

Union Calendar No. 334

105TH CONGRESS
2^D SESSION

H. R. 4104

[Report No. 105-592]

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, 1999, and for other purposes.

JUNE 22, 1998

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

Union Calendar No. 334

105TH CONGRESS
2^D SESSION

H. R. 4104

[Report No. 105-592]

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, 1999, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 1998

Mr. KOLBE, 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, 1999, 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 1999, 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 Buildings 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; \$122,889,000: *Provided*, That the Office of
21 Foreign Assets Control shall be funded at no less than
22 \$5,517,000: *Provided further*, That of the funds provided
23 under this heading, \$2,000,000 shall be available only for
24 the provision of compensation for losses incurred due to
25 the denial of entry into the United States of any firearms

1 as defined in section 921(a)(3) of title 18, United States
2 Code that (1) as of the date of the enactment of this Act,
3 could lawfully be manufactured and sold in the United
4 States; (2) that is of a type that was determined by the
5 Secretary of the Treasury on April 6, 1998, to be not im-
6 portable into the United States; and (3) as of February
7 10, 1998, was conditionally released under bond to the
8 importer by the United States Customs Service. The losses
9 compensated under the preceding sentence shall be only
10 for the cost of the weapons and any shipping, transpor-
11 tation, duty, and storage costs incurred by the importer,
12 as determined by the Secretary of the Treasury.

13 OFFICE OF PROFESSIONAL RESPONSIBILITY

14 SALARIES AND EXPENSES

15 For necessary expenses of the Office of Professional
16 Responsibility, including the purchase and hire of pas-
17 senger motor vehicles, \$1,250,000.

18 AUTOMATION ENHANCEMENT

19 (INCLUDING TRANSFER OF FUNDS)

20 For the development and acquisition of automatic
21 data processing equipment, software, and services for the
22 Department of the Treasury, \$31,190,000: *Provided*, That
23 these funds shall remain available until September 30,
24 2000: *Provided further*, That these funds shall be trans-
25 ferred to accounts and in amounts as necessary to satisfy

1 the requirements of the Department's offices, bureaus,
2 and other organizations: *Provided further*, That this trans-
3 fer authority shall be in addition to any other transfer au-
4 thority provided in this Act: *Provided further*, That none
5 of the funds appropriated shall be used to support or sup-
6 plement Internal Revenue Service appropriations for In-
7 formation Systems: *Provided further*, That no funds may
8 be obligated for the Automated Commercial Environment
9 project until the Commissioner of Customs has submitted
10 to the Committees on Appropriations an enterprise infor-
11 mation systems architecture plan for the U.S. Customs
12 Service consistent with the Treasury Information Systems
13 Architecture Framework and approved by the Treasury
14 Investment Review Board.

15 OFFICE OF INSPECTOR GENERAL

16 SALARIES AND EXPENSES

17 For necessary expenses of the Office of Inspector
18 General in carrying out the provisions of the Inspector
19 General Act of 1978, not to exceed \$2,000,000 for official
20 travel expenses; including hire of passenger motor vehicles;
21 and not to exceed \$100,000 for unforeseen emergencies
22 of a confidential nature, to be allocated and expended
23 under the direction of the Inspector General of the Treas-
24 ury; \$30,678,000.

1 (1) As authorized by section 190001(e),
2 \$122,000,000; of which \$3,000,000 shall be available to
3 the Bureau of Alcohol, Tobacco and Firearms for admin-
4 istering the Gang Resistance Education and Training pro-
5 gram; of which \$14,528,000 shall be available to the
6 United States Secret Service, including \$6,700,000 for ve-
7 hicle replacement, \$5,000,000 for investigations of coun-
8 terfeiting, and \$2,828,000 for forensic and related support
9 of investigations of missing and exploited children, of
10 which \$828,000 shall be available not earlier than Septem-
11 ber 30, 1999, as a grant for activities related to the inves-
12 tigation of exploited children and shall remain available
13 until expended; of which \$66,472,000 shall be available
14 for the United States Customs Service, including
15 \$54,000,000 for narcotics detection technology,
16 \$9,500,000 for the passenger processing initiative,
17 \$972,000 for construction of canopies for inspection of
18 outbound vehicles along the Southwest border, and
19 \$2,000,000 for the Customs Cyber-Smuggling Center in
20 support of the anti-child pornography program; of which
21 \$14,000,000 shall be available to the Office of National
22 Drug Control Policy, including \$13,000,000 to the
23 Counterdrug Technology Assessment Center to continue
24 the program to transfer technology to State and local law
25 enforcement agencies, and \$1,000,000 for Model State

1 Drug Law Conferences; and of which \$24,000,000 shall
2 be available for Interagency Crime and Drug Enforce-
3 ment.

4 (2) As authorized by section 32401, \$10,000,000 to
5 the Bureau of Alcohol, Tobacco and Firearms for dis-
6 bursement through grants, cooperative agreements, or
7 contracts to local governments for Gang Resistance Edu-
8 cation and Training: *Provided*, That notwithstanding sec-
9 tions 32401 and 310001, such funds shall be allocated to
10 State and local law enforcement and prevention organiza-
11 tions.

12 FEDERAL LAW ENFORCEMENT TRAINING CENTER

13 SALARIES AND EXPENSES

14 For necessary expenses of the Federal Law Enforce-
15 ment Training Center, as a bureau of the Department of
16 the Treasury, including materials and support costs of
17 Federal law enforcement basic training; purchase (not to
18 exceed 52 for police-type use, without regard to the gen-
19 eral purchase price limitation) and hire of passenger
20 motor vehicles; uniforms without regard to the general
21 purchase price limitation for the current fiscal year; the
22 conducting of and participating in firearms matches and
23 presentation of awards; for public awareness and enhanc-
24 ing community support of law enforcement training; not
25 to exceed \$9,500 for official reception and representation

1 expenses; and services as authorized by 5 U.S.C. 3109;
2 \$71,923,000, of which up to \$13,843,000 for materials
3 and support costs of Federal law enforcement basic train-
4 ing shall remain available until September 30, 2001: *Pro-*
5 *vided*, That the Center is authorized to accept and use
6 gifts of property, both real and personal, and to accept
7 services, for authorized purposes, including funding of a
8 gift of intrinsic value which shall be awarded annually by
9 the Director of the Center to the outstanding student who
10 graduated from a basic training program at the Center
11 during the previous fiscal year, which shall be funded only
12 by gifts received through the Center's gift authority: *Pro-*
13 *vided further*, That notwithstanding any other provision of
14 law, students attending training at any Federal Law En-
15 forcement Training Center site shall reside in on-Center
16 or Center-provided housing, insofar as available and in ac-
17 cordance with Center policy: *Provided further*, That funds
18 appropriated in this account shall be available, at the dis-
19 cretion of the Director, for the following: training United
20 States Postal Service law enforcement personnel and Post-
21 al police officers; State and local government law enforce-
22 ment training on a space-available basis; training of for-
23 eign law enforcement officials on a space-available basis
24 with reimbursement of actual costs to this appropriation,
25 except that reimbursement may be waived by the Sec-

1 retary for law enforcement training activities in foreign
2 countries undertaken pursuant to section 801 of the
3 Antiterrorism and Effective Death Penalty Act of 1996,
4 Public Law 104–32; training of private sector security of-
5 ficials on a space-available basis with reimbursement of
6 actual costs to this appropriation; travel expenses of non-
7 Federal personnel to attend course development meetings
8 and training at the Center; for expenses for student ath-
9 letic and related activities; and room and board for stu-
10 dent interns: *Provided further*, That the Center is author-
11 ized to obligate funds in anticipation of reimbursements
12 from agencies receiving training at the Federal Law En-
13 forcement Training Center, except that total obligations
14 at the end of the fiscal year shall not exceed total budg-
15 etary resources available at the end of the fiscal year: *Pro-*
16 *vided further*, That the Federal Law Enforcement Train-
17 ing Center is authorized to provide short-term medical
18 services for students undergoing training at the Center.

19 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND
20 RELATED EXPENSES

21 For expansion of the Federal Law Enforcement
22 Training Center, for acquisition of necessary additional
23 real property and facilities, and for ongoing maintenance,
24 facility improvements, and related expenses, \$28,360,000,
25 to remain available until expended.

1 INTERAGENCY LAW ENFORCEMENT

2 INTERAGENCY CRIME AND DRUG ENFORCEMENT

3 For expenses necessary for the detection and inves-
4 tigation of individuals involved in organized crime drug
5 trafficking, including cooperative efforts with State and
6 local law enforcement, \$51,900,000, of which \$7,827,000
7 shall remain available until expended.

8 FINANCIAL MANAGEMENT SERVICE

9 SALARIES AND EXPENSES

10 For necessary expenses of the Financial Management
11 Service, \$198,510,000, of which not to exceed
12 \$13,235,000 shall remain available until September 30,
13 2001 for information systems modernization initiatives.

14 BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

15 SALARIES AND EXPENSES

16 For necessary expenses of the Bureau of Alcohol, To-
17 bacco and Firearms, including purchase of not to exceed
18 812 vehicles for police-type use, of which 650 shall be for
19 replacement only, and hire of passenger motor vehicles;
20 hire of aircraft; services of expert witnesses at such rates
21 as may be determined by the Director; for payment of per
22 diem and/or subsistence allowances to employees where a
23 major investigative assignment requires an employee to
24 work 16 hours or more per day or to remain overnight
25 at his or her post of duty; not to exceed \$20,000 for offi-

1 cial reception and representation expenses; for training of
2 State and local law enforcement agencies with or without
3 reimbursement, including training in connection with the
4 training and acquisition of canines for explosives and fire
5 accelerants detection; and provision of laboratory assist-
6 ance to State and local agencies, with or without reim-
7 bursement; \$530,624,000; of which \$2,206,000 shall not
8 be available until September 30, 1999; of which not to
9 exceed \$1,000,000 shall be available for the payment of
10 attorneys' fees as provided by 18 U.S.C. 924(d)(2); and
11 of which \$1,000,000 shall be available for the equipping
12 of any vessel, vehicle, equipment, or aircraft available for
13 official use by a State or local law enforcement agency
14 if the conveyance will be used in joint law enforcement
15 operations with the Bureau of Alcohol, Tobacco and Fire-
16 arms and for the payment of overtime salaries, travel, fuel,
17 training, equipment, supplies, and other similar costs of
18 State and local law enforcement personnel, including
19 sworn officers and support personnel, that are incurred
20 in joint operations with the Bureau of Alcohol, Tobacco
21 and Firearms: *Provided*, That no funds made available by
22 this or any other Act may be used to transfer the func-
23 tions, missions, or activities of the Bureau of Alcohol, To-
24 bacco and Firearms to other agencies or Departments in
25 fiscal year 1999: *Provided further*, That no funds appro-

1 priated herein shall be available for salaries or administra-
2 tive expenses in connection with consolidating or centraliz-
3 ing, within the Department of the Treasury, the records,
4 or any portion thereof, of acquisition and disposition of
5 firearms maintained by Federal firearms licensees: *Pro-*
6 *vided further*, That no funds appropriated herein shall be
7 used to pay administrative expenses or the compensation
8 of any officer or employee of the United States to imple-
9 ment an amendment or amendments to 27 CFR 178.118
10 or to change the definition of “Curios or relics” in 27 CFR
11 178.11 or remove any item from ATF Publication
12 5300.11 as it existed on January 1, 1994: *Provided fur-*
13 *ther*, That none of the funds appropriated herein shall be
14 available to investigate or act upon applications for relief
15 from Federal firearms disabilities under 18 U.S.C. 925(c):
16 *Provided further*, That such funds shall be available to in-
17 vestigate and act upon applications filed by corporations
18 for relief from Federal firearms disabilities under 18
19 U.S.C. 925(c): *Provided further*, That no funds in this Act
20 may be used to provide ballistics imaging equipment to
21 any State or local authority who has obtained similar
22 equipment through a Federal grant or subsidy unless the
23 State or local authority agrees to return that equipment
24 or to repay that grant or subsidy to the Federal Govern-
25 ment: *Provided further*, That no funds under this Act may

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

4 UNITED STATES CUSTOMS SERVICE

5 SALARIES AND EXPENSES

6 For necessary expenses of the United States Customs
7 Service, including purchase and lease of up to 1,050 motor
8 vehicles of which 550 are for replacement only and of
9 which 1,030 are for police-type use and commercial oper-
10 ations; hire of motor vehicles; contracting with individuals
11 for personal services abroad; not to exceed \$30,000 for
12 official reception and representation expenses; and awards
13 of compensation to informers, as authorized by any Act
14 enforced by the United States Customs Service;
15 \$1,638,065,000, of which such sums as become available
16 in the Customs User Fee Account, except sums subject
17 to section 13031(f)(3) of the Consolidated Omnibus Budg-
18 et Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall
19 be derived from that Account; of the total, not to exceed
20 \$150,000 shall be available for payment for rental space
21 in connection with preclearance operations, not to exceed
22 \$4,000,000 shall be available until expended for research,
23 not to exceed \$5,000,000 shall be available until expended
24 for conducting special operations pursuant to 19 U.S.C.
25 2081, and up to \$8,000,000 shall be available until ex-

1 pended for the procurement of automation infrastructure
2 items, including hardware, software, and installation: *Pro-*
3 *vided further*, That uniforms may be purchased without
4 regard to the general purchase price limitation for the cur-
5 rent fiscal year: *Provided further*, That notwithstanding
6 any other provision of law, the fiscal year aggregate over-
7 time limitation prescribed in subsection 5(c)(1) of the Act
8 of February 13, 1911 (19 U.S.C. 261 and 267) shall be
9 \$30,000: *Provided further*, That \$7,000,000 of these funds
10 shall not be available for obligation until September 30,
11 1999.

12 OPERATION AND MAINTENANCE, AIR AND MARINE

13 INTERDICTION PROGRAMS

14 For expenses, not otherwise provided for, necessary
15 for the operation and maintenance of marine vessels, air-
16 craft, and other related equipment of the Air and Marine
17 Programs, including operational training and mission-re-
18 lated travel, and rental payments for facilities occupied by
19 the air or marine interdiction and demand reduction pro-
20 grams, the operations of which include the following: the
21 interdiction of narcotics and other goods; the provision of
22 support to Customs and other Federal, State, and local
23 agencies in the enforcement or administration of laws en-
24 forced by the Customs Service; and, at the discretion of
25 the Commissioner of Customs, the provision of assistance
26 to Federal, State, and local agencies in other law enforce-

1 ment and emergency humanitarian efforts; \$100,688,000,
2 which shall remain available until expended: *Provided*,
3 That no aircraft or other related equipment, with the ex-
4 ception of aircraft which is one of a kind and has been
5 identified as excess to Customs requirements and aircraft
6 which has been damaged beyond repair, shall be trans-
7 ferred to any other Federal agency, department, or office
8 outside of the Department of the Treasury, during fiscal
9 year 1999 without the prior approval of the Committees
10 on Appropriations.

11 HARBOR MAINTENANCE FEE COLLECTION

12 (INCLUDING TRANSFER OF FUNDS)

13 For administrative expenses related to the collection
14 of the Harbor Maintenance Fee, pursuant to Public Law
15 103–182, \$3,000,000, to be derived from the Harbor
16 Maintenance Trust Fund and to be transferred to and
17 merged with the Customs “Salaries and Expenses” ac-
18 count for such purposes.

19 BUREAU OF THE PUBLIC DEBT

20 ADMINISTERING THE PUBLIC DEBT

21 For necessary expenses connected with any public-
22 debt issues of the United States, \$176,500,000, of which
23 not to exceed \$2,500 shall be available for official recep-
24 tion and representation expenses, and of which not to ex-
25 ceed \$2,000,000 shall remain available until September
26 30, 2001 for information systems modernization initia-

1 tives: *Provided*, That the sum appropriated herein from
2 the General Fund for fiscal year 1999 shall be reduced
3 by not more than \$4,400,000 as definitive security issue
4 fees and Treasury Direct Investor Account Maintenance
5 fees are collected, so as to result in a final fiscal year 1999
6 appropriation from the General Fund estimated at
7 \$172,100,000, and in addition, \$20,000, to be derived
8 from the Oil Spill Liability Trust Fund to reimburse the
9 Bureau for administrative and personnel expenses for fi-
10 nancial management of the Fund, as authorized by section
11 102 of Public Law 101–380: *Provided further*, That not-
12 withstanding any other provisions of law, effective upon
13 enactment and thereafter, the Bureau of the Public Debt
14 shall be fully and directly reimbursed by the funds de-
15 scribed in section 104 of Public Law 101–136 (103 Stat.
16 789) for costs and services performed by the Bureau in
17 the administration of such funds.

18 INTERNAL REVENUE SERVICE

19 PROCESSING, ASSISTANCE, AND MANAGEMENT

20 For necessary expenses of the Internal Revenue Serv-
21 ice for tax return processing; revenue accounting; tax law
22 and account assistance to taxpayers by telephone and cor-
23 respondence; programs to match information returns and
24 tax returns; management services; rent and utilities; and
25 inspection; including purchase (not to exceed 150 for re-

1 placement only for police-type use) and hire of passenger
2 motor vehicles (31 U.S.C. 1343(b)); and services as au-
3 thorized by 5 U.S.C. 3109, at such rates as may be deter-
4 mined by the Commissioner; \$3,025,013,000, of which up
5 to \$3,700,000 shall be for the Tax Counseling for the El-
6 derly Program, and of which not to exceed \$25,000 shall
7 be for official reception and representation expenses.

8 TAX LAW ENFORCEMENT

9 For necessary expenses of the Internal Revenue Serv-
10 ice for determining and establishing tax liabilities; provid-
11 ing litigation support; issuing technical rulings; examining
12 employee plans and exempt organizations; conducting
13 criminal investigation and enforcement activities; securing
14 unfiled tax returns; collecting unpaid accounts; compiling
15 statistics of income; and conducting compliance research;
16 including purchase (for police-type use, not to exceed 850)
17 and hire of passenger motor vehicles (31 U.S.C. 1343(b)),
18 and services as authorized by 5 U.S.C. 3109, at such rates
19 as may be determined by the Commissioner;
20 \$3,164,189,000.

21 EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE

22 For funding essential earned income tax credit com-
23 pliance and error reduction initiatives pursuant to section
24 5702 of the Balanced Budget Act of 1997 (Public Law
25 105-33), \$143,000,000, of which not to exceed
26 \$10,000,000 may be used to reimburse the Social Security

1 Administration for the costs of implementing section 1090
2 of the Taxpayer Relief Act of 1997.

3 INFORMATION SYSTEMS

4 For necessary expenses of the Internal Revenue Serv-
5 ice for information systems and telecommunications sup-
6 port, including developmental information systems and
7 operational information systems; the hire of passenger
8 motor vehicles (31 U.S.C. 1343(b)); and services as au-
9 thorized by 5 U.S.C. 3109, at such rates as may be deter-
10 mined by the Commissioner; \$1,224,032,000, which shall
11 be available until September 30, 2000, and of which
12 \$125,000,000 shall be available only for improvements to
13 customer service and restructuring and reform of the In-
14 ternal Revenue Service.

15 INFORMATION TECHNOLOGY INVESTMENTS

16 For necessary expenses of the Internal Revenue Serv-
17 ice, \$210,000,000, to remain available until expended, for
18 the capital asset acquisition of information technology sys-
19 tems, including management and related contractual costs
20 of such acquisition, and including contractual costs associ-
21 ated with operations authorized by 5 U.S.C. 3109: *Pro-*
22 *vided*, That none of these funds is available for obligation
23 until September 30, 1999: *Provided further*, That none of
24 these funds shall be obligated until the Internal Revenue
25 Service and the Department of the Treasury submit to
26 Congress for approval, a plan for expenditure that (1) im-

1 plements the Internal Revenue Service’s Modernization
2 Blueprint submitted to Congress on May 15, 1997; (2)
3 meets the information systems investment guidelines es-
4 tablished by the Office of Management and Budget and
5 in the fiscal year 1998 budget; (3) is reviewed and ap-
6 proved by the Office of Management and Budget, the De-
7 partment of the Treasury’s IRS Management Board, and
8 is reviewed by the General Accounting Office; (4) meets
9 the requirements of the May 15, 1997 Internal Revenue
10 Service’s Systems Life Cycle program; and (5) is in com-
11 pliance with acquisition rules, requirements, guidelines,
12 and systems acquisition management practices of the Fed-
13 eral Government.

14 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

15 SERVICE

16 SECTION 101. Not to exceed 5 percent of any appro-
17 priation made available in this Act to the Internal Revenue
18 Service may be transferred to any other Internal Revenue
19 Service appropriation upon the advance approval of the
20 House and Senate Committees on Appropriations.

21 SEC. 102. The Internal Revenue Service shall main-
22 tain a training program to ensure that Internal Revenue
23 Service employees are trained in taxpayers’ rights, in deal-
24 ing courteously with the taxpayers, and in cross-cultural
25 relations.

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

5 SEC. 104. None of the funds appropriated by this
6 title shall be used in connection with the collection of any
7 underpayment of any tax imposed by the Internal Revenue
8 Code of 1986 unless the conduct of officers and employees
9 of the Internal Revenue Service in connection with such
10 collection, including any private sector employees under
11 contract to the Internal Revenue Service, complies with
12 subsection (a) of section 805 (relating to communications
13 in connection with debt collection), and section 806 (relat-
14 ing to harassment or abuse), of the Fair Debt Collection
15 Practices Act (15 U.S.C. 1692).

16 SEC. 105. The Internal Revenue Service shall insti-
17 tute and enforce policies and procedures which will safe-
18 guard the confidentiality of taxpayer information.

19 SEC. 106. Funds made available by this or any other
20 Act to the Internal Revenue Service shall be available for
21 improved facilities and increased manpower to provide suf-
22 ficient and effective 1-800 help line for taxpayers. The
23 Commissioner shall continue to make the improvement of
24 the Internal Revenue Service 1-800 help line service a pri-
25 ority and allocate resources necessary to increase phone

1 lines and staff to improve the Internal Revenue Service
2 1-800 help line service.

3 UNITED STATES SECRET SERVICE

4 SALARIES AND EXPENSES

5 For necessary expenses of the United States Secret
6 Service, including purchase of not to exceed 739 vehicles
7 for police-type use, of which 675 shall be for replacement
8 only, and hire of passenger motor vehicles; hire of aircraft;
9 training and assistance requested by State and local gov-
10 ernments, which may be provided without reimbursement;
11 services of expert witnesses at such rates as may be deter-
12 mined by the Director; rental of buildings in the District
13 of Columbia, and fencing, lighting, guard booths, and
14 other facilities on private or other property not in Govern-
15 ment ownership or control, as may be necessary to per-
16 form protective functions; for payment of per diem and/
17 or subsistence allowances to employees where a protective
18 assignment during the actual day or days of the visit of
19 a protectee require an employee to work 16 hours per day
20 or to remain overnight at his or her post of duty; the con-
21 ducting of and participating in firearms matches; presen-
22 tation of awards; for travel of Secret Service employees
23 on protective missions without regard to the limitations
24 on such expenditures in this or any other Act if approval
25 is obtained in advance from the Committees on Appropria-

1 tions; for repairs, alterations, and minor construction at
2 the James J. Rowley Secret Service Training Center; for
3 research and development; for making grants to conduct
4 behavioral research in support of protective research and
5 operations; not to exceed \$20,000 for official reception
6 and representation expenses; not to exceed \$50,000 to pro-
7 vide technical assistance and equipment to foreign law en-
8 forcement organizations in counterfeit investigations; for
9 payment in advance for commercial accommodations as
10 may be necessary to perform protective functions; and for
11 uniforms without regard to the general purchase price lim-
12 itation for the current fiscal year; \$594,657,000.

13 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND
14 RELATED EXPENSES

15 For necessary expenses of construction, repair, alter-
16 ation, and improvement of facilities, \$6,445,000, to re-
17 main available until expended.

18 GENERAL PROVISIONS—DEPARTMENT OF THE
19 TREASURY

20 SEC. 110. Any obligation or expenditure by the Sec-
21 retary of the Treasury in connection with law enforcement
22 activities of a Federal agency or a Department of the
23 Treasury law enforcement organization in accordance with
24 31 U.S.C. 9703(g)(4)(B) from unobligated balances re-
25 maining in the Fund on September 30, 1998, shall be
26 made in compliance with reprogramming guidelines.

1 SEC. 111. Appropriations to the Department of the
2 Treasury in this Act shall be available for uniforms or al-
3 lowances therefor, as authorized by law (5 U.S.C. 5901),
4 including maintenance, repairs, and cleaning; purchase of
5 insurance for official motor vehicles operated in foreign
6 countries; purchase of motor vehicles without regard to the
7 general purchase price limitations for vehicles purchased
8 and used overseas for the current fiscal year; entering into
9 contracts with the Department of State for the furnishing
10 of health and medical services to employees and their de-
11 pendants serving in foreign countries; and services author-
12 ized by 5 U.S.C. 3109.

13 SEC. 112. The funds provided to the Bureau of Alco-
14 hol, Tobacco and Firearms for fiscal year 1999 in this
15 Act for the enforcement of the Federal Alcohol Adminis-
16 tration Act shall be expended in a manner so as not to
17 diminish enforcement efforts with respect to section 105
18 of the Federal Alcohol Administration Act.

19 SEC. 113. Not to exceed 2 percent of any appropria-
20 tions in this Act made available to the Federal Law En-
21 forcement Training Center, Financial Crimes Enforce-
22 ment Network, Bureau of Alcohol, Tobacco and Firearms,
23 United States Customs Service, and United States Secret
24 Service may be transferred between such appropriations
25 upon the advance approval of the Committees on Appro-

1 priations. No transfer may increase or decrease any such
2 appropriation by more than 2 percent.

3 SEC. 114. Not to exceed 2 percent of any appropria-
4 tions in this Act made available to the Departmental Of-
5 fices, Office of Inspector General, Financial Management
6 Service, and Bureau of the Public Debt, may be trans-
7 ferred between such appropriations upon the advance ap-
8 proval of the Committees on Appropriations. No transfer
9 may increase or decrease any such appropriation by more
10 than 2 percent.

11 SEC. 115. The Secretary is authorized to promote the
12 benefits of and encourage the use of electronic tax admin-
13 istration programs, as they become available, through the
14 use of mass communications and other means. Addition-
15 ally, the Secretary may implement procedures to pay ap-
16 propriate incentives to commercial concerns for electronic
17 filing services: *Provided*, That such payment may not be
18 made unless the electronic filing service is provided with-
19 out charge to the taxpayer whose return is so filed: *Pro-*
20 *vided further*, That the Internal Revenue Service shall as-
21 sure the security of all electronic transmissions and the
22 full protection of the privacy of taxpayer data.

23 SEC. 116. (a) The Bureau of Engraving and Printing
24 and the Department of the Treasury shall not award a
25 contract for Solicitation No. BEP-97-13 (TN) until such

1 time as the Committee on Banking and Financial Services
2 and the Committee on Appropriations of the House of
3 Representatives authorize the Bureau of Engraving and
4 Printing, in writing, to proceed with the award of Solicita-
5 tion No. BEP-97-13 (TN).

6 (b) The Bureau of Engraving and Printing may ex-
7 tend the distinctive currency paper “bridge” contract
8 (TEP-97-10) up to 6 (six) months beginning on the date
9 the contract expires, if, by such date, the Congress has
10 not authorized the awarding of a new contract or if the
11 Congress takes action based on the report submitted by
12 the General Accounting Office pursuant to section
13 9003(a) of Public Law 105-18. The Bureau of Engraving
14 and Printing must notify Congress prior to taking any ac-
15 tion with respect to the extension of TEP-97-10.

16 TITLE II—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, \$71,195,000: *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, 1999.

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

14 COMPENSATION OF THE PRESIDENT AND THE WHITE
15 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.

1 SALARIES AND EXPENSES

2 For necessary expenses for the White House as au-
3 thorized by law, including not to exceed \$3,850,000 for
4 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;
5 subsistence expenses as authorized by 3 U.S.C. 105, which
6 shall be expended and accounted for as provided in that
7 section; hire of passenger motor vehicles, newspapers,
8 periodicals, teletype news service, and travel (not to exceed
9 \$100,000 to be expended and accounted for as provided
10 by 3 U.S.C. 103); and not to exceed \$19,000 for official
11 entertainment expenses, to be available for allocation with-
12 in the Executive Office of the President; \$52,344,000:
13 *Provided*, That \$10,100,000 of the funds appropriated
14 shall be available for reimbursements to the White House
15 Communications Agency.

16 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

17 OPERATING EXPENSES

18 For the care, maintenance, repair and alteration, re-
19 furnishing, improvement, heating, and lighting, including
20 electric power and fixtures, of the Executive Residence at
21 the White House and official entertainment expenses of
22 the President, \$8,061,000, to be expended and accounted
23 for as provided by 3 U.S.C. 105, 109, 110, and 112–114:
24 *Provided*, That such amount shall not be available for ex-
25 penses for domestic staff overtime.

1 expended: *Provided further*, That the Executive Residence
2 shall require the national committee of the political party
3 of the President to maintain on deposit \$25,000, to be
4 separately accounted for and available for expenses relat-
5 ing to reimbursable political events sponsored by such
6 committee during such fiscal year: *Provided further*, That
7 the Executive Residence shall ensure that a written notice
8 of any amount owed for a reimbursable operating expense
9 under this paragraph is submitted to the person owing
10 such amount within 60 days after such expense is in-
11 curred, and that such amount is collected within 30 days
12 after the submission of such notice: *Provided further*, That
13 the Executive Residence shall charge interest and assess
14 penalties and other charges on any such amount that is
15 not reimbursed within such 30 days, in accordance with
16 the interest and penalty provisions applicable to an out-
17 standing debt on a United States Government claim under
18 section 3717 of title 31, United States Code: *Provided fur-*
19 *ther*, That each such amount that is reimbursed, and any
20 accompanying interest and charges, shall be deposited in
21 the Treasury as miscellaneous receipts: *Provided further*,
22 That the Executive Residence shall prepare and submit
23 to the Committees on Appropriations, by not later than
24 90 days after the end of the fiscal year covered by this
25 Act, a report setting forth the reimbursable operating ex-

1 penses of the Executive Residence during the preceding
2 fiscal year, including the total amount of such expenses,
3 the amount of such total that consists of reimbursable offi-
4 cial and ceremonial events, the amount of such total that
5 consists of reimbursable political events, and the portion
6 of each such amount that has been reimbursed as of the
7 date of the report: *Provided further*, That the Executive
8 Residence shall maintain a system for the tracking of ex-
9 penses related to reimbursable events within the Executive
10 Residence that includes a standard for the classification
11 of any such expense as political or nonpolitical: *Provided*
12 *further*, That no provision of this paragraph may be con-
13 strued to exempt the Executive Residence from any other
14 applicable requirement of subchapter I or II of chapter
15 37 of title 31, United States Code.

16 SPECIAL ASSISTANCE TO THE PRESIDENT AND THE
17 OFFICIAL RESIDENCE OF THE VICE PRESIDENT
18 SALARIES AND EXPENSES

19 For necessary expenses to enable the Vice President
20 to provide assistance to the President in connection with
21 specially assigned functions; services as authorized by 5
22 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
23 penses as authorized by 3 U.S.C. 106, which shall be ex-
24 pended and accounted for as provided in that section; and
25 hire of passenger motor vehicles; \$3,512,000.

1 OPERATING EXPENSES
2 (INCLUDING TRANSFER OF FUNDS)

3 For the care, operation, refurnishing, improvement,
4 heating, and lighting, including electric power and fix-
5 tures, of the official residence of the Vice President; the
6 hire of passenger motor vehicles; and not to exceed
7 \$90,000 for official entertainment expenses of the Vice
8 President, to be accounted for solely on his certificate;
9 \$334,000: *Provided*, That advances or repayments or
10 transfers from this appropriation may be made to any de-
11 partment or agency for expenses of carrying out such ac-
12 tivities.

13 COUNCIL OF ECONOMIC ADVISERS
14 SALARIES AND EXPENSES

15 For necessary expenses of the Council in carrying out
16 its functions under the Employment Act of 1946 (15
17 U.S.C. 1021 et seq.), \$3,666,000.

18 OFFICE OF POLICY DEVELOPMENT
19 SALARIES AND EXPENSES

20 For necessary expenses of the Office of Policy Devel-
21 opment, including services as authorized by 5 U.S.C. 3109
22 and 3 U.S.C. 107, \$4,032,000.

1 NATIONAL SECURITY COUNCIL

2 SALARIES AND EXPENSES

3 For necessary expenses of the National Security
4 Council, including services as authorized by 5 U.S.C.
5 3109, \$6,806,000.

6 OFFICE OF ADMINISTRATION

7 SALARIES AND EXPENSES

8 For necessary expenses of the Office of Administra-
9 tion, including services as authorized by 5 U.S.C. 3109
10 and 3 U.S.C. 107, and hire of passenger motor vehicles,
11 \$28,350,000.

12 OFFICE OF MANAGEMENT AND BUDGET

13 SALARIES AND EXPENSES

14 For necessary expenses of the Office of Management
15 and Budget, including hire of passenger motor vehicles
16 and services as authorized by 5 U.S.C. 3109,
17 \$59,017,000, of which not to exceed \$5,000,000 shall be
18 available to carry out the provisions of chapter 35 of title
19 44, United States Code: *Provided*, That, of the amounts
20 appropriated, not to exceed \$5,229,000 shall be available
21 to the Office of Information and Regulatory Affairs, of
22 which \$1,200,000 shall not be obligated until the Office
23 of Management and Budget submits a report to the House
24 Committee on Appropriations and the House Committee
25 on Government Reform and Oversight that: (1) identifies

1 annual five percent reductions in paperwork expected in
2 fiscal year 1999 and fiscal year 2000; and (2) issues guid-
3 ance on the requirements of 5 U.S.C. § 801(a) (1) and
4 (3); sections 804(3), and 808(2), including a standard new
5 rule reporting form for use under section 801(a)(1)(A)–
6 (B): *Provided further*, That, as provided in 31 U.S.C.
7 1301(a), appropriations shall be applied only to the ob-
8 jects for which appropriations were made except as other-
9 wise provided by law: *Provided further*, That none of the
10 funds appropriated in this Act for the Office of Manage-
11 ment and Budget may be used for the purpose of review-
12 ing any agricultural marketing orders or any activities or
13 regulations under the provisions of the Agricultural Mar-
14 keting Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Pro-*
15 *vided further*, That none of the funds made available for
16 the Office of Management and Budget by this Act may
17 be expended for the altering of the transcript of actual
18 testimony of witnesses, except for testimony of officials of
19 the Office of Management and Budget, before the House
20 and Senate Committees on Appropriations or the House
21 and Senate Committees on Veterans’ Affairs or their sub-
22 committees: *Provided further*, That the preceding shall
23 not apply to printed hearings released by the House and
24 Senate Committees on Appropriations or the House and
25 Senate Committees on Veterans’ Affairs.

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

4 For necessary expenses of the Office of National
5 Drug Control Policy; for research activities pursuant to
6 title I of Public Law 100–690; not to exceed \$20,000 for
7 official reception and representation expenses; and for par-
8 ticipation in joint projects or in the provision of services
9 on matters of mutual interest with nonprofit, research, or
10 public organizations or agencies, with or without reim-
11 bursement; \$36,442,000, of which \$17,000,000 shall re-
12 main available until expended, consisting of \$1,000,000
13 for policy research and evaluation and \$16,000,000 for the
14 Counterdrug Technology Assessment Center for counter-
15 narcotics research and development projects: *Provided,*
16 That the \$16,000,000 for the Counterdrug Technology
17 Assessment Center shall be available for transfer to other
18 Federal departments or agencies: *Provided further,* That
19 the Office is authorized to accept, hold, administer, and
20 utilize gifts, both real and personal, public and private,
21 without fiscal year limitation, for the purpose of aiding
22 or facilitating the work of the Office.

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, \$162,007,000 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 no less than \$81,007,000 shall be transferred to State and
10 local entities for drug control activities, which shall be ob-
11 ligated within 120 days of the date of enactment of this
12 Act and up to \$81,000,000 may be transferred to Federal
13 agencies and departments at a rate to be determined by
14 the Director: *Provided*, That funding shall be provided at
15 no less than the fiscal year 1998 level for those High In-
16 tensity Drug Trafficking Areas that had been designated
17 by the Director of the Office of National Drug Control
18 Policy on or before February 2, 1994: *Provided further*,
19 That any new High Intensity Drug Trafficking Areas to
20 be designated shall be funded from within the existing ap-
21 propriation for this account.

22 SPECIAL FORFEITURE FUND

23 (INCLUDING TRANSFER OF FUNDS)

24 For activities to support a national anti-drug cam-
25 paign for youth, and other purposes, authorized by Public
26 Law 100-690, as amended, \$215,000,000, to remain

1 available until expended: *Provided*, That such funds may
2 be transferred to other Federal departments and agencies
3 to carry out such activities: *Provided further*, That, of the
4 funds provided in this paragraph, \$195,000,000 shall be
5 to support a national media campaign to reduce and pre-
6 vent drug use among young Americans: *Provided further*,
7 That none of the funds provided for the support of a na-
8 tional media campaign may be obligated for the following
9 purposes: to supplant current anti-drug community based
10 coalitions; to supplant current pro bono public service time
11 donated by national and local broadcasting networks; for
12 partisan political purposes; or to fund media campaigns
13 that feature any elected officials, persons seeking elected
14 office, cabinet-level officials, or other Federal officials em-
15 ployed pursuant to Schedule C of title 5, Code of Federal
16 Regulations, section 213, absent advance notice to the
17 Committees on Appropriations and the Senate Judiciary
18 Committee: *Provided further*, That funds provided for the
19 support of a national media campaign may be used to fund
20 the purchase of media time and space, talent re-use pay-
21 ments, reimbursement of out of pocket advertising produc-
22 tion costs for agencies that provide all creative develop-
23 ment on a pro bono basis, and the negotiated fee for the
24 contract buying agency: *Provided further*, That the Direc-
25 tor of the Office of National Drug Control Policy shall

1 report to Congress quarterly on the obligation of funds
2 as well as on the specific parameters of the national media
3 campaign, and shall report to Congress within one year
4 on the effectiveness of the national media campaign based
5 upon the measurable outcomes provided to Congress pre-
6 viously: *Provided further*, That, of the funds provided in
7 this paragraph, \$20,000,000 shall be to continue a pro-
8 gram of matching grants to drug-free communities, as au-
9 thorized in the Drug-Free Communities Act of 1997.

10 INFORMATION TECHNOLOGY SYSTEMS AND RELATED
11 EXPENSES

12 (INCLUDING TRANSFER OF FUNDS)

13 For emergency expenses related to Year 2000 conver-
14 sion of Federal information technology systems, and relat-
15 ed expenses, \$2,250,000,000, to remain available until ex-
16 pended: *Provided*, That these funds may be transferred
17 to any other accounts, except within the Department of
18 Defense, to carry out Federal governmental activities nec-
19 essary to meet the requirements of such systems and ex-
20 penses: *Provided further*, That the entire amount shall be
21 available only to the extent that an official budget request
22 for a specific dollar amount, that includes designation of
23 the entire amount of the request as an emergency require-
24 ment as defined in the Balanced Budget and Emergency
25 Deficit Control Act of 1985, as amended, is transmitted

1 by the President to the Congress: *Provided further*, That
2 the President's request shall specifically identify agencies,
3 accounts, programs, projects and activities to be funded
4 and no funds shall be available until 15 days after the
5 submission of the request: *Provided further*, That the en-
6 tire amount is designated by Congress as an emergency
7 requirement pursuant to section 251(b)(2)(A) of the Bal-
8 anced Budget and Emergency Deficit Control Act of 1985,
9 as amended: *Provided further*, That the funds transferred
10 shall be merged with and shall be available for the same
11 purposes and for the same time period as the appropria-
12 tion to which transferred: *Provided further*, That such
13 transfer authority shall be in addition to any other trans-
14 fer authority available.

15 UNANTICIPATED NEEDS

16 For expenses necessary to enable the President to
17 meet unanticipated needs, in furtherance of the national
18 interest, security, or defense which may arise at home or
19 abroad during the current fiscal year, \$1,000,000.

20 This title may be cited as the "Executive Office Ap-
21 propriations Act, 1999".

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, \$2,464,000.

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, \$33,700,000, of which no less than \$4,402,500 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: *Provided*, That
17 of the amounts appropriated for salaries and expenses,
18 \$1,120,000 may not be obligated until the Federal Elec-
19 tion Commission submits a plan for approval to the House
20 Committee on Appropriations for the expenditure of such
21 funds.

22 FEDERAL LABOR RELATIONS AUTHORITY
23 SALARIES AND EXPENSES

24 For necessary expenses to carry out functions of the
25 Federal Labor Relations Authority, pursuant to Reorga-

1 nization Plan Numbered 2 of 1978, and the Civil Service
2 Reform Act of 1978, including services authorized by 5
3 U.S.C. 3109, including hire of experts and consultants,
4 hire of passenger motor vehicles, and rental of conference
5 rooms in the District of Columbia and elsewhere;
6 \$22,586,000: *Provided*, That public members of the Fed-
7 eral Service Impasses Panel may be paid travel expenses
8 and per diem in lieu of subsistence as authorized by law
9 (5 U.S.C. 5703) for persons employed intermittently in
10 the Government service, and compensation as authorized
11 by 5 U.S.C. 3109: *Provided further*, That notwithstanding
12 31 U.S.C. 3302, funds received from fees charged to non-
13 Federal participants at labor-management relations con-
14 ferences shall be credited to and merged with this account,
15 to be available without further appropriation for the costs
16 of carrying out these conferences.

17 GENERAL SERVICES ADMINISTRATION

18 FEDERAL BUILDINGS FUND

19 LIMITATIONS ON AVAILABILITY OF REVENUE

20 (INCLUDING TRANSFER OF FUNDS)

21 For additional expenses necessary to carry out the
22 purpose of the Federal Buildings Fund established pursu-
23 ant to section 210(f) of the Federal Property and Admin-
24 istrative Services Act of 1949 (40 U.S.C. 490(f)),
25 \$482,100,000, to be deposited into the Fund. The reve-
26 nues and collections deposited into the Fund shall be avail-

1 able for necessary expenses of real property management
2 and related activities not otherwise provided for, including
3 operation, maintenance, and protection of federally owned
4 and leased buildings; rental of buildings in the District
5 of Columbia; restoration of leased premises; moving gov-
6 ernmental agencies (including space adjustments and tele-
7 communications relocation expenses) in connection with
8 the assignment, allocation, and transfer of space; contrac-
9 tual services incident to cleaning or servicing buildings,
10 and moving; repair and alteration of federally owned build-
11 ings, including grounds, approaches, and appurtenances;
12 care and safeguarding of sites; maintenance, preservation,
13 demolition, and equipment; acquisition of buildings and
14 sites by purchase, condemnation, or as otherwise author-
15 ized by law; acquisition of options to purchase buildings
16 and sites; conversion and extension of federally owned
17 buildings; preliminary planning and design of projects by
18 contract or otherwise; construction of new buildings (in-
19 cluding equipment for such buildings); and payment of
20 principal, interest, and any other obligations for public
21 buildings acquired by installment purchase and purchase
22 contract; in the aggregate amount of \$5,626,928,000, of
23 which (1) \$527,100,000 shall remain available until ex-
24 pended for construction of additional projects at locations
25 and at maximum construction improvement costs (includ-

1 ing funds for sites and expenses and associated design and
2 construction services) as follows:

3 New Construction:

4 Arkansas:

5 Little Rock, Courthouse, \$3,436,000

6 California:

7 San Diego, Courthouse, \$15,400,000

8 San Jose, Courthouse, \$10,800,000

9 Colorado:

10 Denver, Rogers Federal Building—Court-
11 house Expansion, \$78,173,000

12 District of Columbia:

13 Southeast Federal Center Site Remedi-
14 ation, \$5,000,000

15 Florida:

16 Jacksonville, Courthouse, \$86,010,000

17 Orlando, Courthouse Annex, \$1,930,000

18 Georgia:

19 Savannah, Courthouse Annex, \$46,462,000

20 Massachusetts:

21 Springfield, Courthouse, \$5,563,000

22 Michigan:

23 Sault Sainte Marie, Border Station,
24 \$572,000

25 Missouri:

1 Cape Girardeau, Courthouse, \$2,196,000
2 Mississippi:
3 Biloxi—Gulfport, Courthouse, \$7,543,000
4 Montana:
5 Babb, Piegan Border Station, \$6,165,000
6 New York:
7 Brooklyn, Courthouse, \$152,626,000
8 New York, U.S. Mission to the United Na-
9 tions, \$3,163,000
10 Oregon:
11 Eugene, Courthouse, \$7,190,000
12 Tennessee:
13 Greenville, Courthouse, \$26,517,000
14 Texas:
15 Laredo, Courthouse, \$28,105,000
16 West Virginia:
17 Wheeling, Courthouse, \$29,303,000
18 Nationwide:
19 Non-prospectus construction projects,
20 \$10,946,000:

21 *Provided*, That each of the immediately foregoing limits
22 of costs on new construction projects may be exceeded to
23 the extent that savings are effected in other such projects,
24 but not to exceed 10 percent unless advance approval is
25 obtained from the House and Senate Committees on Ap-

1 appropriations of a greater amount: *Provided further*, That
2 all funds for direct construction projects shall expire on
3 September 30, 2000, and remain in the Federal Buildings
4 Fund except for funds for projects as to which funds for
5 design or other funds have been obligated in whole or in
6 part prior to such date: *Provided further*, That of the
7 funds provided for non-prospectus construction projects,
8 \$2,100,000 shall be available until expended for acquisi-
9 tion, lease, construction, and equipping of flexiplace tele-
10 commuting centers; (2) \$655,031,000, of which
11 \$19,000,000 shall be available for obligation on September
12 30, 1999, shall remain available until expended for repairs
13 and alterations, which includes associated design and con-
14 struction services, for the following projects and activities:

15 Repairs and alterations:

16 California:

17 San Francisco, Appraisers Building

18 District of Columbia:

19 Federal Office Building, 10B

20 Interstate Commerce Commission, Con-
21 necting Wing Complex, Customs Buildings,

22 Phase 3/3

23 Old Executive Office Building

24 State Department Building, Phase I

25 Colorado:

1 Lakewood, Denver Federal Center, Build-
2 ing 25

3 New York:

4 Brookhaven, Internal Revenue Service,
5 Service Center

6 New York, U.S. Courthouse, 40 Foley
7 Square

8 Pennsylvania:

9 Philadelphia, Byrne-Green, Federal Build-
10 ing-U.S. Courthouse

11 Virginia:

12 Reston, J.W. Powell Building

13 Nationwide:

14 Chlorofluorocarbons Program

15 Energy Program

16 Design Program

17 Basic Repairs and Alterations:

18 *Provided further*, That additional projects for which
19 prospectuses have been fully approved may be funded
20 under this category only if advance approval is obtained
21 from the Committees on Appropriations: *Provided further*,
22 That the amounts provided in this or any prior Act for
23 “Repairs and Alterations” may be used to fund costs asso-
24 ciated with implementing security improvements to build-
25 ings: *Provided further*, That the difference between the

1 funds appropriated and expended on any projects in this
2 or any prior Act, under the heading “Repairs and Alter-
3 ations”, may be transferred to Basic Repairs and Alter-
4 ations or used to fund authorized increases in prospectus
5 projects: *Provided further*, That all funds for repairs and
6 alterations prospectus projects shall expire on September
7 30, 2000, and remain in the Federal Buildings Fund, ex-
8 cept funds for projects as to which funds for design or
9 other funds have been obligated in whole or in part prior
10 to such date: *Provided further*, That \$5,700,000 of the
11 funds provided under this heading in Public Law 103–329
12 for the Holtsville, New York, IRS Service Center shall re-
13 main available until September 30, 1999: *Provided further*,
14 That the amount provided in this or any prior Act for
15 Basic Repairs and Alterations may be used to pay claims
16 against the Government arising from any projects under
17 the heading “Repairs and Alterations” or used to fund
18 authorized increases in prospectus projects; (3)
19 \$215,764,000 for installment acquisition payments includ-
20 ing payments on purchase contracts, which shall remain
21 available until expended; (4) \$2,583,261,000 for rental of
22 space, which shall remain available until expended; and
23 (5) \$1,554,772,000 for building operations, of which
24 \$223,000,000 shall be available for obligation on Septem-
25 ber 30, 1999, which shall remain available until expended:

1 *Provided further*, That funds available to the General Serv-
2 ices Administration shall not be available for expenses of
3 any construction, repair, alteration and acquisition project
4 for which a prospectus, if required by the Public Buildings
5 Act of 1959 (40 U.S.C. 601 et seq.), has not been ap-
6 proved, except that necessary funds may be expended for
7 each project for required expenses of the development of
8 a proposed prospectus: *Provided further*, That for the pur-
9 poses of this authorization, and hereafter, buildings con-
10 structed pursuant to the purchase contract authority of
11 the Public Buildings Amendments of 1972 (40 U.S.C.
12 602a), buildings occupied pursuant to installment pur-
13 chase contracts, and buildings under the control of an-
14 other department or agency where alterations of such
15 buildings are required in connection with the moving of
16 such other department or agency from buildings then, or
17 thereafter to be, under the control of the General Services
18 Administration shall be considered to be federally owned
19 buildings: *Provided further*, That funds available in the
20 Federal Buildings Fund may be expended for emergency
21 repairs when advance approval is obtained from the Com-
22 mittees on Appropriations: *Provided further*, That
23 amounts necessary to provide reimbursable special services
24 to other agencies under section 210(f)(6) of the Federal
25 Property and Administrative Services Act of 1949 (40

1 U.S.C. 490(f)(6)), and amounts to provide such reimburs-
2 able fencing, lighting, guard booths, and other facilities
3 on private or other property not in Government ownership
4 or control as may be appropriate to enable the United
5 States Secret Service to perform its protective functions
6 pursuant to 18 U.S.C. 3056, shall be available from such
7 revenues and collections: *Provided further*, That the re-
8 maining balances and associated assets and liabilities of
9 the Pennsylvania Avenue Activities account are hereby
10 transferred to the Federal Buildings Fund to be effective
11 October 1, 1998, and all income earned after that effective
12 date that would otherwise have been deposited to the
13 Pennsylvania Avenue Activities account shall thereafter be
14 deposited to the Fund, to be available for the purposes
15 authorized by Public Laws 104–134 and 104–208, not-
16 withstanding subsection 210(f)(2) of the Federal Property
17 and Administrative Services Act of 1949 (40 U.S.C.
18 490(f)(2)): *Provided further*, That revenues and collections
19 and any other sums accruing to the Federal Buildings
20 Fund during fiscal year 1999, excluding reimbursements
21 under section 210(f)(6) of the Federal Property and Ad-
22 ministrative Services Act of 1949 (40 U.S.C. 490(f)(6)),
23 in excess of \$5,626,928,000 shall remain in the Fund and
24 shall not be available for expenditure except as authorized
25 in appropriations Acts.

POLICY AND OPERATIONS

1
2 For expenses authorized by law, not otherwise pro-
3 vided for, for Government-wide policy and oversight activi-
4 ties associated with asset management activities; utiliza-
5 tion and donation of surplus personal property; transpor-
6 tation; procurement and supply; Government-wide and in-
7 ternal responsibilities relating to automated data manage-
8 ment, telecommunications, information resources manage-
9 ment, and related technology activities; utilization survey,
10 deed compliance inspection, appraisal, environmental and
11 cultural analysis, and land use planning functions pertain-
12 ing to excess and surplus real property; agency-wide policy
13 direction; Board of Contract Appeals; accounting, records
14 management, and other support services incident to adju-
15 dication of Indian Tribal Claims by the United States
16 Court of Federal Claims; services as authorized by 5
17 U.S.C. 3109; and not to exceed \$5,000 for official recep-
18 tion and representation expenses; \$108,494,000.

OFFICE OF INSPECTOR GENERAL

19
20 For necessary expenses of the Office of Inspector
21 General and services authorized by 5 U.S.C. 3109,
22 \$32,000,000: *Provided*, That not to exceed \$10,000 shall
23 be available for payment for information and detection of
24 fraud against the Government, including payment for re-
25 covery of stolen Government property: *Provided further*,
26 That not to exceed \$2,500 shall be available for awards

1 to employees of other Federal agencies and private citizens
2 in recognition of efforts and initiatives resulting in en-
3 hanced Office of Inspector General effectiveness.

4 ALLOWANCES AND OFFICE STAFF FOR FORMER

5 PRESIDENTS

6 (INCLUDING TRANSFER OF FUNDS)

7 For carrying out the provisions of the Act of August
8 25, 1958, as amended (3 U.S.C. 102 note), and Public
9 Law 95-138, \$2,241,000: *Provided*, That the Adminis-
10 trator of General Services shall transfer to the Secretary
11 of the Treasury such sums as may be necessary to carry
12 out the provisions of such Acts.

13 GENERAL PROVISIONS—GENERAL SERVICES

14 ADMINISTRATION

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

21 SEC. 402. Funds available to the General Services
22 Administration shall be available for the hire of passenger
23 motor vehicles.

24 SEC. 403. Funds in the Federal Buildings Fund
25 made available for fiscal year 1999 for Federal Buildings
26 Fund activities may be transferred between such activities

1 only to the extent necessary to meet program require-
2 ments: *Provided*, That any proposed transfers shall be ap-
3 proved in advance by the Committees on Appropriations.

4 SEC. 404. No funds made available by this Act shall
5 be used to transmit a fiscal year 2000 request for United
6 States Courthouse construction that (1) does not meet the
7 design guide standards for construction as established and
8 approved by the General Services Administration, the Ju-
9 dicial Conference of the United States, and the Office of
10 Management and Budget; and (2) does not reflect the pri-
11 orities of the Judicial Conference of the United States as
12 set out in its approved 5-year construction plan: *Provided*,
13 That the fiscal year 2000 request shall be accompanied
14 by a standardized courtroom utilization study of each fa-
15 cility to be constructed, replaced, or expanded.

16 SEC. 405. None of the funds provided in this Act may
17 be used to increase the amount of occupiable square feet,
18 provide cleaning services, security enhancements, or any
19 other service usually provided through the Federal Build-
20 ings Fund, to any agency which does not pay the rate per
21 square foot assessment for space and services as deter-
22 mined by the General Services Administration in compli-
23 ance with the Public Buildings Amendments Act of 1972
24 (Public Law 92-313).

1 SEC. 406. Funds provided to other Government agen-
2 cies by the Information Technology Fund, General Serv-
3 ices Administration, under 40 U.S.C. 757 and sections
4 5124(b) and 5128 of Public Law 104–106, Information
5 Technology Management Reform Act of 1996, for per-
6 formance of pilot information technology projects which
7 have potential for Government-wide benefits and savings,
8 may be repaid to this Fund from any savings actually in-
9 curred by these projects or other funding, to the extent
10 feasible.

11 SEC. 407. From funds made available under the
12 heading “Federal Buildings Fund Limitations on Avail-
13 ability of Revenue”, claims against the Government of less
14 than \$250,000 arising from direct construction projects
15 and acquisition of buildings may be liquidated from sav-
16 ings effected in other construction projects with prior noti-
17 fication to the Committees on Appropriations.

18 SEC. 408. Notwithstanding any other provision of
19 law, the requirement under section 407 of Public Law
20 104–208 (110 Stat. 3009–337–38), that the Adminis-
21 trator of General Services charge user fees for flexiplace
22 telecommuting centers that approximate commercial
23 charges for comparable space and services but in no in-
24 stance less than the amount necessary to pay the cost of
25 establishing and operating such centers, shall not apply

1 to the user fees charged for the period beginning October
2 1, 1996, and ending September 30, 1998, for the tele-
3 commuting centers established as part of a pilot tele-
4 commuting demonstration program in the Washington,
5 D.C. metropolitan area by Public Laws 102–393, 103–
6 123, 103–329, 104–52, and 104–298: *Provided*, That for
7 these centers in the pilot demonstration program for the
8 period beginning October 1, 1998, and ending September
9 30, 2000, the Administrator shall charge fees for Federal
10 agency use of a telecenter based on 50 percent of the Ad-
11 ministrator’s annual costs of operating the center, includ-
12 ing the reasonable cost of replacement for furniture, fix-
13 tures, and equipment: *Provided further*, That effective Oc-
14 tober 1, 2000, the Administrator shall charge fees for Fed-
15 eral agency use of the demonstration telecommuting cen-
16 ters based on 100 percent of the annual operating costs,
17 including the reasonable cost of replacement for furniture,
18 fixtures, and equipment: *Provided further*, That, to the ex-
19 tent such user charges do not cover the Administrator’s
20 costs in operating these centers, appropriations to the
21 General Service Administration are authorized to reim-
22 burse the Federal Buildings Fund for any loss of revenue.

23 LAND CONVEYANCE, UNITED STATES NAVAL
24 OBSERVATORY/ALTERNATE TIME SERVICE LABORATORY
25 SEC. 409. (a) AUTHORITY TO CONVEY.—

1 (1) IN GENERAL.—Not withstanding any other
2 provision of law, the Administrator of General Serv-
3 ices shall convey to the University of Miami, by ne-
4 gotiated sale and by not later than September 30,
5 1999, all right, title, and interest of the United
6 States in and to the property described in paragraph
7 (2).

8 (2) PROPERTY DESCRIBED.—The property re-
9 ferred to in paragraph (1) is real property in Miami-
10 Dade County, Florida, including improvements
11 thereon, comprising the Federal facility known as
12 the United States Naval Observatory/Alternate Time
13 Service Laboratory, consisting of approximately 76
14 acres. The exact acreage and legal description of the
15 property shall be determined by a survey that is sat-
16 isfactory to the Administrator.

17 (b) CONDITION REGARDING USE.—Any conveyance
18 under subsection (a) shall be subject to the condition that
19 during the 10-year period beginning on the date of the
20 conveyance, the University shall use the property, or pro-
21 vide for use of the property, only for—

22 (1) a research, education, and training facility
23 complementary to longstanding national research
24 missions, subject to such incidental exceptions as
25 may be approved by the Administrator;

1 (2) research-related purposes other than the use
2 specified in paragraph (1), under an agreement en-
3 tered into by the Administrator and the University;
4 or

5 (3) a combination of uses described in para-
6 graph (1) and paragraph (2), respectively.

7 (c) ADDITIONAL TERMS AND CONDITIONS.—The Ad-
8 ministrators may require such additional terms and condi-
9 tions with respect to the conveyance under subsection (a)
10 as the Administrator considers appropriate to protect the
11 interests of the United States.

12 (d) REVERSION.—If the Administrator determines at
13 any time that the property conveyed under subsection (a)
14 is not being used in accordance with this section, all right,
15 title, and interest in and to the property, including any
16 improvements thereon, shall revert to the United States,
17 and the United States shall have the right of immediate
18 entry thereon.

19 SEC. 410. (a) LAND CONVEYANCE, ARMY RESERVE
20 PROPERTY, RACINE, WISCONSIN.—The Administrator of
21 General Services shall convey, by negotiated sale, to the
22 city of Racine, Wisconsin (in this section referred to as
23 the “City”), all right, title, and interest of the United
24 States in and to the vacant Army Reserve property (in-
25 cluding improvements thereon) located at the intersection

1 of 24th and Center Streets in Racine, Wisconsin, for the
2 purpose of permitting the City to use the property as the
3 site of water and wastewater utilities.

4 (b) DESCRIPTION OF PROPERTY.—The exact acreage
5 and legal description of the real property to be conveyed
6 under subsection (a) shall be determined by a survey satis-
7 factory to the Administrator. The cost of any such survey
8 shall be borne by the City.

9 (c) ADDITIONAL TERMS AND CONDITIONS.—The Ad-
10 ministrator may require such additional terms and condi-
11 tions in connection with the conveyance under subsection
12 (a) as the Administrator considers appropriate to protect
13 the interests of the United States.

14 SEC. 411. The Administrator of General Services is
15 directed to reincorporate the elements of the original pro-
16 posed design for the façade of the United States Court-
17 house, London, Kentucky project into the revised design
18 of the building in order to ensure compatibility of this new
19 facility with the historic U.S. Courthouse in London, Ken-
20 tucky to maintain the stateliness of the building. Con-
21 struction or design of the London, Kentucky project
22 should not be diminished in anyway to achieve this goal.

23 ENVIRONMENTAL DISPUTE RESOLUTION FUND

24 For payment to the Environmental Dispute Resolu-
25 tion Fund to carry out activities authorized in the Envi-

1 ronmental Policy and Conflict Resolution Act of 1997,
2 \$4,250,000, to remain available until expended, of which
3 \$3,000,000 will be for capitalization of the Fund, and
4 \$1,250,000 will be for annual operating expenses.

5 MERIT SYSTEMS PROTECTION BOARD

6 SALARIES AND EXPENSES

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses to carry out functions of the
9 Merit Systems Protection Board pursuant to Reorganiza-
10 tion Plan Numbered 2 of 1978 and the Civil Service Re-
11 form Act of 1978, including services as authorized by 5
12 U.S.C. 3109, rental of conference rooms in the District
13 of Columbia and elsewhere, hire of passenger motor vehi-
14 cles, and direct procurement of survey printing,
15 \$25,805,000, together with not to exceed \$2,430,000 for
16 administrative expenses to adjudicate retirement appeals
17 to be transferred from the Civil Service Retirement and
18 Disability Fund in amounts determined by the Merit Sys-
19 tems Protection Board.

20 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

21 OPERATING EXPENSES

22 For necessary expenses in connection with the admin-
23 istration of the National Archives (including the Informa-
24 tion Security Oversight Office) and records and related ac-
25 tivities, as provided by law, and for expenses necessary
26 for the review and declassification of documents, and for

1 the hire of passenger motor vehicles, \$216,753,000: *Pro-*
2 *vided*, That the Archivist of the United States is author-
3 ized to use any excess funds available, from the amount
4 borrowed for construction of the National Archives facil-
5 ity, for expenses necessary to provide adequate storage for
6 holdings.

7 REPAIRS AND RESTORATION

8 For the repair, alteration, and improvement of ar-
9 chives facilities and Presidential Libraries, and to provide
10 adequate storage for holdings, \$10,450,000, to remain
11 available until expended, of which \$2,000,000 is for an
12 architectural and engineering study for the renovation of
13 the Archives I facility and of which \$4,000,000 is for en-
14 casement of the Charters of Freedom.

15 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

16 COMMISSION

17 GRANTS PROGRAM

18 For necessary expenses for allocations and grants for
19 historical publications and records as authorized by 44
20 U.S.C. 2504, \$6,000,000, to remain available until ex-
21 pended.

22 OFFICE OF GOVERNMENT ETHICS

23 SALARIES AND EXPENSES

24 For necessary expenses to carry out functions of the
25 Office of Government Ethics pursuant to the Ethics in
26 Government Act of 1978, and the Ethics Reform Act of

1 1989, including services as authorized by 5 U.S.C. 3109,
2 rental of conference rooms in the District of Columbia and
3 elsewhere, hire of passenger motor vehicles, and not to ex-
4 ceed \$1,500 for official reception and representation ex-
5 penses; \$8,492,000.

6 OFFICE OF PERSONNEL MANAGEMENT

7 SALARIES AND EXPENSES

8 (INCLUDING TRANSFER OF TRUST FUNDS)

9 For necessary expenses to carry out functions of the
10 Office of Personnel Management pursuant to Reorganiza-
11 tion Plan Numbered 2 of 1978 and the Civil Service Re-
12 form Act of 1978, including services as authorized by 5
13 U.S.C. 3109; medical examinations performed for veterans
14 by private physicians on a fee basis; rental of conference
15 rooms in the District of Columbia and elsewhere; hire of
16 passenger motor vehicles; not to exceed \$2,500 for official
17 reception and representation expenses; advances for reim-
18 bursements to applicable funds of the Office of Personnel
19 Management and the Federal Bureau of Investigation for
20 expenses incurred under Executive Order No. 10422 of
21 January 9, 1953, as amended; and payment of per diem
22 and/or subsistence allowances to employees where Voting
23 Rights Act activities require an employee to remain over-
24 night at his or her post of duty; \$85,350,000; and in addi-
25 tion \$91,236,000 for administrative expenses, to be trans-
26 ferred from the appropriate trust funds of the Office of

1 Personnel Management without regard to other statutes,
2 including direct procurement of printed materials, for the
3 retirement and insurance programs: *Provided*, That the
4 provisions of this appropriation shall not affect the author-
5 ity to use applicable trust funds as provided by section
6 8348(a)(1)(B) of title 5, United States Code: *Provided*
7 *further*, That, except as may be consistent with 5 U.S.C.
8 8902a(f)(1) and (i), no payment may be made from the
9 Employees Health Benefits Fund to any physician, hos-
10 pital, or other provider of health care services or supplies
11 who is, at the time such services or supplies are provided
12 to an individual covered under chapter 89 of title 5,
13 United States Code, excluded, pursuant to section 1128
14 or 1128A of the Social Security Act (42 U.S.C. 1320a-
15 7 through 1320a-7a), from participation in any program
16 under title XVIII of the Social Security Act (42 U.S.C.
17 1395 et seq.): *Provided further*, That no part of this appro-
18 priation shall be available for salaries and expenses of the
19 Legal Examining Unit of the Office of Personnel Manage-
20 ment established pursuant to Executive Order No. 9358
21 of July 1, 1943, or any successor unit of like purpose:
22 *Provided further*, That the President's Commission on
23 White House Fellows, established by Executive Order No.
24 11183 of October 3, 1964, may, during fiscal year 1999,
25 accept donations of money, property, and personal services

1 in connection with the development of a publicity brochure
2 to provide information about the White House Fellows, ex-
3 cept that no such donations shall be accepted for travel
4 or reimbursement of travel expenses, or for the salaries
5 of employees of such Commission.

6 OFFICE OF INSPECTOR GENERAL
7 SALARIES AND EXPENSES
8 (INCLUDING TRANSFER OF TRUST FUNDS)

9 For necessary expenses of the Office of Inspector
10 General in carrying out the provisions of the Inspector
11 General Act, as amended, including services as authorized
12 by 5 U.S.C. 3109, hire of passenger motor vehicles,
13 \$960,000; and in addition, not to exceed \$9,145,000 for
14 administrative expenses to audit the Office of Personnel
15 Management's retirement and insurance programs, to be
16 transferred from the appropriate trust funds of the Office
17 of Personnel Management, as determined by the Inspector
18 General: *Provided*, That the Inspector General is author-
19 ized to rent conference rooms in the District of Columbia
20 and elsewhere.

21 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES
22 HEALTH BENEFITS

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

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

3 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE
4 LIFE INSURANCE

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

9 PAYMENT TO CIVIL SERVICE RETIREMENT AND
10 DISABILITY FUND

11 For financing the unfunded liability of new and in-
12 creased annuity benefits becoming effective on or after Oc-
13 tober 20, 1969, as authorized by 5 U.S.C. 8348, and an-
14 nuities under special Acts to be credited to the Civil Serv-
15 ice Retirement and Disability Fund, such sums as may
16 be necessary: *Provided*, That annuities authorized by the
17 Act of May 29, 1944, as amended, and the Act of August
18 19, 1950, as amended (33 U.S.C. 771–775), may here-
19 after be paid out of the Civil Service Retirement and Dis-
20 ability Fund.

21 OFFICE OF SPECIAL COUNSEL
22 SALARIES AND EXPENSES

23 For necessary expenses to carry out functions of the
24 Office of Special Counsel pursuant to Reorganization Plan
25 Numbered 2 of 1978, the Civil Service Reform Act of
26 1978 (Public Law 95–454), the Whistleblower Protection

1 Act of 1989 (Public Law 101–12), Public Law 103–424,
2 and the Uniformed Services Employment and Reemploy-
3 ment Act of 1994 (Public Law 103–353), including serv-
4 ices as authorized by 5 U.S.C. 3109, payment of fees and
5 expenses for witnesses, rental of conference rooms in the
6 District of Columbia and elsewhere, and hire of passenger
7 motor vehicles, \$8,720,000.

8 UNITED STATES TAX COURT

9 SALARIES AND EXPENSES

10 For necessary expenses, including contract reporting
11 and other services as authorized by 5 U.S.C. 3109,
12 \$34,490,000: *Provided*, That travel expenses of the judges
13 shall be paid upon the written certificate of the judge.

14 This title may be cited as the “Independent Agencies
15 Appropriations Act, 1999”.

16 TITLE V—GENERAL PROVISIONS

17 THIS ACT

18 SEC. 501. No part of any appropriation contained in
19 this Act shall remain available for obligation beyond the
20 current fiscal year unless expressly so provided herein.

21 SEC. 502. The expenditure of any appropriation
22 under this Act for any consulting service through procure-
23 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
24 to those contracts where such expenditures are a matter
25 of public record and available for public inspection, except

1 where otherwise provided under existing law, or under ex-
2 isting Executive order issued pursuant to existing law.

3 SEC. 503. 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. 504. None of the funds made available by this
11 Act shall be available in fiscal year 1999 for the purpose
12 of transferring control over the Federal Law Enforcement
13 Training Center located at Glynco, Georgia, and Artesia,
14 New Mexico, out of the Department of the Treasury.

15 SEC. 505. No part of any appropriation contained in
16 this Act shall be available to pay the salary for any person
17 filling a position, other than a temporary position, for-
18 merly held by an employee who has left to enter the Armed
19 Forces of the United States and has satisfactorily com-
20 pleted his period of active military or naval service, and
21 has, within 90 days after his release from such service or
22 from hospitalization continuing after discharge for a pe-
23 riod of not more than 1 year, made application for restora-
24 tion to his former position and has been certified by the
25 Office of Personnel Management as still qualified to per-

1 form the duties of his former position and has not been
2 restored thereto.

3 SEC. 506. No funds appropriated pursuant to this
4 Act may be expended by an entity unless the entity agrees
5 that in expending the assistance the entity will comply
6 with sections 2 through 4 of the Buy American Act (41
7 U.S.C. 10a–10c).

8 SEC. 507. (a) PURCHASE OF AMERICAN-MADE
9 EQUIPMENT AND PRODUCTS.—In the case of any equip-
10 ment or products that may be authorized to be purchased
11 with financial assistance provided under this Act, it is the
12 sense of the Congress that entities receiving such assist-
13 ance should, in expending the assistance, purchase only
14 American-made equipment and products.

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

20 SEC. 508. If it has been finally determined by a court
21 or Federal agency that any person intentionally affixed a
22 label bearing a “Made in America” inscription, or any in-
23 scription with the same meaning, to any product sold in
24 or shipped to the United States that is not made in the
25 United States, such person shall be ineligible to receive

1 any contract or subcontract made with funds provided
2 pursuant to this Act, pursuant to the debarment, suspen-
3 sion, and ineligibility procedures described in sections
4 9.400 through 9.409 of title 48, Code of Federal Regula-
5 tions.

6 SEC. 509. Except as otherwise specifically provided
7 by law, not to exceed 50 percent of unobligated balances
8 remaining available at the end of fiscal year 1999 from
9 appropriations made available for salaries and expenses
10 for fiscal year 1999 in this Act, shall remain available
11 through September 30, 2000, for each such account, and
12 may be transferred to any other Department account, for
13 the purposes authorized: *Provided*, That a request shall
14 be submitted to the Committees on Appropriations for ap-
15 proval prior to the expenditure of such funds: *Provided*
16 *further*, That these requests shall be made in compliance
17 with reprogramming guidelines.

18 SEC. 510. None of the funds made available in this
19 Act may be used by the Executive Office of the President
20 to request from the Federal Bureau of Investigation any
21 official background investigation report on any individual,
22 unless—

23 (1) such individual has given his or her express
24 written consent for such request not more than 6

1 months prior to the date of such request and during
2 the same presidential administration; or

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

5 SEC. 511. (a) APPOINTMENT AND TERM OF SERVICE
6 OF STAFF DIRECTOR AND GENERAL COUNSEL OF FED-
7 ERAL ELECTION COMMISSION.—

8 (1) IN GENERAL.—The first sentence of section
9 306(f)(1) of the Federal Election Campaign Act of
10 1971 (2 U.S.C. 437c(f)(1)) is amended by striking
11 “by the Commission” and inserting the following:
12 “by an affirmative vote of not less than 4 members
13 of the Commission and may not serve for a term of
14 more than 4 consecutive years without reappoint-
15 ment in accordance with this paragraph”.

16 (2) EFFECTIVE DATE.—The amendment made
17 by paragraph (1) shall apply with respect to any in-
18 dividual serving as the staff director or general
19 counsel of the Federal Election Commission on or
20 after January 1, 1999, without regard to whether or
21 not the individual served as staff director or general
22 counsel prior to such date.

23 (b) TREATMENT OF INDIVIDUALS FILLING VACAN-
24 CIES; TERMINATION OF AUTHORITY UPON EXPIRATION
25 OF TERM.—Section 306(f)(1) of such Act (2 U.S.C.

1 437c(f)(1)) is amended by inserting after the first sen-
2 tence the following new sentences: “An individual ap-
3 pointed as a staff director or general counsel to fill a va-
4 cancy occurring other than by the expiration of a term
5 of office shall be appointed only for the unexpired term
6 of the individual he or she succeeds. An individual serving
7 as staff director or general counsel may not serve in such
8 position after the expiration of the individual’s term unless
9 reappointed in accordance with this paragraph.”.

10 (c) RULE OF CONSTRUCTION REGARDING AUTHOR-
11 ITY OF ACTING GENERAL COUNSEL.—Section 306(f) of
12 such Act (2 U.S.C. 437c(f)) is amended by adding at the
13 end the following new paragraph:

14 “(5) Nothing in this Act may be construed to prohibit
15 any individual serving as an acting general counsel of the
16 Commission from performing any functions of the general
17 counsel of the Commission.”.

18 SEC. 512. Hereafter, any payment of attorneys fees,
19 costs, and sanctions required to be made by the Federal
20 Government pursuant to the order of the district court in
21 the case *Association of American Physicians and Surgeons,*
22 *Inc. v. Clinton*, 989 F. Supp. 8 (1997), or any appeal of
23 such case, shall be derived by transfer from amounts made
24 available in this or any other Act for any fiscal year for

1 “Compensation of the President and the White House Of-
2 fice—Salaries and Expenses”.

3 SEC. 513. (a) AUDITS BY THE POSTMASTER GEN-
4 ERAL.—Subsection (e) of section 2008 of title 39, United
5 States Code, is amended to read as follows:

6 “(e)(1) At least once each year beginning with the
7 fiscal year commencing after the date of enactment of this
8 Act, the financial statements of the Postal Service (includ-
9 ing those used in determining and establishing postal
10 rates) shall be audited by the Inspector General or by an
11 independent external auditor, as determined by the In-
12 spector General.

13 “(2) Audits under this section shall be conducted in
14 accordance with applicable generally accepted government
15 auditing standards.

16 “(3) Upon completion of the audit required by this
17 subsection, the person who audits the statement shall sub-
18 mit a report on the audit to the Board”.

19 (b) RESULTS OF INSPECTOR GENERAL’S AUDIT TO
20 BE INCLUDED IN ANNUAL REPORT.—Section 2402 of
21 title 39, United States Code, is amended by inserting after
22 the first sentence the following: “Each report under this
23 section shall include, for the most recent fiscal year for
24 which a report under section 2008(e) is available (unless

1 previously transmitted under the following sentence), a
2 copy of such report.”.

3 (c) COORDINATION PROVISIONS.—Subsection (d) of
4 section 2008 of title 39, United States Code, is amended—

5 (1) by striking “(d) Nothing” and inserting
6 “(d)(1) Except as provided in paragraph (2), noth-
7 ing”; and

8 (2) by adding at the end the following:

9 “(2)(A) Before obtaining any audit or report under
10 paragraph (1), the Postal Service shall give the Inspector
11 General advance written notice of that intention.

12 “(B) Any exercise of power under paragraph (1) shall
13 be subject to any authority available to the Inspector Gen-
14 eral in carrying out section 4(a) of the Inspector General
15 Act of 1978.”.

16 (d) EFFECTIVE DATE.—This subsection shall take
17 effect on the date of enactment of this Act.

18 SEC. 514. No funds appropriated by this Act shall
19 be available to pay for an abortion, or the administrative
20 expenses in connection with any health plan under the
21 Federal employees health benefit program which provides
22 any benefits or coverage for abortions.

23 SEC. 515. The provision of section 514 shall not
24 apply where the life of the mother would be endangered

1 if the fetus were carried to term, or the pregnancy is the
2 result of an act of rape or incest.

3 SEC. 516. (a) None of the funds appropriated by this
4 Act may be expended by the Office of Personnel Manage-
5 ment to enter into or renew any contract under section
6 8902 of title 5, United States Code, for a health benefits
7 plan—

8 (1) which provides coverage for prescription
9 drugs, unless such plan also provides equivalent cov-
10 erage for all prescription contraceptive drugs or de-
11 vices approved by the Food and Drug Administra-
12 tion, or generic equivalents approved as substitutable
13 by the Food and Drug Administration; or

14 (2) which provides benefits for outpatient serv-
15 ices provided by a health care professional, unless
16 such plan also provides equivalent benefits for out-
17 patient contraceptive services.

18 (b) For purposes of this section—

19 (1) the term “contraceptive drug or device”
20 means a drug or device intended for preventing
21 pregnancy; and

22 (2) the term “outpatient contraceptive services”
23 means consultations, examinations, procedures, and
24 medical services, provided on an outpatient basis
25 and related to the use of contraceptive methods (in-

1 including natural family planning) to prevent preg-
2 nancy.

3 TITLE VI—GENERAL PROVISIONS

4 DEPARTMENTS, AGENCIES, AND CORPORATIONS

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

9 SEC. 602. No department, agency, or instrumentality
10 of the United States receiving appropriated funds under
11 this or any other Act for fiscal year 1999 shall obligate
12 or expend any such funds, unless such department, agen-
13 cy, or instrumentality has in place, and will continue to
14 administer in good faith, a written policy designed to en-
15 sure that all of its workplaces are free from the illegal
16 use, possession, or distribution of controlled substances
17 (as defined in the Controlled Substances Act) by the offi-
18 cers and employees of such department, agency, or instru-
19 mentality.

20 SEC. 603. Notwithstanding 31 U.S.C. 1345, any
21 agency, department, or instrumentality of the United
22 States which provides or proposes to provide child care
23 services for Federal employees may, in fiscal year 1999
24 and thereafter, reimburse any Federal employee or any
25 person employed to provide such services for travel, trans-

1 portation, and subsistence expenses incurred for training
2 classes, conferences, or other meetings in connection with
3 the provision of such services: *Provided*, That any per
4 diem allowance made pursuant to this section shall not
5 exceed the rate specified in regulations prescribed pursu-
6 ant to section 5707 of title 5, United States Code.

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

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

3 SEC. 605. Appropriations of the executive depart-
4 ments and independent establishments for the current fis-
5 cal year available for expenses of travel, or for the ex-
6 penses of the activity concerned, are hereby made available
7 for quarters allowances and cost-of-living allowances, in
8 accordance with 5 U.S.C. 5922–5924.

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

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

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

11 SEC. 608. In addition to funds provided in this or
12 any other Act, all Federal agencies are authorized to re-
13 ceive and use funds resulting from the sale of materials,
14 including Federal records disposed of pursuant to a
15 records schedule recovered through recycling or waste pre-
16 vention programs. Such funds shall be available until ex-
17 pended for the following purposes:

18 (1) Acquisition, waste reduction and prevention,
19 and recycling programs as described in Executive
20 Order No. 12873 (October 20, 1993), including any
21 such programs adopted prior to the effective date of
22 the Executive order.

23 (2) Other Federal agency environmental man-
24 agement programs, including, but not limited to, the

1 development and implementation of hazardous waste
2 management and pollution prevention programs.

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

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

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

1 SEC. 611. No part of any appropriation contained in
2 this or any other Act shall be available for interagency
3 financing of boards (except Federal Executive Boards),
4 commissions, councils, committees, or similar groups
5 (whether or not they are interagency entities) which do
6 not have a prior and specific statutory approval to receive
7 financial support from more than one agency or instru-
8 mentality.

9 SEC. 612. Funds made available by this or any other
10 Act to the Postal Service Fund (39 U.S.C. 2003) shall
11 be available for employment of guards for all buildings and
12 areas owned or occupied by the Postal Service and under
13 the charge and control of the Postal Service, and such
14 guards shall have, with respect to such property, the pow-
15 ers of special policemen provided by the first section of
16 the Act of June 1, 1948, as amended (62 Stat. 281; 40
17 U.S.C. 318), and, as to property owned or occupied by
18 the Postal Service, the Postmaster General may take the
19 same actions as the Administrator of General Services
20 may take under the provisions of sections 2 and 3 of the
21 Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C.
22 318a and 318b), attaching thereto penal consequences
23 under the authority and within the limits provided in sec-
24 tion 4 of the Act of June 1, 1948, as amended (62 Stat.
25 281; 40 U.S.C. 318c).

1 SEC. 613. None of the funds made available pursuant
2 to the provisions of this Act shall be used to implement,
3 administer, or enforce any regulation which has been dis-
4 approved pursuant to a resolution of disapproval duly
5 adopted in accordance with the applicable law of the
6 United States.

7 SEC. 614. (a) Notwithstanding any other provision
8 of law, and except as otherwise provided in this section,
9 no part of any of the funds appropriated for fiscal year
10 1999 by this or any other Act, may be used to pay any
11 prevailing rate employee described in section
12 5342(a)(2)(A) of title 5, United States Code—

13 (1) during the period from the date of expira-
14 tion of the limitation imposed by section 614 of the
15 Treasury, Postal Service and General Government
16 Appropriations Act, 1998, until the normal effective
17 date of the applicable wage survey adjustment that
18 is to take effect in fiscal year 1999, in an amount
19 that exceeds the rate payable for the applicable
20 grade and step of the applicable wage schedule in
21 accordance with such section 614; and

22 (2) during the period consisting of the remain-
23 der of fiscal year 1999, in an amount that exceeds,
24 as a result of a wage survey adjustment, the rate

1 payable under paragraph (1) by more than the sum
2 of—

3 (A) the percentage adjustment taking ef-
4 fect in fiscal year 1999 under section 5303 of
5 title 5, United States Code, in the rates of pay
6 under the General Schedule; and

7 (B) the difference between the overall aver-
8 age percentage of the locality-based comparabil-
9 ity payments taking effect in fiscal year 1999
10 under section 5304 of such title (whether by
11 adjustment or otherwise), and the overall aver-
12 age percentage of such payments which was ef-
13 fective in fiscal year 1998 under such section.

14 (b) Notwithstanding any other provision of law, no
15 prevailing rate employee described in subparagraph (B) or
16 (C) of section 5342(a)(2) of title 5, United States Code,
17 and no employee covered by section 5348 of such title,
18 may be paid during the periods for which subsection (a)
19 is in effect at a rate that exceeds the rates that would
20 be payable under subsection (a) were subsection (a) appli-
21 cable to such employee.

22 (c) For the purposes of this section, the rates payable
23 to an employee who is covered by this section and who
24 is paid from a schedule not in existence on September 30,

1 1998, shall be determined under regulations prescribed by
2 the Office of Personnel Management.

3 (d) Notwithstanding any other provision of law, rates
4 of premium pay for employees subject to this section may
5 not be changed from the rates in effect on September 30,
6 1998, except to the extent determined by the Office of
7 Personnel Management to be consistent with the purpose
8 of this section.

9 (e) This section shall apply with respect to pay for
10 service performed after September 30, 1998.

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

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

24 (h) The Office of Personnel Management may provide
25 for exceptions to the limitations imposed by this section

1 if the Office determines that such exceptions are necessary
2 to ensure the recruitment or retention of qualified employ-
3 ees.

4 SEC. 615. During the period in which the head of
5 any department or agency, or any other officer or civilian
6 employee of the Government appointed by the President
7 of the United States, holds office, no funds may be obli-
8 gated or expended in excess of \$5,000 to furnish or re-
9 decorate the office of such department head, agency head,
10 officer, or employee, or to purchase furniture or make im-
11 provements for any such office, unless advance notice of
12 such furnishing or redecoration is expressly approved by
13 the Committees on Appropriations. For the purposes of
14 this section, the term “office” includes the entire suite of
15 offices assigned to the individual, as well as any other
16 space used primarily by the individual or the use of which
17 is directly controlled by the individual.

18 SEC. 616. Notwithstanding any other provision of
19 law, no executive branch agency shall purchase, construct,
20 and/or lease any additional facilities, except within or con-
21 tiguous to existing locations, to be used for the purpose
22 of conducting Federal law enforcement training without
23 the advance approval of the Committees on Appropria-
24 tions.

1 SEC. 617. Notwithstanding section 1346 of title 31,
2 United States Code, or section 611 of this Act, funds
3 made available for fiscal year 1999 by this or any other
4 Act shall be available for the interagency funding of na-
5 tional security and emergency preparedness telecommuni-
6 cations initiatives which benefit multiple Federal depart-
7 ments, agencies, or entities, as provided by Executive
8 Order No. 12472 (April 3, 1984).

9 SEC. 618. (a) None of the funds appropriated by this
10 or any other Act may be obligated or expended by any
11 Federal department, agency, or other instrumentality for
12 the salaries or expenses of any employee appointed to a
13 position of a confidential or policy-determining character
14 excepted from the competitive service pursuant to section
15 3302 of title 5, United States Code, without a certification
16 to the Office of Personnel Management from the head of
17 the Federal department, agency, or other instrumentality
18 employing the Schedule C appointee that the Schedule C
19 position was not created solely or primarily in order to
20 detail the employee to the White House.

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

24 (1) the Central Intelligence Agency;

25 (2) the National Security Agency;

1 (3) the Defense Intelligence Agency;

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

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

7 (6) any agency, office, or unit of the Army,
8 Navy, Air Force, and Marine Corps, the Federal Bu-
9 reau of Investigation and the Drug Enforcement Ad-
10 ministration of the Department of Justice, the De-
11 partment of Transportation, the Department of the
12 Treasury, and the Department of Energy perform-
13 ing intelligence functions; and

14 (7) the Director of Central Intelligence.

15 SEC. 619. No department, agency, or instrumentality
16 of the United States receiving appropriated funds under
17 this or any other Act for fiscal year 1999 shall obligate
18 or expend any such funds, unless such department, agen-
19 cy, or instrumentality has in place, and will continue to
20 administer in good faith, a written policy designed to en-
21 sure that all of its workplaces are free from discrimination
22 and sexual harassment and that all of its workplaces are
23 not in violation of title VII of the Civil Rights Act of 1964,
24 as amended, the Age Discrimination in Employment Act
25 of 1967, and the Rehabilitation Act of 1973.

1 SEC. 620. No part of any appropriation contained in
2 this Act may be used to pay for the expenses of travel
3 of employees, including employees of the Executive Office
4 of the President, not directly responsible for the discharge
5 of official governmental tasks and duties: *Provided*, That
6 this restriction shall not apply to the family of the Presi-
7 dent, Members of Congress or their spouses, Heads of
8 State of a foreign country or their designees, persons pro-
9 viding assistance to the President for official purposes, or
10 other individuals so designated by the President.

11 SEC. 621. Notwithstanding any provision of law, the
12 President, or his designee, shall certify to Congress, annu-
13 ally, that no person or persons with direct or indirect re-
14 sponsibility for administering the Executive Office of the
15 President's Drug-Free Workplace Plan are themselves
16 subject to a program of individual random drug testing.

17 SEC. 622. No funds appropriated in this or any other
18 Act for fiscal year 1999 may be used to implement or en-
19 force the agreements in Standard Forms 312 and 4355
20 of the Government or any other nondisclosure policy,
21 form, or agreement if such policy, form, or agreement does
22 not contain the following provisions: "These restrictions
23 are consistent with and do not supersede, conflict with,
24 or otherwise alter the employee obligations, rights, or li-
25 abilities created by Executive Order No. 12356; section

1 7211 of title 5, United States Code (governing disclosures
2 to Congress); section 1034 of title 10, United States Code,
3 as amended by the Military Whistleblower Protection Act
4 (governing disclosure to Congress by members of the mili-
5 tary); section 2302(b)(8) of title 5, United States Code,
6 as amended by the Whistleblower Protection Act (govern-
7 ing disclosures of illegality, waste, fraud, abuse or public
8 health or safety threats); the Intelligence Identities Pro-
9 tection Act of 1982 (50 U.S.C. 421 et seq.) (governing
10 disclosures that could expose confidential Government
11 agents); and the statutes which protect against disclosure
12 that may compromise the national security, including sec-
13 tions 641, 793, 794, 798, and 952 of title 18, United
14 States Code, and section 4(b) of the Subversive Activities
15 Act of 1950 (50 U.S.C. 783(b)). The definitions, require-
16 ments, obligations, rights, sanctions, and liabilities created
17 by said Executive order and listed statutes are incor-
18 porated into this agreement and are controlling.”: *Pro-*
19 *vided*, That notwithstanding the preceding paragraph, a
20 nondisclosure policy form or agreement that is to be exe-
21 cuted by a person connected with the conduct of an intel-
22 ligence or intelligence-related activity, other than an em-
23 ployee or officer of the United States Government, may
24 contain provisions appropriate to the particular activity
25 for which such document is to be used. Such form or

1 agreement shall, at a minimum, require that the person
2 will not disclose any classified information received in the
3 course of such activity unless specifically authorized to do
4 so by the United States Government. Such nondisclosure
5 forms shall also make it clear that they do not bar disclo-
6 sures to Congress or to an authorized official of an execu-
7 tive agency or the Department of Justice that are essential
8 to reporting a substantial violation of law.

9 SEC. 623. No part of any funds appropriated in this
10 or any other Act shall be used by an agency of the execu-
11 tive branch, other than for normal and recognized execu-
12 tive-legislative relationships, for publicity or propaganda
13 purposes, and for the preparation, distribution or use of
14 any kit, pamphlet, booklet, publication, radio, television or
15 film presentation designed to support or defeat legislation
16 pending before the Congress, except in presentation to the
17 Congress itself.

18 SEC. 624. (a) IN GENERAL.—No later than Septem-
19 ber 30, 1999, the Director of the Office of Management
20 and Budget shall submit to the Congress a report that
21 provides—

22 (1) estimates of the total annual costs and ben-
23 efits of Federal regulatory programs, including
24 quantitative and nonquantitative measures of regu-
25 latory costs and benefits;

1 (2) estimates of the costs and benefits (includ-
2 ing quantitative and nonquantitative measures) of
3 each rule that is likely to have a gross annual effect
4 on the economy of \$100,000,000 or more in in-
5 creased costs;

6 (3) an assessment of the direct and indirect im-
7 pacts of Federal rules on the private sector, State
8 and local government, and the Federal Government;
9 and

10 (4) recommendations from the Director and a
11 description of significant public comments to reform
12 or eliminate any Federal regulatory program or pro-
13 gram element that is inefficient, ineffective, or is not
14 a sound use of the Nation's resources.

15 (b) NOTICE.—The Director shall provide public no-
16 tice and an opportunity to comment on the report under
17 subsection (a) before the report is issued in final form.

18 SEC. 625. None of the funds appropriated by this or
19 any other Act, may be used by an agency to provide a
20 Federal employee's home address to any labor organiza-
21 tion, unless the employee has authorized such disclosure
22 or such disclosure has been ordered by a court of com-
23 petent jurisdiction.

24 SEC. 626. The Secretary of the Treasury is author-
25 ized to establish scientific certification standards for explo-

1 sives detection canines, and shall provide, on a reimburs-
2 able basis, for the certification of explosives detection ca-
3 nines employed by Federal agencies, or other agencies pro-
4 viding explosives detection services at airports in the
5 United States.

6 SEC. 627. None of the funds made available in this
7 or any other Act may be used to provide any non-public
8 information such as mailing or telephone lists to any per-
9 son or any organization outside of the Federal Govern-
10 ment without the approval of the Committees on Appro-
11 priations.

12 SEC. 628. For purposes of each provision of law
13 amended by section 704(a)(2) of the Ethics Reform Act
14 of 1989 (5 U.S.C. 5318 note), no adjustment under sec-
15 tion 5303 of title 5, United States Code, shall be consid-
16 ered to have taken effect in fiscal year 1999 in the rates
17 of basic pay for the statutory pay systems.

18 SEC. 629. No part of any appropriation contained in
19 this or any other Act shall be used for publicity or propa-
20 ganda purposes within the United States not heretofore
21 authorized by the Congress.

22 SEC. 630. None of the funds appropriated in this or
23 any other Act shall be used to acquire information tech-
24 nologies which do not comply with part 39.106 (Year 2000
25 compliance) of the Federal Acquisition Regulation, unless

1 an agency's Chief Information Officer determines that
2 noncompliance with part 39.106 is necessary to the func-
3 tion and operation of the requesting agency or the acquisi-
4 tion is required by a signed contract with the agency in
5 effect before the date of enactment of this Act. Any waiver
6 granted by the Chief Information Officer shall be reported
7 to the Office of Management and Budget, and copies shall
8 be provided to Congress.

9 SEC. 631. None of the funds made available in this
10 Act for the United States Customs Service may be used
11 to allow the importation into the United States of any
12 good, ware, article, or merchandise mined, produced, or
13 manufactured by forced or indentured child labor, as de-
14 termined pursuant to section 307 of the Tariff Act of
15 1930 (19 U.S.C. 1307).

16 SEC. 632. Notwithstanding any other provision of
17 law, no part of any funds provided by this Act or any other
18 Act beginning in fiscal year 1999 and thereafter shall be
19 available for paying Sunday premium pay to any employee
20 unless such employee actually performed work during the
21 time corresponding to such premium pay.

22 SEC. 633. No part of any appropriation contained in
23 this or any other Act shall be available for the payment
24 of the salary of any officer or employee of the Federal
25 Government, who—

1 (1) prohibits or prevents, or attempts or threat-
2 ens to prohibit or prevent, any other officer or em-
3 ployee of the Federal Government from having any
4 direct oral or written communication or contact with
5 any Member, committee, or subcommittee of the
6 Congress in connection with any matter pertaining
7 to the employment of such other officer or employee
8 or pertaining to the department or agency of such
9 other officer or employee in any way, irrespective of
10 whether such communication or contact is at the ini-
11 tiative of such other officer or employee or in re-
12 sponse to the request or inquiry of such Member,
13 committee, or subcommittee; or

14 (2) removes, suspends from duty without pay,
15 demotes, reduces in rank, seniority, status, pay, or
16 performance of efficiency rating, denies promotion
17 to, relocates, reassigns, transfers, disciplines, or dis-
18 criminate in regard to any employment right, enti-
19 tlement, or benefit, or any term or condition of em-
20 ployment of, any other officer or employee of the
21 Federal Government, or attempts or threatens to
22 commit any of the foregoing actions with respect to
23 such other officer or employee, by reason of any
24 communication or contact of such other officer or
25 employee with any Member, committee, or sub-

1 committee of the Congress as described in paragraph
2 (1).

3 SEC. 634. Section 404(a) of the Government Manage-
4 ment Reform Act of 1994 is amended by striking the pe-
5 riod at the end of paragraph (2) and inserting “; and”,
6 and by adding at the end the following paragraph:

7 “(3) the Inspector General Act of 1978 (5
8 U.S.C. App.).”.

9 SEC. 635. Notwithstanding section 611 of this Act
10 and notwithstanding section 1346 of title 31, United
11 States Code, funds made available for fiscal year 1999,
12 by this or any other Act shall be available for the inter-
13 agency funding of specific projects, workshops, studies,
14 and similar efforts to carry out the purposes of the Na-
15 tional Science and Technology Council (authorized by Ex-
16 ecutive Order No. 12881), which benefit multiple Federal
17 departments, agencies, or entities.

18 SEC. 636. Section 626(b) of the Treasury, Postal
19 Service, and General Government Appropriations Act,
20 1997, as contained in section 101(f) of Public Law 104–
21 208 (110 Stat. 3009–360), the Omnibus Consolidated Ap-
22 propriations Act, 1997, is amended to read as follows:

23 “(b) Until the end of the current FTS 2000 con-
24 tracts, or September 30, 1999, whichever is sooner, sub-

1 section (a) shall continue to apply to the use of the funds
2 appropriated by this or any other Act.”.

3 SEC. 637. (a) DEFINITIONS.—In this section—

4 (1) the term “crime of violence” has the mean-
5 ing given that term in section 16 of title 18, United
6 States Code; and

7 (2) the term “law enforcement officer” means
8 any employee described in subparagraph (A), (B), or
9 (C) of section 8401(17) of title 5, United States
10 Code; and any special agent in the Diplomatic Secu-
11 rity Service of the Department of State.

12 (b) RULE OF CONSTRUCTION.—Notwithstanding any
13 other provision of law, for purposes of chapter 171 of title
14 28, United States Code, or any other provision of law re-
15 lating to tort liability, a law enforcement officer shall be
16 construed to be acting within the scope of his or her office
17 or employment, if the officer takes any action, including
18 the use of force, that is determined by the officer to be
19 necessary to—

20 (1) protect an individual in the presence of the
21 officer from a crime of violence;

22 (2) provide immediate assistance to an individ-
23 ual who has suffered or who is threatened with bod-
24 ily harm; or

1 (3) prevent the escape of any individual who the
2 officer reasonably believes to have committed in the
3 presence of the officer a crime of violence.

4 SEC. 638. The Administrator of General Services
5 may provide, from government-wide credit card rebates,
6 up to \$3,000,000 in support of the Joint Financial Man-
7 agement Improvement Program as approved by the Chief
8 Financial Officer's Council.

9 SEC. 639. FEDERAL FIREFIGHTERS OVERTIME PAY
10 REFORM ACT OF 1998.—(a) Subchapter V of chapter 55
11 of title 5, United States Code, is amended—

12 (1) in section 5542 by adding the following new
13 subsection at the end thereof:

14 “(f) In applying subsection (a) of this section with
15 respect to a firefighter who is subject to section 5545b—

16 “(1) such subsection (a) shall be deemed to
17 apply to hours of work officially ordered or approved
18 in excess of 106 hours in a biweekly pay period, or,
19 if the agency establishes a weekly basis for overtime
20 pay computation, in excess of 53 hours in an admin-
21 istrative workweek; and

22 “(2) the overtime hourly rate of pay is an
23 amount equal to one and one-half times the hourly
24 rate of basic pay under section 5545b (b)(1)(A) or
25 (c)(1)(B), as applicable, and such overtime hourly

1 rate of pay may not be less than such hourly rate
2 of basic pay in applying the limitation on the over-
3 time rate provided in paragraph (2) of such sub-
4 section (a).”; and

5 (2) by inserting after section 5545a the follow-
6 ing new section:

7 **“§ 5545b. Pay for firefighters**

8 “(a) This section applies to an employee whose posi-
9 tion is classified in the firefighter occupation in conform-
10 ance with the GS-081 standard published by the Office
11 of Personnel Management, and whose normal work sched-
12 ule, as in effect throughout the year, consists of regular
13 tours of duty which average at least 106 hours per bi-
14 weekly pay period.

15 “(b)(1) If the regular tour of duty of a firefighter
16 subject to this section generally consists of 24-hour shifts,
17 rather than a basic 40-hour workweek (as determined
18 under regulations prescribed by the Office of Personnel
19 Management), section 5504(b) shall be applied as follows
20 in computing pay—

21 “(A) paragraph (1) of such section shall be
22 deemed to require that the annual rate be divided by
23 2756 to derive the hourly rate; and

1 “(B) the computation of such firefighter’s daily,
2 weekly, or biweekly rate shall be based on the hourly
3 rate under subparagraph (A);

4 “(2) For the purpose of sections 5595(c), 5941,
5 8331(3), and 8704(c), and for such other purposes as may
6 be expressly provided for by law or as the Office of Person-
7 nel Management may by regulation prescribe, the basic
8 pay of a firefighter subject to this subsection shall include
9 an amount equal to the firefighter’s basic hourly rate (as
10 computed under paragraph (1)(A)) for all hours in such
11 firefighter’s regular tour of duty (including overtime
12 hours).

13 “(c)(1) If the regular tour of duty of a firefighter
14 subject to this section includes a basic 40-hour workweek
15 (as determined under regulations prescribed by the Office
16 of Personnel Management), section 5504(b) shall be ap-
17 plied as follows in computing pay—

18 “(A) the provisions of such section shall apply
19 to the hours within the basic 40-hour workweek”

20 “(B) for hours outside the basic 40-hour work-
21 week, such section shall be deemed to require that
22 the hourly rate be derived by dividing the annual
23 rate by 2756; and

24 “(C) the computation of such firefighter’s daily,
25 weekly, or biweekly rate shall be based on subpara-

1 graphs (A) and (B), as each applies to the hours in-
2 volved.

3 “(2) For purposes of sections 5595(c), 5941,
4 8331(3), and 8704(c), and for such other purposes as may
5 be expressly provided for by law or as the Office of Person-
6 nel Management may by regulation prescribe, the basic
7 pay of a firefighter subject to this subsection shall in-
8 clude—

9 “(A) an amount computed under paragraph
10 (1)(A) for the hours within the basic 40-hour work-
11 week; and

12 “(B) an amount equal to the firefighter’s basic
13 hourly rate (as computed under paragraph (1)(B))
14 for all hours outside the basic 40-hour workweek
15 that are within such firefighter’s regular tour of
16 duty (including overtime hours).

17 “(d)(1) A firefighter who is subject to this section
18 shall receive overtime pay in accordance with section 5542,
19 but shall not receive premium pay provided by other provi-
20 sions of this subchapter.

21 “(2) For the purpose of applying section 7(k) of the
22 Fair Labor Standards Act of 1938 to a firefighter who
23 is subject to this section, no violation referred to in such
24 section 7(k) shall be deemed to have occurred if the re-
25 quirements of section 5542(a) are met, applying section

1 5542(a) as provided in subsection (f) of that section: *Pro-*
2 *vided*, That the overtime hourly rate of pay for such fire-
3 fighter shall in all cases be an amount equal to one and
4 one-half times the firefighter’s hourly rate of basic pay
5 under subsection (b)(1)(A) or (c)(1)(B) of this section, as
6 applicable.

7 “(3) The Office of Personnel Management may pre-
8 scribe regulations, with respect to firefighters subject to
9 this section, that would permit an agency to reduce or
10 eliminate the variation in the amount of firefighters’ bi-
11 weekly pay caused by work scheduling cycles that result
12 in varying hours in the regular tours of duty from pay
13 period to pay period. Under such regulations, the pay that
14 a firefighter would otherwise receive for regular tours of
15 duty over the work scheduling cycle shall, to the extent
16 practicable, remain unaffected.”.

17 (b) The analysis for chapter 55 of title 5, United
18 States Code, is amended by inserting at the appropriate
19 place the following new item:

“5545b. Pay for firefighters.”.

20 (c) Section 4109 of title 5, United States Code, is
21 amended by adding the following new subsection at the
22 end thereof:

23 “(d) Notwithstanding subsection (a)(1), a firefighter
24 who is subject to section 5545b of this title shall be paid

1 basic pay and overtime pay for the firefighter’s regular
2 tour of duty while attending agency sanctioned training.”.

3 (d) section 8331(3) of title 5, United States Code,
4 is amended—

5 (1) by striking “and” after subparagraph (D);

6 (2) by redesignating subparagraph (E) as sub-
7 paragraph (G);

8 (3) by inserting the following:

9 “(E) with respect to a criminal investiga-
10 tor, availability pay under section 5545a of this
11 title;

12 “(F) pay as provided in section 5545b
13 (b)(2) and (c)(2); and ”; and

14 (4) by striking “subparagraphs (B), (C), (D),
15 and (E)” and inserting “subparagraphs (B)–(G)”.

16 (e) The amendments made by this section shall take
17 effect on the first day of the first applicable pay period
18 which begins on or after the later of October 1, 1998, or
19 the 180th day following the date of enactment of this sec-
20 tion.

21 (f) Under regulations prescribed by the Office of Per-
22 sonnel Management, a firefighter subject to section 5545b
23 of title 5, United States Code, as added by this section,
24 whose regular tours of duty average 60 hours or less per
25 workweek and do not include a basic 40-hour workweek,

1 shall, upon implementation of this section, be granted an
2 increase in basic pay equal to 2 step-increases of the appli-
3 cable General Schedule grade, and such increase shall not
4 be an equivalent increase in pay. If such increase results
5 in a change to a longer waiting period for the firefighter's
6 next step increase, the firefighter shall be credited with
7 an additional year of service for the purpose of such wait-
8 ing period. If such increase results in a rate of basic pay
9 which is above the maximum rate of the applicable grade,
10 such resulting pay rate shall be treated as a retained rate
11 of basic pay in accordance with section 5363 of title 5,
12 United States Code.

13 (g) Under regulations prescribed by the Office of Per-
14 sonnel Management, the regular pay (over the established
15 work scheduling cycle) of a firefighter subject to section
16 5545b of title 5, United States Code, as added by this
17 section, shall not be reduced as a result of the implementa-
18 tion of this section.

19 COORDINATION OF SOUTHWEST BORDER COUNTERDRUG
20 ACTIVITIES

21 SEC. 640.—(1) Not later than 180 days after the
22 date of enactment of this Act, the Director of the Office
23 of National Drug Control Policy shall conduct a review
24 of Federal efforts and submit to the appropriate congres-
25 sional committees, including the Committees on Appro-
26 priations, a plan to improve coordination among the Fed-

1 eral agencies with responsibility to protect the borders
2 against drug trafficking. The review shall also include con-
3 sideration of Federal agencies' coordination with State
4 and local law enforcement agencies. The plan shall include
5 an assessment and action plan, including the activities of
6 the following departments and agencies:

- 7 (A) Department of the Treasury;
- 8 (B) Department of Justice;
- 9 (C) United States Coast Guard;
- 10 (D) Department of Defense;
- 11 (E) Department of Transportation;
- 12 (F) Department of State; and
- 13 (G) Department of Interior.

14 (2) The purpose of the plan under paragraph (1) is
15 to maximize the effectiveness of the border control efforts
16 in achieving the objectives of the national drug control
17 strategy in a manner that is also consistent with the goal
18 of facilitating trade. In order to maximize the effective-
19 ness, the plan shall:

- 20 (A) specify the methods used to enhance co-
21 operation, planning and accountability among the
22 Federal, State, and local agencies with responsibil-
23 ities along the Southwest border;
- 24 (B) specify mechanisms to ensure cooperation
25 among the agencies, including State and local agen-

1 cies, with responsibilities along the Southwest bor-
2 der;

3 (C) identify new technologies that will be used
4 in protecting the borders including conclusions re-
5 garding appropriate deployment of technology;

6 (D) identify new initiatives for infrastructure
7 improvements;

8 (E) recommend reinforcements in terms of re-
9 sources, technology and personnel necessary to en-
10 sure capacity to maintain appropriate inspections;

11 (F) integrate findings of the White House Intel-
12 ligence Architecture Review into the plan; and

13 (G) make recommendations for strengthening
14 the HIDTA program along the Southwest border.

15 SEC. 641. (a) FLEXIPLACE WORK TELECOMMUTING
16 PROGRAMS.—For fiscal year 1999 and each fiscal year
17 thereafter, of the funds made available to each Executive
18 agency for salaries and expenses, at a minimum \$50,000
19 shall be available only for the necessary expenses of the
20 Executive agency to carry out a flexiplace work tele-
21 commuting program.

22 (b) DEFINITIONS.—For purposes of this section:

23 (1) EXECUTIVE AGENCY.—The term “Executive
24 agency” means the following list of departments and
25 agencies: Department of State, Treasury, Defense,

1 Justice, Interior, Labor, Health and Human Serv-
2 ices, Agriculture, Commerce, Housing and Urban
3 Development, Transportation, Energy, Education,
4 Veterans' Affairs, General Service Administration,
5 Office of Personnel Management, Small Business
6 Administration, Smithsonian, Social Security Ad-
7 ministration, Environmental Protection Agency, U.S.
8 Postal Service.

9 (2) FLEXIPLACE WORK TELECOMMUTING PRO-
10 GRAM.—The term “flexiplace work telecommuting
11 program” means a program under which employees
12 of an Executive agency are permitted to perform all
13 or a portion of their duties at a flexiplace work tele-
14 commuting center established under section 210(l)
15 of the Federal Property and Administrative Services
16 Act of 1949 (40 U.S.C. 490(l)) or other Federal
17 law.

18 SEC. 642. (a) MERITORIOUS EXECUTIVE.—Section
19 4507(e)(1) of title 5, United States Code, is amended by
20 striking “\$10,000” and inserting “an amount equal to 20
21 percent of annual basic pay”.

22 (b) DISTINGUISHED EXECUTIVE.—Section
23 4507(e)(2) of title 5, United States Code, is amended by
24 striking “\$20,000” and inserting “an amount equal to 35
25 percent of annual basic pay”.

1 (c) EFFECTIVE DATE.—The amendments made by
2 this section shall take effect on October 1, 1998, or the
3 date of enactment of this Act, whichever is later.

4 SEC. 643. (a) CAREER SES PERFORMANCE
5 AWARDS.—Section 5384(b)(3) of title 5, United States
6 Code, is amended—

7 (1) by striking “3 percent” and inserting “10
8 percent”; and

9 (2) by striking “15 percent” and inserting “20
10 percent”.

11 (b) EFFECTIVE DATE.—The amendments made by
12 this section shall take effect on October 1, 1998, or the
13 date of enactment of this Act, whichever is later.

14 SEC. 644. (a)(1) Paragraph (1) of section 5303(b)
15 of title 5, United States Code, is amended by striking “If,
16 because of national emergency or serious economic condi-
17 tions affecting the general welfare,” and inserting “If, be-
18 cause of a declared state of war or severe economic condi-
19 tions,”.

20 (2) Section 5303(b) of title 5, United States Code,
21 is amended by adding at the end the following:

22 “(4) For purposes of applying this subsection with
23 respect to any pay adjustment that is to take effect in
24 any calendar year, ‘severe economic conditions’ shall be
25 considered to exist if, during the 12-month period ending

1 2 calendar quarters before the date as of which such ad-
2 justment is scheduled to take effect (as determined under
3 subsection (a)), there occur 2 consecutive quarters of neg-
4 ative growth in the real Gross Domestic Product.”.

5 (3) Paragraph (2) of section 5303(b) of title 5,
6 United States Code, is amended by striking “an economic
7 condition affecting the general welfare under this sub-
8 section,” and inserting “economic conditions for purposes
9 of this subsection,”.

10 (b)(1) Subsection (a) of section 5304a of title 5,
11 United States Code, is amended by striking “If, because
12 of national emergency or serious economic conditions af-
13 fecting the general welfare,” and inserting “If, because of
14 a declared state of war or severe economic conditions,”.

15 (2) Section 5304a of title 5, United States Code, is
16 amended by redesignating subsection (b) as subsection (c)
17 and by inserting after subsection (a) the following:

18 “(b) For purposes of applying this section with re-
19 spect to any comparability payments that are to become
20 payable in any calendar year, ‘severe economic conditions’
21 shall be considered to exist if, during the 12-month period
22 ending 2 calendar quarters before the date as of which
23 such payments are scheduled to take effect (as determined
24 under section 5304(d)(2)), there occur 2 consecutive quar-

1 ters of negative growth in the real Gross Domestic Prod-
2 uct.”.

3 (c) The amendments made by this section shall apply
4 with respect to any alternative pay adjustments under sec-
5 tion 5303(b) of title 5, United States Code, and any alter-
6 native level of comparability payments under section
7 5304a of such title 5, scheduled to take effect after 1999.

8 (d) The adjustment in rates of basic pay for the stat-
9 utory pay systems that takes effect in fiscal year 1999
10 under section 5303 of title 5, United States Code, shall
11 be an increase of 3.1 percent, unless otherwise provided
12 for under such section.

13 SEC. 645. (a) None of the funds made available in
14 this or any other Act may be obligated or expended for
15 any employee training that—

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

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

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

1 (4) contains any methods or content associated
2 with religious or quasi-religious belief systems or
3 “new age” belief systems as defined in Equal Em-
4 ployment Opportunity Commission Notice N-
5 915.022, dated September 2, 1988;

6 (5) is offensive to, or designed to change, par-
7 ticipants’ personal values or lifestyle outside the
8 workplace; or

9 (6) includes content related to human immuno-
10 deficiency virus-acquired immune deficiency syn-
11 drome (HIV/AIDS) other than that necessary to
12 make employees more aware of the medical ramifica-
13 tions of HIV/AIDS and the workplace rights of
14 HIV-positive employees.

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

18 SEC. 646. (a) INTERNATIONAL POSTAL ARRANGE-
19 MENTS.—Section 407 of title 39, United States Code, is
20 amended to read as follows:

21 **“§ 407. International postal arrangements**

22 “(a) The United States Trade Representative shall
23 be responsible for the formulation, coordination, and over-
24 sight of foreign policy related to international postal serv-
25 ices and international delivery services, except that the

1 Trade Representative may not negotiate or conclude any
2 treaty, convention, or other international agreement (in-
3 cluding those regulating international postal service) if
4 such treaty, convention, or agreement would, with respect
5 to any class of mail or type of mail service, grant an undue
6 or unreasonable preference to the Postal Service, a private
7 provider of international postal services, or any other per-
8 son.

9 “(b) In carrying out the responsibilities set forth in
10 subsection (a), the Trade Representative—

11 “(1) shall coordinate with and give full consid-
12 eration to the authority vested by law or Executive
13 order in the Postal Rate Commission and the De-
14 partment of Commerce; and

15 “(2) shall consult with the Postal Service, pri-
16 vate providers of international postal services, users
17 of international postal services, the general public,
18 and such other persons as the Trade Representative
19 considers appropriate.

20 “(c) The Postal Service may enter into such commer-
21 cial and operational contracts relating to international
22 postal services as it considers necessary, except that the
23 Postal Service may not enter into any contract with an
24 agency of a foreign government (whether under authority
25 of this subsection or otherwise) if it would grant an undue

1 or unreasonable preference to the Postal Service with re-
2 spect to any class of mail or type of mail service.”.

3 (b) TRADE-IN-SERVICES PROGRAM.—The second
4 sentence of paragraph (5) of section 306(a) of the Trade
5 and Tariff Act of 1984 (19 U.S.C. 2114b(5)) is amended
6 by inserting “postal and delivery services,” after “trans-
7 portation,”.

8 SEC. 647. (a) LIMITATION.—No funds appropriated
9 for the United States Postal Service under this or any
10 other Act may be expended by the Postal Service to initi-
11 ate new nonpostal commercial activities or pack and send
12 services.

13 (b) DEFINITION.—For purposes of this section, the
14 term “nonpostal commercial activities” includes services
15 such as volume retail photocopying, notary public services,
16 and the sale of office supplies or novelty items.

17 (c) RULES OF CONSTRUCTION.—Nothing in this sec-
18 tion shall be considered—

19 (1) to affect any governmental function or any
20 services in support of a governmental function;

21 (2) to be applicable to the extent contrary to
22 statute or any treaty or international agreement; or

23 (3) to have any force or effect before October
24 1, 1998, or after September 30, 1999.

1 This Act may be cited as the “Treasury and General
2 Government Appropriations Act, 1999”.