 User Fee Account, except sums subject to section

1 13031(f)(3) of the Consolidated Omnibus Reconciliation
2 Act of 1985, as amended (19 U.S.C. 58c(f)(3)), shall be
3 derived from that Account; of the total, not to exceed
4 \$150,000 shall be available for payment for rental space
5 in connection with preclearance operations, and not to ex-
6 ceed \$4,000,000 shall be available until expended for re-
7 search and not to exceed \$1,000,000 shall be available
8 until expended for conducting special operations pursuant
9 to 19 U.S.C. 2081 and up to \$6,000,000 shall be available
10 until expended for the procurement of automation infra-
11 structure items, including hardware, software, and instal-
12 lation: *Provided*, That uniforms may be purchased without
13 regard to the general purchase price limitation for the cur-
14 rent fiscal year: *Provided further*, That the United States
15 Custom Service shall implement the General Aviation Tel-
16 ephonic Entry program within 30 days of enactment of
17 this Act: *Provided further*, That no funds under this head-
18 ing shall be available to conduct a reduction in force: *Pro-*
19 *vided further*, That no funds available for separation in-
20 centive payments as authorized by section 525 of this Act
21 may be obligated without the advance approval of the
22 House and Senate Committees on Appropriations: *Pro-*
23 *vided further*, That the Spirit of St. Louis Airport in St.
24 Louis County, Missouri, shall be designated a port of
25 entry: *Provided further*, that no funds under this Act may

1 be used to provide less than 30 days public notice for any
2 change in apparel regulations.

3 OPERATION AND MAINTENANCE, AIR AND MARINE

4 INTERDICTION PROGRAMS

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

1 out the prior approval of the House and Senate Commit-
2 tees on Appropriations.

3 AIR INTERDICTION PROCUREMENT

4 For the purchase and restoration of aircraft, marine
5 vessels and air surveillance equipment for the Customs air
6 and marine interdiction programs, \$28,000,000: *Provided*,
7 That such resources shall not be available until September
8 30, 1997, and shall remain available until expended.

9 CUSTOMS SERVICES AT SMALL AIRPORTS

10 (TO BE DERIVED FROM FEES COLLECTED)

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

21 HARBOR MAINTENANCE FEE COLLECTION

22 For administrative expenses related to the collection
23 of the Harbor Maintenance Fee, pursuant to Public Law
24 103–182, \$3,000,000, to be derived from the Harbor
25 Maintenance Trust Fund and to be transferred to and

1 merged with the Customs “Salaries and Expenses” ac-
2 count for such purposes.

3 BUREAU OF THE PUBLIC DEBT

4 ADMINISTERING THE PUBLIC DEBT

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

13 INTERNAL REVENUE SERVICE

14 PROCESSING, ASSISTANCE, AND MANAGEMENT

15 For necessary expenses of the Internal Revenue Serv-
16 ice, not otherwise provided for; including processing tax
17 returns; revenue accounting; providing assistance to tax-
18 payers, management services, and inspection; including
19 purchase (not to exceed 150 for replacement only for po-
20 lice-type use) and hire of passenger motor vehicles (31
21 U.S.C. 1343(b)); and services as authorized by 5 U.S.C.
22 3109, at such rates as may be determined by the Commis-
23 sioner; \$1,616,379,000, of which up to \$3,700,000 shall
24 be for the Tax Counseling for the Elderly Program, and

1 of which not to exceed \$25,000 shall be for official recep-
2 tion and representation expenses.

3 TAX LAW ENFORCEMENT

4 For necessary expenses of the Internal Revenue Serv-
5 ice for determining and establishing tax liabilities; tax and
6 enforcement litigation; technical rulings; examining em-
7 ployee plans and exempt organizations; investigation and
8 enforcement activities; securing unfiled tax returns; col-
9 lecting unpaid accounts; statistics of income and compli-
10 ance research; the purchase (for police-type use, not to
11 exceed 850), and hire of passenger motor vehicles (31
12 U.S.C. 1343(b)); and services as authorized by 5 U.S.C.
13 3109, at such rates as may be determined by the Commis-
14 sioner; \$4,052,586,000.

15 INFORMATION SYSTEMS

16 INCLUDING TRANSFER OF FUNDS

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

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

5 SALARIES AND EXPENSES

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

1 *vided*, That approval is obtained in advance from the
2 House and Senate Committees on Appropriations; for re-
3 pairs, alterations, and minor construction at the James
4 J. Rowley Secret Service Training Center; for research
5 and development; for making grants to conduct behavioral
6 research in support of protective research and operations;
7 not to exceed \$20,000 for official reception and represen-
8 tation expenses; not to exceed \$50,000 to provide technical
9 assistance and equipment to foreign law enforcement orga-
10 nizations in counterfeit investigations; for payment in ad-
11 vance for commercial accommodations as may be nec-
12 essary to perform protective functions; and for uniforms
13 without regard to the general purchase price limitation for
14 the current fiscal year: *Provided further*, That 3 U.S.C.
15 203(a) is amended by deleting “but not exceeding twelve
16 hundred in number”; \$528,368,000, of which \$1,200,000
17 shall be available as a grant for activities related to the
18 investigations of missing and exploited children: *Provided*
19 *further*, That resources made available as a grant for ac-
20 tivities related to the investigations of missing and ex-
21 ploited children shall not be available until September 30,
22 1997, and shall remain available until expended.

23 ACQUISITION, CONSTRUCTION, IMPROVEMENT, AND
24 RELATED EXPENSES

25 For necessary expenses of construction, repair, alter-
26 ation, and improvement of facilities, \$31,298,000, to re-

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

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pendents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

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

SEC. 114. The Internal Revenue Service shall institute policies and procedures which will safeguard the confidentiality of taxpayer information.

SEC. 115. The funds provided to the Bureau of Alcohol Tobacco and Firearms for fiscal year 1997 in this Act for the enforcement of the Federal Alcohol Administration Act shall be expended in a manner so as not to diminish enforcement efforts with respect to section 105 of the Federal Alcohol Administration Act.

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

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

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

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

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

20 PRIORITY PLACEMENT, JOB PLACEMENT, RETRAINING,
21 AND COUNSELING PROGRAMS FOR U.S. TREASURY
22 DEPARTMENT EMPLOYEES AFFECTED BY A REDUC-
23 TION IN FORCE

24 SEC. 118. (a) DEFINITIONS.—

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

4 (2) For the purposes of this section, the term
5 “eligible employee” means any employee of the agen-
6 cy who—

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

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

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

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

15 (i) an employee separated from service
16 for cause on charges of misconduct or de-
17 linquency; or

18 (ii) an employee who, at the time of
19 separation, meets the age and service re-
20 quirements for an immediate annuity
21 under subchapter III of chapter 83 or
22 chapter 84 of title 5, United States Code.

23 (b) PRIORITY PLACEMENT PROGRAM.—Not later
24 than 30 days after the date of the enactment of this Act,

1 the U.S. Department of the Treasury shall establish a pri-
2 ority placement program for eligible employees.

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

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

13 (2) the position is within the same commuting
14 area as the eligible employee's last-held position or
15 residence.

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

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

23 (A) career and personal counseling;

24 (B) training and job search skills; and

1 (C) job placement assistance, including as-
 2 sistence provided through cooperative arrange-
 3 ments with State and local employment services
 4 offices.

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

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

15 TITLE II—POSTAL SERVICE

16 PAYMENTS TO THE POSTAL SERVICE

17 PAYMENT TO THE POSTAL SERVICE FUND

18 For payment to the Postal Service Fund for revenue
 19 forgone on free and reduced rate mail, pursuant to sub-
 20 sections (c) and (d) of section 2401 of title 39, United
 21 States Code, \$85,080,000: *Provided*, That mail for over-
 22 seas voting and mail for the blind shall continue to be free:
 23 *Provided further*, That 6-day delivery and rural delivery
 24 of mail shall continue at not less than the 1983 level: *Pro-*
 25 *vided further*, That none of the funds made available to

1 the Postal Service by this Act shall be used to implement
 2 any rule, regulation, or policy of charging any officer or
 3 employee of any State or local child support enforcement
 4 agency, or any individual participating in a State or local
 5 program of child support enforcement, a fee for informa-
 6 tion requested or provided concerning an address of a
 7 postal customer: *Provided further*, That none of the funds
 8 provided in this Act shall be used to consolidate or close
 9 small rural and other small post offices in the fiscal year
 10 ending on September 30, 1997.

11 TITLE III—EXECUTIVE OFFICE OF THE
 12 PRESIDENT AND FUNDS APPROPRIATED TO
 13 THE PRESIDENT

14 COMPENSATION OF THE PRESIDENT AND

15 THE WHITE HOUSE OFFICE

16 COMPENSATION OF THE PRESIDENT

17 For compensation of the President, including an ex-
 18 pense allowance at the rate of \$50,000 per annum as au-
 19 thorized by 3 U.S.C. 102, \$250,000: *Provided*, That none
 20 of the funds made available for official expenses shall be
 21 expended for any other purpose and any unused amount
 22 shall revert to the Treasury pursuant to section 1552 of
 23 title 31, United States Code: *Provided further*, That none
 24 of the funds made available for official expenses shall be
 25 considered as taxable to the President.

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed \$3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; including subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed \$100,000 to be expended and accounted for as provided by 3 U.S.C. 103); not to exceed \$19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President; \$40,193,000: *Provided*, That \$420,000 of the funds appropriated may not be obligated until the Director of the Office of Administration has submitted, and the Committees on Appropriations of the House and Senate have approved, a report that identifies, evaluates, and prioritizes all computer systems investments planned for fiscal year 1997, a milestone schedule for the development and implementation of all projects included in the systems investment plan, and a systems architecture plan.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, re-furnishing, improvement, heating and lighting, including

1 electric power and fixtures, of the Executive Residence at
2 the White House and official entertainment expenses of
3 the President, \$7,827,000, to be expended and accounted
4 for as provided by 3 U.S.C. 105, 109–110, 112–114.

5 SPECIAL ASSISTANCE TO THE PRESIDENT AND THE
6 OFFICIAL RESIDENCE OF THE VICE PRESIDENT
7 SALARIES AND EXPENSES

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

2 For the care, operation, refurnishing, improvement,
3 heating and lighting, including electric power and fixtures,
4 of the official residence of the Vice President, the hire of
5 passenger motor vehicles, and not to exceed \$90,000 for
6 official entertainment expenses of the Vice President, to
7 be accounted for solely on his certificate; \$324,000: *Pro-*
8 *vided*, That advances or repayments or transfers from this
9 appropriation may be made to any department or agency
10 for expenses of carrying out such activities: *Provided fur-*
11 *ther*, That \$8,000 of the funds appropriated may not be
12 obligated until the Director of the Office of Administration
13 has submitted for approval to the Committees on Appro-
14 priations of the House and Senate 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 COUNCIL OF ECONOMIC ADVISERS

21 SALARIES AND EXPENSES

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

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109, and 3 U.S.C. 107; \$3,867,000: *Provided*, That \$45,000 of the funds appropriated may not be obligated until the Director of the Office of Administration has submitted, and the Committees on Appropriations of the House and Senate have approved, a report that identifies, evaluates, and prioritizes all computer systems investments planned for fiscal year 1997, a milestone schedule for the development and implementation of all projects included in the systems investment plan, and a systems architecture plan.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, \$6,648,000: *Provided*, That \$3,000 of the funds appropriated may not be obligated until the Director of the Office of Administration has submitted, and the Committees on Appropriations of the House and Senate have approved, a report that identifies, evaluates, and prioritizes all computer systems investments planned for fiscal year 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 OFFICE OF ADMINISTRATION

4 SALARIES AND EXPENSES

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

17 OFFICE OF MANAGEMENT AND BUDGET

18 SALARIES AND EXPENSES

19 For necessary expenses of the Office of Management
20 and Budget, including hire of passenger motor vehicles,
21 services as authorized by 5 U.S.C. 3109, \$55,573,000, of
22 which not to exceed \$5,000,000 shall be available to carry
23 out the provisions of 44 U.S.C. chapter 35: *Provided*,
24 That, as provided in 31 U.S.C. 1301(a), appropriations
25 shall be applied only to the objects for which appropria-

1 tions were made except as otherwise provided by law: *Pro-*
 2 *vided further*, That none of the funds appropriated in this
 3 Act for the Office of Management and Budget may be
 4 used for the purpose of reviewing any agricultural market-
 5 ing orders or any activities or regulations under the provi-
 6 sions of the Agricultural Marketing Agreement Act of
 7 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none
 8 of the funds made available for the Office of Management
 9 and Budget by this Act may be expended for the altering
 10 of the transcript of actual testimony of witnesses, except
 11 for testimony of officials of the Office of Management and
 12 Budget, before the House and Senate Committees on Ap-
 13 propriations or the House and Senate Committees on Vet-
 14 erans' Affairs or their subcommittees: *Provided further*,
 15 That this proviso shall not apply to printed hearings re-
 16 leased by the House and Senate Committees on Appro-
 17 priations or the House and Senate Committees on Veter-
 18 ans' Affairs.

19 OFFICE OF NATIONAL DRUG CONTROL POLICY

20 SALARIES AND EXPENSES

21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses of the Office of National
 23 Drug Control Policy; for research activities pursuant to
 24 title I of Public Law 100–690; not to exceed \$8,000 for
 25 official reception and representation expenses; and for par-

1 participation in joint projects or in the provision of services
2 on matters of mutual interest with nonprofit, research, or
3 public organizations or agencies, with or without reim-
4 bursement; \$34,838,000, of which \$18,000,000 shall re-
5 main available until expended, consisting of \$1,000,000
6 for policy research and evaluation and \$17,000,000 for the
7 Counter-Drug Technology Assessment Center for
8 counternarcotics research and development projects, and
9 of which \$1,268,000 shall be obligated for drug prevention
10 public service announcements, and of which \$1,000,000
11 shall be obligated for State conferences on model State
12 drug laws: *Provided*, That the \$17,000,000 for the
13 Counter-Drug Technology Assessment Center shall be
14 available for transfer to other Federal departments or
15 agencies: *Provided further*, That the Office is authorized
16 to accept, hold, administer, and utilize gifts, both real and
17 personal, for the purpose of aiding or facilitating the work
18 of the Office: *Provided further*, That the Secretary of the
19 Treasury is authorized to receive all unavailable collections
20 transferred from the Special Forfeiture Fund established
21 by section 6073 of the Anti-Drug Abuse Act of 1988 (21
22 U.S.C. 1509) by the Director of the Office of Drug Con-
23 trol Policy as a deposit into the Treasury Forfeiture Fund
24 (31 U.S.C. 9703(a)).

1 FEDERAL DRUG CONTROL PROGRAMS

2 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses of the Office of National
5 Drug Control Policy's High Intensity Drug Trafficking
6 Areas Program, \$113,000,000 for drug control activities
7 consistent with the approved strategy for each of the des-
8 ignated High Intensity Drug Trafficking Areas, of which
9 \$3,000,000 shall be used for a newly designated High In-
10 tensity Drug Trafficking Area in Lake County, Indiana;
11 of which \$2,000,000 shall be used for a newly designated
12 High Intensity Drug Trafficking Area for the Gulf Coast
13 States of Louisiana, Alabama, and Mississippi; of which
14 \$5,000,000 shall be used for a newly designated High In-
15 tensity Drug Trafficking Area dedicated to combating
16 methamphetamine use, production and trafficking in a five
17 State area including Iowa, Missouri, Nebraska, South Da-
18 kota, and Kansas; of which no less than \$59,000,000 shall
19 be transferred to State and local entities for drug control
20 activities; and of which up to \$54,000,000 may be trans-
21 ferred to Federal agencies and departments at a rate to
22 be determined by the Director: *Provided*, That the funds
23 made available under this head shall be obligated within
24 90 days of the date of enactment of this Act.

25 This title may be cited as the "Executive Office Ap-
26 propriations Act, 1997".

1 TITLE IV—INDEPENDENT AGENCIES

2 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE

3 BLIND OR SEVERELY DISABLED

4 SALARIES AND EXPENSES

5 For necessary expenses of the Committee for Pur-
6 chase From People Who Are Blind or Severely Disabled
7 established by the Act of June 23, 1971, Public Law 92-
8 28; \$1,800,000.

9 FEDERAL ELECTION COMMISSION

10 SALARIES AND EXPENSES

11 For necessary expenses to carry out the provisions
12 of the Federal Election Campaign Act of 1971, as amend-
13 ed, \$27,524,000, of which no less than \$2,500,000 shall
14 be available for internal automated data processing sys-
15 tems, and of which not to exceed \$5,000 shall be available
16 for reception and representation expenses.

17 FEDERAL LABOR RELATIONS AUTHORITY

18 SALARIES AND EXPENSES

19 For necessary expenses to carry out functions of the
20 Federal Labor Relations Authority, pursuant to Reorga-
21 nization Plan Numbered 2 of 1978, and the Civil Service
22 Reform Act of 1978, including services as authorized by
23 5 U.S.C. 3109, including hire of experts and consultants,
24 hire of passenger motor vehicles, rental of conference
25 rooms in the District of Columbia and elsewhere;

1 \$21,588,000: *Provided*, That public members of the Fed-
2 eral Service Impasses Panel may be paid travel expenses
3 and per diem in lieu of subsistence as authorized by law
4 (5 U.S.C. 5703) for persons employed intermittently in
5 the Government service, and compensation as authorized
6 by 5 U.S.C. 3109: *Provided further*, That notwithstanding
7 31 U.S.C. 3302, funds received from fees charged to non-
8 Federal participants at labor-management relations con-
9 ferences shall be credited to and merged with this account,
10 to be available without further appropriation for the costs
11 of carrying out these conferences.

12 GENERAL SERVICES ADMINISTRATION

13 FEDERAL BUILDINGS FUND

14 LIMITATIONS ON AVAILABILITY OF REVENUE

15 For additional expenses necessary to carry out the
16 purpose of the Fund established pursuant to section
17 210(f) of the Federal Property and Administrative Serv-
18 ices Act of 1949, as amended (40 U.S.C. 490(f)),
19 \$209,193,000, to be deposited into said Fund. The reve-
20 nues and collections deposited into the Fund shall be avail-
21 able for necessary expenses of real property management
22 and related activities not otherwise provided for, including
23 operation, maintenance, and protection of Federally owned
24 and leased buildings; rental of buildings in the District
25 of Columbia; restoration of leased premises; moving gov-

1 ernmental agencies (including space adjustments and tele-
2 communications relocation expenses) in connection with
3 the assignment, allocation and transfer of space; contrac-
4 tual services incident to cleaning or servicing buildings,
5 and moving; repair and alteration of federally owned build-
6 ings including grounds, approaches and appurtenances;
7 care and safeguarding of sites; maintenance, preservation,
8 demolition, and equipment; acquisition of buildings and
9 sites by purchase, condemnation, or as otherwise author-
10 ized by law; acquisition of options to purchase buildings
11 and sites; conversion and extension of Federally owned
12 buildings; preliminary planning and design of projects by
13 contract or otherwise; construction of new buildings (in-
14 cluding equipment for such buildings); and payment of
15 principal, interest, taxes, and any other obligations for
16 public buildings acquired by installment purchase and pur-
17 chase contract, in the aggregate amount of
18 \$5,364,392,000, of which (1) not to exceed \$540,000,000
19 shall remain available until expended for construction of
20 additional projects at locations as follows: Fresno, Califor-
21 nia, Federal Building and U.S. Courthouse; Denver, Colo-
22 rado, U.S. Courthouse; District of Columbia, U.S. Court-
23 house Annex; Miami, Florida, U.S. Courthouse; Orlando,
24 Florida, U.S. Courthouse; Covington, Kentucky, U.S.
25 Courthouse; London, Kentucky, U.S. Courthouse; Babb,

1 Montana, Piegan Border Station; Sweetgrass, Montana,
2 Border Station; Las Vegas, Nevada, U.S. Courthouse;
3 Brooklyn, New York, U.S. Courthouse; Cleveland, Ohio,
4 U.S. Courthouse; Youngstown, Ohio, U.S. Courthouse;
5 Portland, Oregon, Consolidated Law Enforcement Federal
6 Office Building; Erie, Pennsylvania, U.S. Courthouse;
7 Philadelphia, Pennsylvania, Department of Veterans Af-
8 fairs—Federal Complex, phase II; Columbia, South Caro-
9 lina, U.S. Courthouse; Corpus Christi, Texas, U.S. Court-
10 house; Salt Lake City, Utah, Moss Courthouse Annex and
11 Alteration; Blaine, Washington, U.S. Border Station;
12 Oroville, Washington, U.S. Border Station; Seattle, Wash-
13 ington, U.S. Courthouse; and, Sumas, Washington, U.S.
14 Border Station, (Claim): *Provided*, That the total cost of
15 the immediately foregoing United States Courthouse or
16 United States Courthouse annex construction projects
17 shall be reduced by no less than 10 percent from the pro-
18 spectus level estimate by improving design efficiencies,
19 curtailing planned interior finishes requiring more effi-
20 cient use of courtroom and library space, and by otherwise
21 limiting space requirements: *Provided further*, That each
22 of the immediately foregoing construction projects may
23 not exceed the original authorized level for site acquisition,
24 design, or construction, unless advanced approval is ob-
25 tained from the House and Senate Committees on Appro-

1 priations: *Provided further*, That from funds available in
2 the Federal Buildings Fund, \$20,000,000 shall be avail-
3 able until expended for environmental clean up activities
4 at the Southeast Federal Center in the District of Colum-
5 bia: *Provided further*, That all funds for direct construc-
6 tion projects shall expire on September 30, 1999, and re-
7 main in the Federal Buildings Fund except funds for
8 projects as to which funds for design or other funds have
9 been obligated in whole or in part prior to such date: *Pro-*
10 *vided further*, That claims against the Government of less
11 than \$250,000 arising from direct construction projects,
12 acquisitions of buildings and purchase contract projects
13 pursuant to Public Law 92–313, be liquidated with prior
14 notification to the Committees on Appropriations of the
15 House and Senate to the extent savings are effected in
16 other such projects; (2) not to exceed \$635,000,000 shall
17 remain available until expended, for repairs and alter-
18 ations which includes associated design and construction
19 services, as follows: District of Columbia, Ariel Rios Build-
20 ing; District of Columbia, Department of Justice Building
21 (Main), phase, 1; District of Columbia, Lafayette Build-
22 ing; District of Columbia, State Department Building;
23 Honolulu, Hawaii, Prince Jonah Kuhio Kalanianaʻole Fed-
24 eral Building and U.S. Courthouse; Chicago, Illinois, Ev-
25 ertt M. Dirksen Federal Building; Chicago, Illinois, John

1 C. Kluczynski, Jr. Federal Building (IRS); Andover, Mas-
2 sachusetts, IRS Regional Service Center; Concord, New
3 Hampshire, J.C. Cleveland Federal Building; Camden,
4 New Jersey, U.S. Post Office-Courthouse; Albany, New
5 York, James T. Foley Post Office-Courthouse;
6 Brookhaven, New York, IRS Service Center; New York,
7 New York, Jacob K. Javits Federal Building; Scranton,
8 Pennsylvania, Federal Building-U.S. Courthouse; Provi-
9 dence, Rhode Island, Federal Building-U.S. Courthouse;
10 Fort Worth, Texas, Federal Center; Nationwide repairs
11 and alterations: Security Upgrades; Chlorofluorocarbons
12 Program; Elevator Program; and, Energy Program: *Pro-*
13 *vided further*, That additional projects for which
14 prospectuses have been fully approved may be funded
15 under this category only if advance approval is obtained
16 from the Committees on Appropriations of the House and
17 Senate: *Provided further*, That the amounts provided in
18 this or any prior Act for Repairs and Alterations may be
19 used to fund costs associated with implementing security
20 improvements to buildings necessary to meet the minimum
21 standards for security in accordance with current law and
22 in compliance with the reprogramming guidelines of the
23 appropriate Committees of the House and Senate: *Pro-*
24 *vided further*, That funds in the Federal Buildings Fund
25 for Repairs and Alterations shall, for prospectus projects,

1 be limited to the originally authorized amount, except each
2 project may be increased by an amount not to exceed 10
3 percent when advance approval is obtained from the Com-
4 mittees on Appropriations of the House and Senate of a
5 greater amount: *Provided further*, That the difference be-
6 tween the funds appropriated and expended on any
7 projects in this or any prior Act, under the heading “Re-
8 pairs and Alterations”, may be transferred to Basic Re-
9 pairs and Alterations or used to fund authorized increases
10 in prospectus projects: *Provided further*, That such sums
11 as may be necessary shall be made available for ongoing
12 renovation and consolidation efforts at the National Vet-
13 erinary Services Laboratory and a biocontainment facility
14 at the National Animal Disease Center, as directed in
15 Public Law 104–52: *Provided further*, That all funds for
16 repairs and alterations prospectus projects shall expire on
17 September 30, 1999, and remain in the Federal Buildings
18 Fund except funds for projects as to which funds for de-
19 sign or other funds have been obligated in whole or in part
20 prior to such date: *Provided further*, That the amount pro-
21 vided in this or any prior Act for Basic Repairs and Alter-
22 ations may be used to pay claims against the Government
23 arising from any projects under the heading “Repairs and
24 Alterations” or used to fund authorized increases in pro-
25 spectus projects: *Provided further*, That \$5,700,000 of the

1 funds provided under this heading in Public Law 103–
2 329, for the IRS Service Center, Holtsville, New York,
3 shall be available until September 30, 1998; (3) not to
4 exceed \$173,075,000 for installment acquisition payments
5 including payments on purchase contracts which shall re-
6 main available until expended; (4) not to exceed
7 \$3,903,205,000, to remain available until expended, for
8 building operations, leasing activities, and rental of space,
9 of which up to \$205,000,000 shall be available for security
10 enhancements; and (5) not to exceed \$4,800,000 for the
11 development and acquisition of automatic data processing
12 equipment, software, and services for the Public Buildings
13 Service which shall remain available until September 30,
14 1999 for transfer to accounts and in amounts as necessary
15 to satisfy the requirements of the Public Buildings Service:
16 *Provided further*, That funds available to the General Serv-
17 ices Administration shall not be available for expenses in
18 connection with any construction, repair, alteration, and
19 acquisition project for which a prospectus, if required by
20 the Public Buildings Act of 1959, as amended, has not
21 been approved, except that necessary funds may be ex-
22 pended for each project for required expenses in connec-
23 tion with the development of a proposed prospectus: *Pro-*
24 *vided further*, That the Administrator is authorized in fis-
25 cal year 1997 and thereafter, to enter into and perform

1 such leases, contracts, or other transactions with any
2 agency or instrumentality of the United States, the several
3 States, or the District of Columbia, or with any person,
4 firm, association, or corporation, as may be necessary to
5 implement the trade center plan at the Federal Triangle
6 Project and is hereby granted all the rights and authori-
7 ties of the former Pennsylvania Avenue Development Cor-
8 poration (PADC) with regards to property transferred
9 from PADC to the General Services Administration in fis-
10 cal year 1996: *Provided further*, That for the purposes of
11 this authorization, buildings constructed pursuant to the
12 purchase contract authority of the Public Buildings
13 Amendments of 1972 (40 U.S.C. 602a), buildings occu-
14 pied pursuant to installment purchase contracts, and
15 buildings under the control of another department or
16 agency where alterations of such buildings are required
17 in connection with the moving of such other department
18 or agency from buildings then, or thereafter to be, under
19 the control of the General Services Administration shall
20 be considered to be federally owned buildings: *Provided*
21 *further*, That funds available in the Federal Buildings
22 Fund may be expended for emergency repairs when ad-
23 vance approval is obtained from the Committees on Appro-
24 priations of the House and Senate: *Provided further*, That
25 amounts necessary to provide reimbursable special services

1 to other agencies under section 210(f)(6) of the Federal
2 Property and Administrative Services Act of 1949, as
3 amended (40 U.S.C. 490(f)(6)) and amounts to provide
4 such reimbursable fencing, lighting, guard booths, and
5 other facilities on private or other property not in Govern-
6 ment ownership or control as may be appropriate to enable
7 the United States Secret Service to perform its protective
8 functions pursuant to 18 U.S.C. 3056, as amended, shall
9 be available from such revenues and collections: *Provided*
10 *further*, That revenues and collections and any other sums
11 accruing to this Fund during fiscal year 1997, excluding
12 reimbursements under section 210(f)(6) of the Federal
13 Property and Administrative Services Act of 1949 (40
14 U.S.C. 490(f)(6)) in excess of \$5,364,392,000 shall re-
15 main in the Fund and shall not be available for expendi-
16 ture except as authorized in appropriations Acts.

17 POLICY AND OPERATIONS

18 For expenses authorized by law, not otherwise pro-
19 vided for, for Government-wide policy and oversight activi-
20 ties associated with asset management activities; utiliza-
21 tion and donation of surplus personal property; transpor-
22 tation management activities; procurement and supply
23 management activities; Government-wide and internal re-
24 sponsibilities relating to automated data management,
25 telecommunications, information resources management,
26 and related technology activities; utilization survey, deed

1 compliance inspection, appraisal, environmental and cul-
 2 tural analysis, and land use planning functions pertaining
 3 to excess and surplus real property; agency-wide policy di-
 4 rection; Board of Contract Appeals; accounting, records
 5 management, and other support services incident to adju-
 6 dication of Indian Tribal Claims by the United States
 7 Court of Federal Claims; services as authorized by 5
 8 U.S.C. 3109; and not to exceed \$5,000 for official recep-
 9 tion and representation expenses; \$109,091,000.

10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector
 12 General and services authorized by 5 U.S.C. 3109,
 13 \$33,274,000: *Provided*, That not to exceed \$5,000 shall
 14 be available for payment for information and detection of
 15 fraud against the Government, including payment for re-
 16 covery of stolen Government property: *Provided further*,
 17 That not to exceed \$2,500 shall be available for awards
 18 to employees of other Federal agencies and private citizens
 19 in recognition of efforts and initiatives resulting in en-
 20 hanced Office of Inspector General effectiveness.

21 ALLOWANCES AND OFFICE STAFF FOR FORMER

22 PRESIDENTS

23 For carrying out the provisions of the Act of August
 24 25, 1958, as amended (3 U.S.C. 102 note), and Public
 25 Law 95-138, \$2,180,000: *Provided*, That the Adminis-

1 trator of General Services shall transfer to the Secretary
2 of the Treasury such sums as may be necessary to carry
3 out the provisions of such Acts.

4 EXPENSES, PRESIDENTIAL TRANSITION

5 For expenses necessary to carry out the Presidential
6 Transition Act of 1963, as amended (3 U.S.C. 102 note),
7 \$5,600,000.

8 GENERAL PROVISIONS—GENERAL SERVICES

9 ADMINISTRATION

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

16 SEC. 402. Funds available to the General Services
17 Administration shall be available for the hire of passenger
18 motor vehicles.

19 SEC. 403. Funds in the Federal Buildings Fund
20 made available for fiscal year 1997 for Federal Buildings
21 Fund activities may be transferred between such activities
22 only to the extent necessary to meet program require-
23 ments: *Provided*, That any proposed transfers shall be ap-
24 proved in advance by the Committees on Appropriations
25 of the House and Senate.

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

4 SEC. 405. No funds made available by this Act shall
5 be used to transmit a fiscal year 1998 request for United
6 States Courthouse construction that does not meet the de-
7 sign guide standards for construction as established by the
8 General Services Administration, the Judicial Conference
9 of the United States, and the Office of Management and
10 Budget and does not reflect the priorities of the Judicial
11 Conference of the United States as set out in its approved
12 5-year construction plan: *Provided*, That the request must
13 be accompanied by a standardized courtroom utilization
14 study of each facility to be replaced or expanded.

15 SEC. 406. (a) Section 210 of the Federal Property
16 and Administrative Services Act of 1949 (40 U.S.C. 490)
17 is amended by adding at the end the following new sub-
18 section:

19 “(1)(1) The Administrator may establish, acquire
20 space for, and equip flexiplace work telecommuting centers
21 (in this subsection referred to as ‘telecommuting centers’)
22 for use by employees of Federal agencies, State and local
23 governments, and the private sector in accordance with
24 this subsection.

1 “(2) The Administrator may make any telecommut-
2 ing center available for use by individuals who are not
3 Federal employees to the extent the center is not being
4 fully utilized by Federal employees. The Administrator
5 shall give Federal employees priority in using the tele-
6 commuting centers.

7 “(3)(A) The Administrator shall charge user fees for
8 the use of any telecommuting center. The amount of the
9 user fee shall approximate commercial charges for com-
10 parable space and services except that in no instance shall
11 such fee be less than that necessary to pay the cost of
12 establishing and operating the center, including the rea-
13 sonable cost of renovation and replacement of furniture,
14 fixtures, and equipment.

15 “(B) Amounts received by the Administrator after
16 September 30, 1993, as user fees for use of any tele-
17 commuting center may be deposited into the Fund estab-
18 lished under subsection (f) of this section and may be used
19 by the Administrator to pay costs incurred in the estab-
20 lishment and operation of the center.

21 “(4) The Administrator may provide guidance, assist-
22 ance, and oversight to any person regarding establishment
23 and operation of alternative workplace arrangements, such
24 as telecommuting, hoteling, virtual offices, and other dis-
25 tributive work arrangements.

1 “(5) In considering whether to acquire any space,
2 quarters, buildings, or other facilities for use by employees
3 of any executive agency, the head of that agency shall con-
4 sider whether the need for the facilities can be met using
5 alternative workplace arrangements referred to in para-
6 graph (4).

7 (b) Section 13 of the Public Building Act of 1959,
8 as amended, (107 Stat. 438; 40 U.S.C. 612) is amended—

9 (1) by striking “(xi)” and inserting in lieu
10 thereof “(xii)”; and

11 (2) by striking “and (x)” and inserting in lieu
12 thereof “(x) telecommuting centers and (xi)”.

13 SEC. 407. None of the funds provided in this Act may
14 be used to implement a plan for the Ronald Reagan Build-
15 ing (International Trade Center, Washington, D.C.) which
16 would permit the Woodrow Wilson Center to pay the Gen-
17 eral Services Administration less than the rate per square
18 foot assessment for space and services which is paid by
19 other Federal entities.

20 SEC. 408. None of the funds provided in this Act may
21 be used to increase the amount of occupiable square feet,
22 provide cleaning services, security enhancements, or any
23 other service usually provided through the Federal Build-
24 ings Fund, to any agency which does not pay the re-
25 quested rate per square foot assessment for space and

1 services as determined by the General Services Adminis-
2 tration in compliance with the Public Buildings Amend-
3 ments Act of 1972 (Public Law 92–313).

4 SEC. 409. The Administrator of the General Services
5 is directed to ensure that the materials used for the facade
6 on the United States Courthouse Annex, Savannah, Geor-
7 gia project are compatible with the existing Savannah
8 Federal Building-U.S. Courthouse facade, in order to en-
9 sure compatibility of this new facility with the Savannah
10 historic district and to ensure that the Annex will not en-
11 danger the National Landmark status of the Savannah
12 historic district.

13 SEC. 410. Notwithstanding any other provision of
14 this or any other Act, during the fiscal year ending Sep-
15 tember 30, 1997, and thereafter, the Administrator of
16 General Services may sell or exchange real property, relat-
17 ed assets or interests therein under the custody and con-
18 trol of the General Services Administration, whether or
19 not such property or interests therein are excess to its
20 needs, when the Administrator determines that such sale
21 or exchange is consistent with economical management of
22 the Federal real property portfolio, as such portfolio may
23 be defined by the Administrator: *Provided*, That any pro-
24 ceeds from such sale or exchange remaining after reim-
25 bursing the Administrator for the costs of such sales or

1 changes, including the costs of relocating Federal agencies
2 occupying the property, shall be deposited in the Federal
3 Buildings Fund and shall remain available until expended.

4 JOHN F. KENNEDY ASSASSINATION RECORDS REVIEW
5 BOARD

6 For necessary expenses to carry out the John F. Ken-
7 nedy Assassination Records Collection Act of 1992,
8 \$2,150,000.

9 MERIT SYSTEMS PROTECTION BOARD

10 SALARIES AND EXPENSES

11 (INCLUDING TRANSFER OF FUNDS)

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

1 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
2 OPERATING EXPENSES

3 For necessary expenses in connection with the admin-
4 istration of the National Archives (including the Informa-
5 tion Security Oversight Office) and records and related ac-
6 tivities, as provided by law, and for expenses necessary
7 for the review and declassification of documents, and for
8 the hire of passenger motor vehicles, \$195,109,000: *Pro-*
9 *vided*, That the Archivist of the United States is author-
10 ized to use any excess funds available from the amount
11 borrowed for construction of the National Archives facil-
12 ity, for expenses necessary to move into the facility.

13 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
14 (RESCISSION)

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

17 ARCHIVES FACILITIES AND PRESIDENTIAL LIBRARIES
18 REPAIRS AND RESTORATION

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

22 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS
23 COMMISSION

24 GRANTS PROGRAM

25 For necessary expenses for allocations and grants for
26 historical publications and records as authorized by 44

1 U.S.C. 2504, as amended, \$4,000,000 to remain available
2 until expended.

3 OFFICE OF GOVERNMENT ETHICS

4 SALARIES AND EXPENSES

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

14 OFFICE OF PERSONNEL MANAGEMENT

15 SALARIES AND EXPENSES

16 (INCLUDING TRANSFER OF TRUST FUNDS)

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

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

MANAGEMENT

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

1 cies (which would otherwise be the responsibility of such
 2 agencies), or at the request of nonappropriated fund in-
 3 strumentalities”.

4 OFFICE OF INSPECTOR GENERAL

5 SALARIES AND EXPENSES

6 (INCLUDING TRANSFER OF TRUST FUNDS)

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

19 REVOLVING FUND

20 For reducing any accumulated deficit in the accounts
 21 of the revolving fund established under 5 U.S.C. 1304(e),
 22 \$4,755,000.

23 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES

24 HEALTH BENEFITS

25 For payment of Government contributions with re-
 26 spect to retired employees, as authorized by chapter 89

1 of title 5, United States Code, and the Retired Federal
2 Employees Health Benefits Act (74 Stat. 849), as amend-
3 ed, such sums as may be necessary.

4 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE
5 LIFE INSURANCE

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

10 PAYMENT TO CIVIL SERVICE RETIREMENT AND
11 DISABILITY FUND

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

22 OFFICE OF SPECIAL COUNSEL
23 SALARIES AND EXPENSES

24 For necessary expenses to carry out functions of the
25 Office of Special Counsel pursuant to Reorganization Plan

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

10 UNITED STATES TAX COURT

11 SALARIES AND EXPENSES

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

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

18 TITLE V—GENERAL PROVISIONS

19 THIS ACT

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

24 SEC. 502. The expenditure of any appropriation
25 under this Act for any consulting service through procure-

1 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
2 to those contracts where such expenditures are a matter
3 of public record and available for public inspection, except
4 where otherwise provided under existing law, or under ex-
5 isting Executive order issued pursuant to existing law.

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

1 services from a sheltered workshop prior to offering such
2 services for competitive procurement.

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

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

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

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

23 (1) prohibits or prevents, or attempts or threat-
24 ens to prohibit or prevent, any officer or employee
25 of the United States Postal Service from having any

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

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

23 SEC. 508. The Office of Personnel Management may,
24 during the fiscal year ending September 30, 1997, accept
25 donations of supplies, services, land, and equipment for

1 the Federal Executive Institute and Management Develop-
2 ment Centers to assist in enhancing the quality of Federal
3 management.

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

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

24 SEC. 511. None of the funds made available in this
25 Act may be used to provide any non-public information

1 such as mailing or telephone lists to any person or any
2 organization outside of the Federal Government without
3 the approval of the House and Senate Committees on Ap-
4 propriations.

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

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

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

23 SEC. 514. If it has been finally determined by a court
24 or Federal agency that any person intentionally affixed a
25 label bearing a “Made in America” inscription, or any in-

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

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

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

1 shall not apply to travel performed by uncompensated offi-
2 cials of local boards and appeal boards in the Selective
3 Service System; to travel performed directly in connection
4 with care and treatment of medical beneficiaries of the De-
5 partment of Veterans Affairs; to travel of the Office of
6 Personnel Management in carrying out its observation re-
7 sponsibilities of the Voting Rights Act; or to payments to
8 interagency motor pools separately set forth in the budget
9 schedules.

10 SEC. 517. Notwithstanding any other provision of law
11 or regulation during the fiscal year ending September 30,
12 1997, and thereafter:

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

1 lots at 12th and C Streets, SW, Maine Avenue and
2 Water Streets, SW, Maiden Lane, the Tidal Basin
3 and East Potomac Park; to the protection in transit
4 of United States securities, plates and dies used in
5 the production of United States securities, or other
6 products or implements of the Bureau of Engraving
7 and Printing which the Director of that agency so
8 designates.

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

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

17 (A) the positions and functions to be reduced
18 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 February 1, 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. 526. That provisions of law governing procure-
14 ment or public contracts shall not be applicable to the pro-
15 curement of goods or services necessary for carrying out
16 Bureau of Engraving and Printing program and oper-
17 ation: *Provided*, That the authority contained in this provi-
18 sion shall expire on September 30, 1999.

19 SEC. 527. The United States Mint is hereby author-
20 ized to establish a demonstration project under the au-
21 thorities of title V, U.S.C., chapter 47: *Provided*, That the
22 Director of the United States Mint shall be appointed by
23 the President, by and with the advice and consent of the
24 Senate; the Director shall serve on the basis of a six-year
25 contract, which may be renewed, so long as the Director's

1 performance, as set forth in an annual performance agree-
2 ment with the Secretary of the Treasury, is satisfactory;
3 and the Director shall receive as basic compensation for
4 a calendar year an amount equal to the annual rate of
5 basic pay for level I of the Executive Schedule under sec-
6 tion 5312 of title 5 and, in addition, may receive an an-
7 nual bonus awarded by the Secretary, based upon the Sec-
8 retary's evaluation of the Director's performance in ac-
9 cordance with the performance agreement.

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

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

20 (2) VERIFICATION REQUIRED.—The Secretary
21 shall pay an individual in full under paragraph (1)
22 upon submission by the individual of documentation
23 verifying the attorney fees and costs.

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

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

8 (c) REDUCTION.—The amount paid pursuant to this
9 section to an individual for attorney fees and costs de-
10 scribed in subsection (a) shall be reduced by any amount
11 received before the date of the enactment of this Act, with-
12 out obligation for repayment by the individual, for pay-
13 ment of such attorney fees and costs (including any
14 amount received from the funds appropriated for the indi-
15 vidual in the matter relating to the “Office of the General
16 Counsel” under the heading “Office of the Secretary” in
17 title I of the Department of Transportation and Related
18 Agencies Appropriations Act, 1994).

19 (d) PAYMENT IN FULL SETTLEMENT OF CLAIMS
20 AGAINST THE UNITED STATES.—Payment under this sec-
21 tion, when accepted by an individual described in sub-
22 section (a), shall be in full satisfaction of all claims of,
23 or on behalf of, the individual against the United States
24 that arose out of the termination of the White House

1 Travel Office employment of that individual on May 19,
2 1993.

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

9 (1) such individual has given his or her express
10 written consent for such request not more than 6
11 months prior to the date of such request and during
12 the same presidential administration; or

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

15 TITLE VI—GENERAL PROVISIONS

16 DEPARTMENTS, AGENCIES, AND CORPORATIONS

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

21 SEC. 602. No department, agency, or instrumentality
22 of the United States receiving appropriated funds under
23 this or any other Act for fiscal year 1997 shall obligate
24 or expend any such funds, unless such department, agen-
25 cy, or instrumentality has in place, and will continue to

1 administer in good faith, a written policy designed to en-
2 sure that all of its workplaces are free from the illegal
3 use, possession, or distribution of controlled substances
4 (as defined in the Controlled Substances Act) by the offi-
5 cers and employees of such department, agency, or instru-
6 mentality.

7 SEC. 603. Notwithstanding 31 U.S.C. 1345, any
8 agency, department or instrumentality of the United
9 States which provides or proposes to provide child care
10 services for Federal employees may reimburse any Federal
11 employee or any person employed to provide such services
12 for travel, transportation, and subsistence expenses in-
13 curred for training classes, conferences or other meetings
14 in connection with the provision of such services: *Provided*,
15 That any per diem allowance made pursuant to this sec-
16 tion shall not exceed the rate specified in regulations pre-
17 scribed pursuant to section 5707 of title 5, United States
18 Code.

19 SEC. 604. Unless otherwise specifically provided, the
20 maximum amount allowable during the current fiscal year
21 in accordance with section 16 of the Act of August 2, 1946
22 (60 Stat. 810), for the purchase of any passenger motor
23 vehicle (exclusive of buses, ambulances, law enforcement,
24 and undercover surveillance vehicles), is hereby fixed at
25 \$8,100 except station wagons for which the maximum

1 shall be \$9,100: *Provided*, That these limits may be ex-
2 ceeded by not to exceed \$3,700 for police-type vehicles,
3 and by not to exceed \$4,000 for special heavy-duty vehi-
4 cles: *Provided further*, That the limits set forth in this sec-
5 tion may not be exceeded by more than 5 percent for elec-
6 tric or hybrid vehicles purchased for demonstration under
7 the provisions of the Electric and Hybrid Vehicle Re-
8 search, Development, and Demonstration Act of 1976:
9 *Provided further*, That the limits set forth in this section
10 may be exceeded by the incremental cost of clean alter-
11 native fuels vehicles acquired pursuant to Public Law
12 101–549 over the cost of comparable conventionally fueled
13 vehicles.

14 SEC. 605. Appropriations of the executive depart-
15 ments and independent establishments for the current fis-
16 cal year available for expenses of travel or for the expenses
17 of the activity concerned, are hereby made available for
18 quarters allowances and cost-of-living allowances, in ac-
19 cordance with 5 U.S.C. 5922–24.

20 SEC. 606. Unless otherwise specified during the cur-
21 rent fiscal year, no part of any appropriation contained
22 in this or any other Act shall be used to pay the compensa-
23 tion of any officer or employee of the Government of the
24 United States (including any agency the majority of the
25 stock of which is owned by the Government of the United

1 States) whose post of duty is in the continental United
2 States unless such person (1) is a citizen of the United
3 States, (2) is a person in the service of the United States
4 on the date of enactment of this Act who, being eligible
5 for citizenship, has filed a declaration of intention to be-
6 come a citizen of the United States prior to such date and
7 is actually residing in the United States, (3) is a person
8 who owes allegiance to the United States, (4) is an alien
9 from Cuba, Poland, South Vietnam, the countries of the
10 former Soviet Union, or the Baltic countries lawfully ad-
11 mitted to the United States for permanent residence, (5)
12 is a South Vietnamese, Cambodian, or Laotian refugee pa-
13 roled in the United States after January 1, 1975, or (6)
14 is a national of the People's Republic of China who
15 qualifys for adjustment of status pursuant to the Chinese
16 Student Protection Act of 1992: *Provided*, That for the
17 purpose of this section, an affidavit signed by any such
18 person shall be considered prima facie evidence that the
19 requirements of this section with respect to his or her sta-
20 tus have been complied with: *Provided further*, That any
21 person making a false affidavit shall be guilty of a felony,
22 and, upon conviction, shall be fined no more than \$4,000
23 or imprisoned for not more than 1 year, or both: *Provided*
24 *further*, That the above penal clause shall be in addition
25 to, and not in substitution for, any other provisions of ex-

1 isting law: *Provided further*, That any payment made to
2 any officer or employee contrary to the provisions of this
3 section shall be recoverable in action by the Federal Gov-
4 ernment. This section shall not apply to citizens of Ire-
5 land, Israel, or the Republic of the Philippines, or to na-
6 tionals of those countries allied with the United States in
7 the current defense effort, or to international broadcasters
8 employed by the United States Information Agency, or to
9 temporary employment of translators, or to temporary em-
10 ployment in the field service (not to exceed 60 days) as
11 a result of emergencies.

12 SEC. 607. Appropriations available to any depart-
13 ment or agency during the current fiscal year for nec-
14 essary expenses, including maintenance or operating ex-
15 penses, shall also be available for payment to the General
16 Services Administration for charges for space and services
17 and those expenses of renovation and alteration of build-
18 ings and facilities which constitute public improvements
19 performed in accordance with the Public Buildings Act of
20 1959 (73 Stat. 749), the Public Buildings Amendments
21 of 1972 (87 Stat. 216), or other applicable law.

22 SEC. 608. In addition to funds provided in this or
23 any other Act, all Federal agencies are authorized to re-
24 ceive and use funds resulting from the sale of materials
25 recovered through recycling or waste prevention programs.

1 Such funds shall be available until expended for the follow-
2 ing purposes:

3 (1) Acquisition, waste reduction and prevention,
4 and recycling programs as described in Executive
5 Order 12873 (October 20, 1993), including any such
6 programs adopted prior to the effective date of the
7 Executive Order.

8 (2) Other Federal agency environmental man-
9 agement programs, including, but not limited to, the
10 development and implementation of hazardous waste
11 management and pollution prevention programs.

12 (3) Other employee programs as authorized by
13 law or as deemed appropriate by the head of the
14 Federal agency.

15 SEC. 609. Funds made available by this or any other
16 Act for administrative expenses in the current fiscal year
17 of the corporations and agencies subject to chapter 91 of
18 title 31, United States Code, shall be available, in addition
19 to objects for which such funds are otherwise available,
20 for rent in the District of Columbia; services in accordance
21 with 5 U.S.C. 3109; and the objects specified under this
22 head, all the provisions of which shall be applicable to the
23 expenditure of such funds unless otherwise specified in the
24 Act by which they are made available: *Provided*, That in
25 the event any functions budgeted as administrative ex-

1 penses are subsequently transferred to or paid from other
2 funds, the limitations on administrative expenses shall be
3 correspondingly reduced.

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

9 SEC. 611. For the fiscal year ending September 30,
10 1997, and thereafter, any department or agency to which
11 the Administrator of General Services has delegated the
12 authority to operate, maintain or repair any building or
13 facility pursuant to section 205(d) of the Federal Property
14 and Administrative Services Act of 1949, as amended,
15 shall retain that portion of the GSA rental payment avail-
16 able for operation, maintenance or repair of the building
17 or facility, as determined by the Administrator, and ex-
18 pend such funds directly for the operation, maintenance
19 or repair of the building or facility. Any funds retained
20 under this section shall remain available until expended
21 for such purposes.

22 SEC. 612. (a) IN GENERAL.—Section 1306 of title
23 31, United States Code, is amended to read as follows:

1 **“§ 1306. Use of foreign credits**

2 “(a) IN GENERAL.—Foreign credits (including cur-
3 rencies) owed to or owned by the United States may be
4 used by any agency for any purpose for which appropria-
5 tions are made for the agency for the current fiscal year
6 (including the carrying out of Acts requiring or authoriz-
7 ing the use of such credits), but only when reimbursement
8 therefor is made to the Treasury from applicable appro-
9 priations of the agency.

10 “(b) EXCEPTION TO REIMBURSEMENT REQUIRE-
11 MENT.—Credits described in subsection (a) that are re-
12 ceived as exchanged allowances, or as the proceeds of the
13 sale of personal property, may be used in whole or partial
14 payment for the acquisition of similar items, to the extent
15 and in the manner authorized by law, without reimburse-
16 ment to the Treasury.”.

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

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

1 SEC. 614. Funds made available by this or any other
2 Act to the “Postal Service Fund” (39 U.S.C. 2003) shall
3 be available for employment of guards for all buildings and
4 areas owned or occupied by the Postal Service and under
5 the charge and control of the Postal Service, and such
6 guards shall have, with respect to such property, the pow-
7 ers of special policemen provided by the first section of
8 the Act of June 1, 1948, as amended (62 Stat. 281; 40
9 U.S.C. 318), and, as to property owned or occupied by
10 the Postal Service, the Postmaster General may take the
11 same actions as the Administrator of General Services
12 may take under the provisions of sections 2 and 3 of the
13 Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C.
14 318a, 318b), attaching thereto penal consequences under
15 the authority and within the limits provided in section 4
16 of the Act of June 1, 1948, as amended (62 Stat. 281;
17 40 U.S.C. 318c).

18 SEC. 615. None of the funds made available pursuant
19 to the provisions of this Act shall be used to implement,
20 administer, or enforce any regulation which has been dis-
21 approved pursuant to a resolution of disapproval duly
22 adopted in accordance with the applicable law of the Unit-
23 ed States.

24 SEC. 616. (a) Notwithstanding any other provision
25 of law, and except as otherwise provided in this section,

1 no part of any of the funds appropriated for the fiscal
2 year ending on September 30, 1997, by this or any other
3 Act, may be used to pay any prevailing rate employee de-
4 scribed in section 5342(a)(2)(A) of title 5, United States
5 Code—

6 (1) during the period from the date of expira-
7 tion of the limitation imposed by section 616 of the
8 Treasury, Postal Service and General Government
9 Appropriations Act, 1996, until the normal effective
10 date of the applicable wage survey adjustment that
11 is to take effect in fiscal year 1997, in an amount
12 that exceeds the rate payable for the applicable
13 grade and step of the applicable wage schedule in
14 accordance with such section 616; and

15 (2) during the period consisting of the remain-
16 der of fiscal year 1997, in an amount that exceeds,
17 as a result of a wage survey adjustment, the rate
18 payable under paragraph (1) by more than the sum
19 of—

20 (A) the percentage adjustment taking ef-
21 fect in fiscal year 1997 under section 5303 of
22 title 5, United States Code, in the rates of pay
23 under the General Schedule; and

24 (B) the difference between the overall aver-
25 age percentage of the locality-based comparabil-

1 ity payments taking effect in fiscal year 1997
2 under section 5304 of such title (whether by
3 adjustment or otherwise), and the overall aver-
4 age percentage of such payments which was ef-
5 fective in fiscal year 1996 under such section.

6 (b) Notwithstanding any other provision of law, no
7 prevailing rate employee described in subparagraph (B) or
8 (C) of section 5342(a)(2) of title 5, United States Code,
9 and no employee covered by section 5348 of such title,
10 may be paid during the periods for which subsection (a)
11 is in effect at a rate that exceeds the rates that would
12 be payable under subsection (a) were subsection (a) appli-
13 cable to such employee.

14 (c) For the purposes of this section, the rates payable
15 to an employee who is covered by this section and who
16 is paid from a schedule not in existence on September 30,
17 1996, shall be determined under regulations prescribed by
18 the Office of Personnel Management.

19 (d) Notwithstanding any other provision of law, rates
20 of premium pay for employees subject to this section may
21 not be changed from the rates in effect on September 30,
22 1996, except to the extent determined by the Office of
23 Personnel Management to be consistent with the purpose
24 of this section.

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

3 (f) For the purpose of administering any provision
4 of law (including section 8431 of title 5, United States
5 Code, and any rule or regulation that provides premium
6 pay, retirement, life insurance, or any other employee ben-
7 efit) that requires any deduction or contribution, or that
8 imposes any requirement or limitation on the basis of a
9 rate of salary or basic pay, the rate of salary or basic pay
10 payable after the application of this section shall be treat-
11 ed as the rate of salary or basic pay.

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

16 (h) The Office of Personnel Management may provide
17 for exceptions to the limitations imposed by this section
18 if the Office determines that such exceptions are necessary
19 to ensure the recruitment or retention of qualified employ-
20 ees.

21 SEC. 617. During the period in which the head of
22 any department or agency, or any other officer or civilian
23 employee of the Government appointed by the President
24 of the United States, holds office, no funds may be obli-
25 gated or expended in excess of \$5,000 to furnish or re-

1 decorate the office of such department head, agency head,
2 officer or employee, or to purchase furniture or make im-
3 provements for any such office, unless advance notice of
4 such furnishing or redecoration is expressly approved by
5 the Committees on Appropriations of the House and Sen-
6 ate. For the purposes of this section, the word “office”
7 shall include the entire suite of offices assigned to the indi-
8 vidual, as well as any other space used primarily by the
9 individual or the use of which is directly controlled by the
10 individual.

11 SEC. 618. Notwithstanding any other provision of
12 law, no executive branch agency shall purchase, construct,
13 and/or lease any additional facilities, except within or con-
14 tiguous to existing locations, to be used for the purpose
15 of conducting Federal law enforcement training without
16 the advance approval of the House and Senate Committees
17 on Appropriations.

18 SEC. 619. Notwithstanding section 1346 of title 31,
19 United States Code, or section 613 of this Act, funds
20 made available for fiscal year 1997 by this or any other
21 Act shall be available for the interagency funding of na-
22 tional security and emergency preparedness telecommuni-
23 cations initiatives which benefit multiple Federal depart-
24 ments, agencies, or entities, as provided by Executive
25 Order Numbered 12472 (April 3, 1984).

1 SEC. 620. (a) None of the funds appropriated by this
2 or any other Act may be obligated or expended by any
3 Federal department, agency, or other instrumentality for
4 the salaries or expenses of any employee appointed to a
5 position of a confidential or policy-determining character
6 excepted from the competitive service pursuant to section
7 3302 of title 5, United States Code, without a certification
8 to the Office of Personnel Management from the head of
9 the Federal department, agency, or other instrumentality
10 employing the Schedule C appointee that the Schedule C
11 position was not created solely or primarily in order to
12 detail the employee to the White House.

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

16 (1) the Central Intelligence Agency;

17 (2) the National Security Agency;

18 (3) the Defense Intelligence Agency;

19 (4) the offices within the Department of De-
20 fense for the collection of specialized national foreign
21 intelligence through reconnaissance programs;

22 (5) the Bureau of Intelligence and Research of
23 the Department of State;

24 (6) any agency, office, or unit of the Army,
25 Navy, Air Force, and Marine Corps, the Federal Bu-

1 reau of Investigation and the Drug Enforcement Ad-
2 ministration of the Department of Justice, the De-
3 partment of Transportation, the Department of the
4 Treasury, and the Department of Energy perform-
5 ing intelligence functions; and

6 (7) the Director of Central Intelligence.

7 SEC. 621. No department, agency, or instrumentality
8 of the United States receiving appropriated funds under
9 this or any other Act for fiscal year 1997 shall obligate
10 or expend any such funds, unless such department, agency
11 or instrumentality has in place, and will continue to ad-
12 minister in good faith, a written policy designed to ensure
13 that all of its workplaces are free from discrimination and
14 sexual harassment and that all of its workplaces are not
15 in violation of title VII of the Civil Rights Act of 1964,
16 as amended, the Age Discrimination in Employment Act
17 of 1967, and the Rehabilitation Act of 1973.

18 SEC. 622. No part of any appropriation contained in
19 this Act may be used to pay for the expenses of travel
20 of employees, including employees of the Executive Office
21 of the President, not directly responsible for the discharge
22 of official governmental tasks and duties: *Provided*, That
23 this restriction shall not apply to the family of the Presi-
24 dent, Members of Congress or their spouses, Heads of
25 State of a foreign country or their designees, persons pro-

1 viding assistance to the President for official purposes, or
2 other individuals so designated by the President.

3 SEC. 623. Notwithstanding any provision of law, the
4 President, or his designee, must certify to Congress, annu-
5 ally, that no person or persons with direct or indirect re-
6 sponsibility for administering the Executive Office of the
7 President’s Drug-Free Workplace Plan are themselves
8 subject to a program of individual random drug testing.

9 SEC. 624. (a) None of the funds made available in
10 this Act or any other Act may be obligated or expended
11 for any employee training when it is made known to the
12 Federal official having authority to obligate or expend
13 such funds that such employee training—

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

17 (2) contains elements likely to induce high lev-
18 els of emotional response or psychological stress in
19 some participants;

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

23 (4) contains any methods or content associated
24 with religious or quasi-religious belief systems or
25 “new age” belief systems as defined in Equal Em-

1 employment Opportunity Commission Notice N-
2 915.022, dated September 2, 1988;

3 (5) is offensive to, or designed to change, par-
4 ticipants' personal values or lifestyle outside the
5 workplace; or

6 (6) includes content related to human
7 immunodeficiency virus/acquired immune deficiency
8 syndrome (HIV/AIDS) other than that necessary to
9 make employees more aware of the medical ramifica-
10 tions of HIV/AIDS and the workplace rights of
11 HIV-positive employees.

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

15 SEC. 625. No funds appropriated in this or any other
16 Act for fiscal year 1997 may be used to implement or en-
17 force the agreements in Standard Forms 312 and 4355
18 of the Government or any other nondisclosure policy,
19 form, or agreement if such policy, form, or agreement does
20 not contain the following provisions: "These restrictions
21 are consistent with and do not supersede, conflict with,
22 or otherwise alter the employee obligations, rights, or li-
23 abilities created by Executive Order 12356; section 7211
24 of title 5, United States Code (governing disclosures to
25 Congress); section 1034 of title 10, United States Code,

1 as amended by the Military Whistleblower Protection Act
2 (governing disclosure to Congress by members of the mili-
3 tary); section 2302(b)(8) of title 5, United States Code,
4 as amended by the Whistleblower Protection Act (govern-
5 ing disclosures of illegality, waste, fraud, abuse or public
6 health or safety threats); the Intelligence Identities Pro-
7 tection Act of 1982 (50 U.S.C. 421 et seq.) (governing
8 disclosures that could expose confidential Government
9 agents); and the statutes which protect against disclosure
10 that may compromise the national security, including sec-
11 tions 641, 793, 794, 798, and 952 of title 18, United
12 States Code, and section 4(b) of the Subversive Activities
13 Act of 1950 (50 U.S.C. section 783(b)). The definitions,
14 requirements, obligations, rights, sanctions, and liabilities
15 created by said Executive Order and listed statutes are
16 incorporated into this agreement and are controlling.”:
17 *Provided*, That notwithstanding the preceding paragraph,
18 a nondisclosure policy form or agreement that is to be exe-
19 cuted by a person connected with the conduct of an intel-
20 ligence or intelligence-related activity, other than an em-
21 ployee or officer of the United States Government, may
22 contain provisions appropriate to the particular activity
23 for which such document is to be used. Such form or
24 agreement shall, at a minimum, require that the person
25 will not disclose any classified information received in the

1 course of such activity unless specifically authorized to do
2 so by the United States Government. Such nondisclosure
3 forms shall also make it clear that they do not bar disclo-
4 sures to Congress or to an authorized official of an execu-
5 tive agency or the Department of Justice that are essential
6 to reporting a substantial violation of law.

7 SEC. 626. (a) None of the funds appropriated by this
8 or any other Act may be expended by any Federal Agency
9 to procure any product or service subject to section 5124
10 of Public Law 104–106 and that will be available under
11 the procurement by the Administrator of General Services
12 known as “FTS2000” unless—

13 (1) such product or service is procured by the
14 Administrator of General Services as part of the
15 procurement known as “FTS2000”; or

16 (2) that agency establishes to the satisfaction of
17 the Administrator of General Services that—

18 (A) that agency’s requirements for such
19 procurement are unique and cannot be satisfied
20 by property and service procured by the Admin-
21 istrator of General Services as part of the pro-
22 curement known as “FTS2000”; and

23 (B) the agency procurement, pursuant to
24 such delegation, would be cost-effective and

1 would not adversely affect the cost-effectiveness
2 of the FTS2000 procurement.

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

8 SEC. 627. Subsection (f) of section 403 of Public Law
9 103–356 is amended by deleting “October 1, 1999” and
10 inserting “October 1, 2001”.

11 SEC. 628. (a) IN GENERAL.—Notwithstanding any
12 other provision of law, none of the funds made available
13 by this Act for the Department of the Treasury shall be
14 available for any activity or for paying the salary of any
15 Government employee where funding an activity or paying
16 a salary to a Government employee would result in a deci-
17 sion, determination, rule, regulation, or policy that would
18 permit the Secretary of the Treasury to make any loan
19 or extension of credit under section 5302 of title 31, Unit-
20 ed States Code, with respect to a single foreign entity or
21 government of a foreign country (including agencies or
22 other entities of that government)—

23 (1) with respect to a loan or extension of credit
24 for more than 60 days, unless the President certifies
25 to the Committee on Banking, Housing, and Urban

1 Affairs of the Senate and the Committee on Banking
2 and Financial Services of the House of Representa-
3 tives that—

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

8 (B) any proposed obligation or expenditure
9 of United States funds to or on behalf of the
10 foreign government is adequately backed by an
11 assured source of repayment to ensure that all
12 United States funds will be repaid; and

13 (2) other than as provided by an Act of Con-
14 gress, if that loan or extension of credit would result
15 in expenditures and obligations, including contingent
16 obligations, aggregating more than \$1,000,000,000
17 with respect to that foreign country for more than
18 180 days during the 12-month period beginning on
19 the date on which the first such action is taken.

20 (b) WAIVER OF LIMITATIONS.—The President may
21 exceed the dollar and time limitations in subsection (a)(2)
22 if he certifies in writing to the Congress that a financial
23 crisis in that foreign country poses a threat to vital United
24 States economic interests or to the stability of the inter-
25 national financial system.

1 (c) EXPEDITED PROCEDURES FOR A RESOLUTION OF
2 DISAPPROVAL.—A presidential certification pursuant to
3 subsection (b) shall not take effect, if the Congress, within
4 30 calendar days after receiving such certification, enacts
5 a joint resolution of disapproval, as described in paragraph
6 (5) of this subsection.

7 (1) REFERENCE TO COMMITTEES.—All joint
8 resolutions introduced in the Senate to disapprove
9 the certification shall be referred to the Committee
10 on Banking, Housing, and Urban Affairs, and in the
11 House of Representatives, to the appropriate com-
12 mittees.

13 (2) DISCHARGE OF COMMITTEES.—(A) If the
14 committee of either House to which a resolution has
15 been referred has not reported it at the end of 15
16 days after its introduction, it is in order to move ei-
17 ther to discharge the committee from further consid-
18 eration of the joint resolution or to discharge the
19 committee from further consideration of any other
20 resolution introduced with respect to the same mat-
21 ter, except no motion to discharge shall be in order
22 after the committee has reported a joint resolution
23 with respect to the same matter.

24 (B) A motion to discharge may be made only by
25 an individual favoring the resolution, and is privi-

1 leged in the Senate; and debate thereon shall be lim-
2 ited to not more than 1 hour, the time to be divided
3 in the Senate equally between, and controlled by, the
4 majority leader and the minority leader or their des-
5 ignees.

6 (3) FLOOR CONSIDERATION IN THE SENATE.—

7 (A) A motion in the Senate to proceed to the consid-
8 eration of a resolution shall be privileged.

9 (B) Debate in the Senate on a resolution, and
10 all debatable motions and appeals in connection
11 therewith, shall be limited to not more than 4 hours,
12 to be equally divided between, and controlled by, the
13 majority leader and the minority leader or their des-
14 ignees.

15 (C) Debate in the Senate on any debatable mo-
16 tion or appeal in connection with a resolution shall
17 be limited to not more than 20 minutes, to be equal-
18 ly divided between, and controlled by, the mover and
19 the manager of the resolution, except that in the
20 event the manager of the resolution is in favor of
21 any such motion or appeal, the time in opposition
22 thereto, shall be controlled by the minority leader or
23 his designee. Such leaders, or either of them, may,
24 from time under their control on the passage of a
25 resolution, allot additional time to any Senator dur-

1 ing the consideration of any debatable motion or ap-
2 peal.

3 (D) A motion in the Senate to further limit de-
4 bate on a resolution, debatable motion, or appeal is
5 not debatable. No amendment to, or motion to re-
6 commit, a resolution is in order in the Senate.

7 (4) In the case of a resolution, if prior to the
8 passage by one House of a resolution of that House,
9 that House receives a resolution with respect to the
10 same matter from the other House, then—

11 (A) the procedure in that House shall be
12 the same as if no resolution had been received
13 from the other House; but

14 (B) the vote on final passage shall be on
15 the resolution of the other House.

16 (5) For purposes of this subsection, the term
17 “joint resolution” means only a joint resolution of
18 the 2 Houses of Congress, the matter after the re-
19 solving clause of which is as follows: “That the Con-
20 gress disapproves the action of the President under
21 section 628(c) of the Treasury, Postal Service, and
22 General Government Appropriations Act, 1997, no-
23 tice of which was submitted to the Congress on
24 _____.”, with the blank space being filled
25 with the appropriate date.

1 (d) APPLICABILITY.—This section—

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

5 (2) shall remain in effect through fiscal year
6 1997.

7 SEC. 629. (a) TECHNICAL AMENDMENT.—Section
8 640 of Public Law 104–52 (109 Stat. 513) is amended
9 by striking “Service performed” and inserting “Hereafter,
10 service performed”.

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

14 SEC. 630. Notwithstanding any other provision of
15 law, no part of any appropriation contained in this Act
16 for any fiscal year shall be available for paying Sunday
17 premium or differential pay to any employee unless such
18 employee actually performed work during the time cor-
19 responding to such premium or differential pay.

20 SEC. 631. No part of any funds appropriated in this
21 or any other Act shall be used by an agency of the execu-
22 tive branch, other than for normal and recognized execu-
23 tive-legislative relationships, for publicity or propaganda
24 purposes, and for the preparation, distribution or use of
25 any kit, pamphlet, booklet, publication, radio, television or

1 film presentation designed to support or defeat legislation
2 pending before the Congress, except in presentation to the
3 Congress itself.

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

8 “(d)(1) Nothing in subsection (a) or (b) prevents an
9 officer or employee, if not inconsistent with the faithful
10 performance of that officer’s or employee’s duties, from
11 acting without compensation as agent or attorney for, or
12 otherwise representing—

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

16 “(B) except as provided in paragraph (2), any
17 cooperative, voluntary, professional, recreational, or
18 similar organization or group not established or op-
19 erated for profit, if a majority of the organization’s
20 or group’s members are current officers or employ-
21 ees of the United States or of the District of Colum-
22 bia, or their spouses or dependent children.

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

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

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

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

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

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

14 “(1) chapter 71 of title 5;

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

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

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

20 “(5) any provision of any other Federal or Dis-
21 trict of Columbia law that authorizes labor-manage-
22 ment relations between an agency or instrumentality
23 of the United States or the District of Columbia and
24 any labor organization that represents its employ-
25 ees.”.

1 (c) 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. 633. SURVIVOR ANNUITY RESUMPTION UPON
5 TERMINATION OF MARRIAGE.—(a) AMENDMENTS.—

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

9 “(4) If the annuity of a child under this subchapter
10 terminates under paragraph (3)(E) because of marriage,
11 then, if such marriage ends, such annuity shall resume
12 on the first day of the month in which it ends, but only
13 if—

14 “(A) any lump sum paid is returned to the
15 Fund; and

16 “(B) that individual is not otherwise ineligible
17 for such annuity.”.

18 (2) FEDERAL EMPLOYEES’ RETIREMENT SYS-
19 TEM.—Section 8443(b) of such title is amended by
20 adding at the end the following: “If the annuity of
21 a child under this subchapter terminates under sub-
22 paragraph (E) because of marriage, then, if such
23 marriage ends, such annuity shall resume on the
24 first day of the month in which it ends, but only if
25 any lump sum paid is returned to the Fund, and

1 that individual is not otherwise ineligible for such
2 annuity.”.

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

9 SEC. 634. AVAILABILITY OF ANNUAL LEAVE TO
10 MEET MINIMUM AGE AND SERVICE REQUIREMENTS FOR
11 TITLE TO AN IMMEDIATE ANNUITY.—(a) CIVIL SERVICE
12 RETIREMENT SYSTEM.—Section 8336 of title 5, United
13 States Code, is amended by adding at the end the follow-
14 ing:

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

22 “(2) The Office shall prescribe any regulations which
23 may be necessary to carry out this subsection, including
24 regulations under which contributions to the Fund shall,

1 with respect to the days of leave for which credit is given
2 under this subsection, be made—

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

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

9 Contributions under the preceding sentence shall be deter-
10 mined based on the rate of basic pay last in effect before
11 separation.

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

13 “(A) to allow credit to be given for any leave
14 standing to the credit of the employee (other than
15 by restoration) pursuant to subchapter III or IV of
16 chapter 63 or other similar authority;

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

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

23 “(4)(A) The taking of a lump-sum payment under
24 section 5551 or other similar authority shall not make any

1 of the leave to which such payment relates unavailable for
2 purposes of this subsection.

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

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

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

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

21 “(2) The Office shall prescribe any regulations which
22 may be necessary to carry out this subsection, including
23 regulations under which contributions to the Fund shall,
24 with respect to the days of leave for which credit is given
25 under this subsection, be made—

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

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

7 Contributions under the preceding sentence shall be deter-
8 mined based on the rate of basic pay last in effect before
9 separation.

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

11 “(A) to allow credit to be given for any leave
12 standing to the credit of the employee (other than
13 by restoration) pursuant to subchapter III or IV of
14 chapter 63 or other similar authority;

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

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

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

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

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

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

12 SEC. 636. REIMBURSEMENTS RELATING TO PROFES-
13 SIONAL LIABILITY INSURANCE.—(a) AUTHORITY.—Not-
14 withstanding any other provision of law, amounts appro-
15 priated by this Act (or any other Act for fiscal year 1997
16 or any fiscal year thereafter) for salaries and expenses
17 may be used to reimburse any qualified employee for not
18 to exceed one-half the costs incurred by such employee for
19 professional liability insurance. A payment under this sec-
20 tion shall be contingent upon the submission of such infor-
21 mation or documentation as the employing agency may re-
22 quire.

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

1 (1) a law enforcement officer; or

2 (2) a supervisor or management official.

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

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

7 (2) the term “law enforcement officer” means
8 an employee, the duties of whose position are pri-
9 marily the investigation, apprehension, prosecution,
10 or detention of individuals suspected or convicted of
11 offenses against the criminal laws of the United
12 States, including any law enforcement officer under
13 section 8331(20) or 8401(17) of such title 5;

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

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

19 (A) legal liability for damages due to inju-
20 ries to other persons, damage to their property,
21 or other damage or loss to such other persons
22 (including the expenses of litigation and settle-
23 ment) resulting from or arising out of any
24 tortious act, error, or omission of the covered
25 individual (whether common law, statutory, or

1 constitutional) while in the performance of such
2 individual's official duties as a qualified em-
3 ployee; and

4 (B) the cost of legal representation for the
5 covered individual in connection with any ad-
6 ministrative or judicial proceeding (including
7 any investigation or disciplinary proceeding) re-
8 lating to any act, error, or omission of the cov-
9 ered individual while in the performance of such
10 individual's official duties as a qualified em-
11 ployee, and other legal costs and fees relating
12 to any such administrative or judicial proceed-
13 ing.

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

17 TITLE VII—SUPPLEMENTAL APPROPRIATIONS
18 AND RESCISSIONS FOR THE FISCAL YEAR
19 ENDING SEPTEMBER 30, 1996

20 BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

21 SALARIES AND EXPENSES

22 For an additional amount for “Salaries and Ex-
23 penses” to be used in connection with investigations of
24 arson at religious institutions, \$12,011,000, available

1 upon enactment of this Act and to remain available until
2 expended.

3 INTERNAL REVENUE SERVICE
4 INFORMATION SYSTEMS
5 (RESCISSION)

6 Of the funds made available under this heading for
7 Tax Systems Modernization in Public Law 104–52,
8 \$12,011,000 are rescinded.

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

Union Calendar No. 337

104TH CONGRESS
2D Session

H. R. 3756

[Report No. 104-660]

A BILL

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.

JULY 8, 1996

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed