

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, 2002, AND FOR OTHER PURPOSES

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OCTOBER 26, 2001.—Ordered to be printed  
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Mr. ISTOOK, from the committee of conference, submitted the following

## CONFERENCE REPORT

[To accompany H.R. 2590]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2590) “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, 2002, and for other purposes”, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert:

*That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, 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, 2002, and for other purposes, namely:*

### TITLE I—DEPARTMENT OF THE TREASURY

#### DEPARTMENTAL OFFICES

#### SALARIES AND EXPENSES

*For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for,*

*real properties leased or owned overseas, when necessary for the performance of official business; not to exceed \$3,500,000 for official travel expenses; not to exceed \$3,813,000, to remain available until expended for information technology modernization requirements; not to exceed \$150,000 for official reception and representation expenses; not to exceed \$258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate, \$177,142,000: Provided, That of these amounts \$2,900,000 is available for grants to State and local law enforcement groups to help fight money laundering: Provided further, That of these amounts \$2,000,000 shall be available for a grant associated with research on transfer pricing, and that such sum shall be transferred within 90 days of enactment of this Act.*

**DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS**

**(INCLUDING TRANSFER OF FUNDS)**

*For development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, \$68,828,000, to remain available until expended: Provided, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act: Provided further, That none of the funds appropriated shall be used to support or supplement the Internal Revenue Service appropriations for Information Systems.*

**OFFICE OF INSPECTOR GENERAL**

**SALARIES AND EXPENSES**

*For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, not to exceed \$2,000,000 for official travel expenses, including hire of passenger motor vehicles; and not to exceed \$100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury, \$35,424,000.*

**TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION**

**SALARIES AND EXPENSES**

*For necessary expenses of the Treasury Inspector General for Tax Administration in carrying out the Inspector General Act of 1978, as amended, including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); services authorized by 5 U.S.C. 3109, at such rates as may be determined by the Inspector General for Tax Administration; not to exceed \$6,000,000 for official travel expenses; and not to exceed \$500,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General for Tax Administration, \$123,746,000.*

*TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION*

*For the repair, alteration, and improvement of the Treasury Building and Annex, \$28,932,000, to remain available until expended.*

*EXPANDED ACCESS TO FINANCIAL SERVICES*

*(INCLUDING TRANSFER OF FUNDS)*

*To develop and implement programs to expand access to financial services for low- and moderate-income individuals, \$2,000,000, such funds to become available upon authorization of this program as provided by law and to remain available until expended: Provided, That of these funds, such sums as may be necessary may be transferred to accounts of the Department's offices, bureaus, and other organizations: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act.*

*FINANCIAL CRIMES ENFORCEMENT NETWORK*

*SALARIES AND EXPENSES*

*For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel expenses of non-Federal law enforcement personnel to attend meetings concerned with financial intelligence activities, law enforcement, and financial regulation; not to exceed \$14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, \$45,837,000, of which not to exceed \$3,400,000 shall remain available until September 30, 2004; and of which \$7,790,000 shall remain available until September 30, 2003: Provided, That funds appropriated in this account may be used to procure personal services contracts.*

*COUNTERTERRORISM FUND*

*For necessary expenses, as determined by the Secretary, \$40,000,000, to remain available until expended, to reimburse any Department of the Treasury organization for the costs of providing support to counter, investigate, or prosecute unexpected threats or acts of terrorism, including payment of rewards in connection with these activities: Provided, That use of such funds shall be subject to prior notification of the Committees on Appropriations in accordance with guidelines for reprogramming and transfer of funds.*

*FEDERAL LAW ENFORCEMENT TRAINING CENTER*

*SALARIES AND EXPENSES*

*For necessary expenses of the Federal Law Enforcement Training Center, as a bureau of the Department of the Treasury, including materials and support costs of Federal law enforcement basic training; purchase (not to exceed 52 for police-type use, without regard to the general purchase price limitation) and hire of passenger motor vehicles; for expenses for student athletic and related activities; uniforms without regard to the general purchase price limitation for the current fiscal year; the conducting of and participating*

*in firearms matches and presentation of awards; for public awareness and enhancing community support of law enforcement training; not to exceed \$11,500 for official reception and representation expenses; room and board for student interns; and services as authorized by 5 U.S.C. 3109, \$105,680,000, of which \$650,000 shall be available for an interagency effort to establish written standards on accreditation of Federal law enforcement training; and of which up to \$18,892,000 for materials and support costs of Federal law enforcement basic training shall remain available until September 30, 2004, and of which up to 20 percent of the \$18,892,000 also shall be available for travel, room and board costs for participating agency basic training during the first quarter of a fiscal year, subject to full reimbursement by the benefitting agency: Provided, That the Center is authorized to accept and use gifts of property, both real and personal, and to accept services, for authorized purposes, including funding of a gift of intrinsic value which shall be awarded annually by the Director of the Center to the outstanding student who graduated from a basic training program at the Center during the previous fiscal year, which shall be funded only by gifts received through the Center's gift authority: Provided further, That notwithstanding any other provision of law, students attending training at any Federal Law Enforcement Training Center site shall reside in on-Center or Center-provided housing, insofar as available and in accordance with Center policy: Provided further, That funds appropriated in this account shall be available, at the discretion of the Director, for the following: training United States Postal Service law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis; training of foreign law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation, except that reimbursement may be waived by the Secretary for law enforcement training activities in foreign countries undertaken pursuant to section 801 of the Antiterrorism and Effective Death Penalty Act of 1996, Public Law 104-32; training of private sector security officials on a space-available basis with reimbursement of actual costs to this appropriation; and travel expenses of non-Federal personnel to attend course development meetings and training sponsored by the Center: Provided further, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training sponsored by the Federal Law Enforcement Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: Provided further, That the Federal Law Enforcement Training Center is authorized to provide training for the Gang Resistance Education and Training program to Federal and non-Federal personnel at any facility in partnership with the Bureau of Alcohol, Tobacco and Firearms: Provided further, That the Federal Law Enforcement Training Center is authorized to provide short-term medical services for students undergoing training at the Center.*

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED  
EXPENSES

*For expansion of the Federal Law Enforcement Training Center, for acquisition of necessary additional real property and facili-*

ties, and for ongoing maintenance, facility improvements, and related expenses, \$33,434,000, to remain available until expended.

*INTERAGENCY LAW ENFORCEMENT*

*INTERAGENCY CRIME AND DRUG ENFORCEMENT*

*For expenses necessary to conduct investigations and convict offenders involved in organized crime drug trafficking, including cooperative efforts with State and local law enforcement, as it relates to the Treasury Department law enforcement violations such as money laundering, violent crime, and smuggling, \$107,576,000, of which \$7,827,000 shall remain available until expended.*

*FINANCIAL MANAGEMENT SERVICE*

*SALARIES AND EXPENSES*

*For necessary expenses of the Financial Management Service, \$212,850,000, of which not to exceed \$9,220,000 shall remain available until September 30, 2004, for information systems modernization initiatives; and of which not to exceed \$2,500 shall be available for official reception and representation expenses.*

*BUREAU OF ALCOHOL, TOBACCO AND FIREARMS*

*SALARIES AND EXPENSES*

*For necessary expenses of the Bureau of Alcohol, Tobacco and Firearms, including purchase of not to exceed 822 vehicles for police-type use, of which 650 shall be for replacement only, and hire of passenger motor vehicles; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director; for payment of per diem and/or subsistence allowances to employees where a major investigative assignment requires an employee to work 16 hours or more per day or to remain overnight at his or her post of duty; not to exceed \$20,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; not to exceed \$50,000 for cooperative research and development programs for Laboratory Services and Fire Research Center activities; and provision of laboratory assistance to State and local agencies, with or without reimbursement, \$823,316,000, of which \$3,500,000 shall be available for retrofitting and upgrades of the National Tracing Center Facility in Martinsburg, West Virginia; of which not to exceed \$1,000,000 shall be available for the payment of attorneys' fees as provided by 18 U.S.C. 924(d)(2); of which up to \$2,000,000 shall be available for the equipping of any vessel, vehicle, equipment, or aircraft available for official use by a State or local law enforcement agency if the conveyance will be used in joint law enforcement operations with the Bureau of Alcohol, Tobacco and Firearms and for the payment of overtime salaries including Social Security and Medicare, travel, fuel, training, equipment, supplies, and other similar costs of State and local law enforcement personnel, including sworn officers and support personnel, that are incurred in joint operations with the Bureau of Alcohol, Tobacco and Firearms, and of which \$13,000,000, to remain*

available until expended, shall be available for disbursements through grants, cooperative agreements or contracts to local governments for Gang Resistance Education and Training: Provided, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco and Firearms to other agencies or Departments in fiscal year 2002: Provided further, That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, within the Department of the Treasury, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: Provided further, That no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 178.118 or to change the definition of "Curios or relics" in 27 CFR 178.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: Provided further, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): Provided further, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under 18 U.S.C. 925(c): Provided further, That no funds under this Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code.

#### UNITED STATES CUSTOMS SERVICE

##### SALARIES AND EXPENSES

For necessary expenses of the United States Customs Service, including purchase and lease of up to 1,235 motor vehicles of which 550 are for replacement only and of which 1,215 are for police-type use and commercial operations; hire of motor vehicles; contracting with individuals for personal services abroad; not to exceed \$40,000 for official reception and representation expenses; and awards of compensation to informers, as authorized by any Act enforced by the United States Customs Service, \$2,079,357,000, of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Budget Reconciliation Act of 1985, as amended (19 U.S.C. 58c(f)(3)), shall be derived from that Account; of the total, not to exceed \$150,000 shall be available for payment for rental space in connection with preclearance operations; not to exceed \$4,000,000 shall be available until expended for research; not less than \$100,000 shall be available to promote public awareness of the child pornography tipline; not less than \$200,000 shall be available for Project Alert; not less than \$1,000,000 shall be provided to develop a curriculum for the training of law enforcement dogs to combat and respond to terrorist activities specifically related to chemical and biological threats; not to exceed \$5,000,000 shall be available until expended for conducting special operations pursuant to 19 U.S.C. 2081; not to exceed \$8,000,000 shall be available until expended for the procurement of automation infrastructure items, including hardware, software, and installation; not to exceed \$33,151,000 shall be available until ex-

*pended for the procurement and deployment of non-intrusive inspection technology; and not to exceed \$5,000,000 shall be available until expended for repairs to Customs facilities: Provided, That of the total amount of funds made available for forced child labor activities in fiscal year 2002, not to exceed \$4,400,000 shall remain available until expended for operations and support of such activities: Provided further, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: Provided further, That notwithstanding any other provision of law, the fiscal year aggregate overtime limitation prescribed in subsection 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 261 and 267) shall be \$30,000.*

*HARBOR MAINTENANCE FEE COLLECTION*

*(INCLUDING TRANSFER OF FUNDS)*

*For administrative expenses related to the collection of the Harbor Maintenance Fee, pursuant to Public Law 103-182, \$3,000,000, to be derived from the Harbor Maintenance Trust Fund and to be transferred to and merged with the Customs "Salaries and Expenses" account for such purposes.*

*OPERATION, MAINTENANCE AND PROCUREMENT, AIR AND MARINE INTERDICTION PROGRAMS*

*For expenses, not otherwise provided for, necessary for the operation and maintenance of marine vessels, aircraft, and other related equipment of the Air and Marine Programs, including operational training and mission-related travel, and rental payments for facilities occupied by the air or marine interdiction and demand reduction programs, the operations of which include the following: the interdiction of narcotics and other goods; the provision of support to Customs and other Federal, State, and local agencies in the enforcement or administration of laws enforced by the Customs Service; and, at the discretion of the Commissioner of Customs, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts, \$177,860,000, which shall remain available until expended: Provided, That no aircraft or other related equipment, with the exception of aircraft which is one of a kind and has been identified as excess to Customs requirements and aircraft which has been damaged beyond repair, shall be transferred to any other Federal agency, department, or office outside of the Department of the Treasury, during fiscal year 2002 without the prior approval of the Committees on Appropriations.*

*AUTOMATION MODERNIZATION*

*For expenses not otherwise provided for Customs automated systems, \$427,832,000, to remain available until expended, of which \$5,400,000 shall be for the International Trade Data System, and not less than \$300,000,000 shall be for the development of the Automated Commercial Environment: Provided, That none of the funds appropriated under this heading may be obligated for the Automated Commercial Environment until the United States Customs Service prepares and submits to the Committees on Appropriations a plan for expenditure that: (1) meets the capital planning and in-*

*vestment control review requirements established by the Office of Management and Budget, including OMB Circular A-11, part 3; (2) complies with the United States Customs Service's Enterprise Information Systems Architecture; (3) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government; (4) is reviewed and approved by the Customs Investment Review Board, the Department of the Treasury, and the Office of Management and Budget; and (5) is reviewed by the General Accounting Office: Provided further, That none of the funds appropriated under this heading may be obligated for the Automated Commercial Environment until such expenditure plan has been approved by the Committees on Appropriations.*

#### UNITED STATES MINT

##### UNITED STATES MINT PUBLIC ENTERPRISE FUND

*Pursuant to section 5136 of title 31, United States Code, the United States Mint is provided funding through the United States Mint Public Enterprise Fund for costs associated with the production of circulating coins, numismatic coins, and protective services, including both operating expenses and capital investments. The aggregate amount of new liabilities and obligations incurred during fiscal year 2002 under such section 5136 for circulating coinage and protective service capital investments of the United States Mint shall not exceed \$43,000,000. From amounts in the United States Mint Public Enterprise Fund, the Secretary of the Treasury shall pay to the Comptroller General an amount not to exceed \$250,000 to reimburse the Comptroller General for the cost of a study to be conducted by the Comptroller General on any changes necessary to maximize public interest and acceptance and to achieve a better balance in the numbers of coins of different denominations in circulation, with particular attention to increasing the number of \$1 coins in circulation.*

#### BUREAU OF THE PUBLIC DEBT

##### ADMINISTERING THE PUBLIC DEBT

*For necessary expenses connected with any public-debt issues of the United States, \$191,353,000, of which not to exceed \$15,000 shall be available for official reception and representation expenses, and of which not to exceed \$2,000,000 shall remain available until expended for systems modernization: Provided, That the sum appropriated herein from the General Fund for fiscal year 2002 shall be reduced by not more than \$4,400,000 as definitive security issue fees and Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 2002 appropriation from the General Fund estimated at \$186,953,000. In addition, \$40,000, to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101-380.*

## INTERNAL REVENUE SERVICE

## PROCESSING, ASSISTANCE, AND MANAGEMENT

*For necessary expenses of the Internal Revenue Service for pre-filing taxpayer assistance and education, filing and account services, shared services support, general management and administration; and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, \$3,797,890,000, of which up to \$3,950,000 shall be for the Tax Counseling for the Elderly Program, of which \$7,000,000 shall be available for low-income taxpayer clinic grants, and of which not to exceed \$25,000 shall be for official reception and representation expenses.*

## TAX LAW ENFORCEMENT

*For necessary expenses of the Internal Revenue Service for determining and establishing tax liabilities; providing litigation support; conducting criminal investigation and enforcement activities; securing unfiled tax returns; collecting unpaid accounts; conducting a document matching program; resolving taxpayer problems through prompt identification, referral and settlement; compiling statistics of income and conducting compliance research; purchase (for police-type use, not to exceed 850) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, \$3,538,347,000, of which not to exceed \$1,000,000 shall remain available until September 30, 2004, for research.*

## EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE

*For funding essential earned income tax credit compliance and error reduction initiatives pursuant to section 5702 of the Balanced Budget Act of 1997 (Public Law 105-33), \$146,000,000, of which not to exceed \$10,000,000 may be used to reimburse the Social Security Administration for the costs of implementing section 1090 of the Taxpayer Relief Act of 1997.*

## INFORMATION SYSTEMS

*For necessary expenses of the Internal Revenue Service for information systems and telecommunications support, including developmental information systems and operational information systems; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, \$1,563,249,000, which shall remain available until September 30, 2003.*

## BUSINESS SYSTEMS MODERNIZATION

*For necessary expenses of the Internal Revenue Service, \$391,593,000, to remain available until September 30, 2004, for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by 5 U.S.C. 3109: Provided, That none of these funds may be obligated until the Internal Revenue Service submits to the Committees on Appropriations, and such Committees approve, a plan for expenditure that: (1) meets the capital planning and investment control re-*

view requirements established by the Office of Management and Budget, including Circular A-11 part 3; (2) complies with the Internal Revenue Service's enterprise architecture, including the modernization blueprint; (3) conforms with the Internal Revenue Service's enterprise life cycle methodology; (4) is approved by the Internal Revenue Service, the Department of the Treasury, and the Office of Management and Budget; (5) has been reviewed by the General Accounting Office; and (6) complies with the acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with the taxpayers, and in cross-cultural relations.

SEC. 103. The Internal Revenue Service shall institute and enforce policies and procedures that will safeguard the confidentiality of taxpayer information.

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 1-800 help line service for taxpayers. The Commissioner shall continue to make the improvement of the Internal Revenue Service 1-800 help line service a priority and allocate resources necessary to increase phone lines and staff to improve the Internal Revenue Service 1-800 help line service.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase of not to exceed 1,149 vehicles for police-type use, of which 945 shall be for replacement only, and hire of passenger motor vehicles; purchase of American-made side-car compatible motorcycles; hire of aircraft; training and assistance requested by State and local governments, which may be provided without reimbursement; services of expert witnesses at such rates as may be determined by the Director; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; for payment of per diem and/or subsistence allowances to employees where a protective assignment during the actual day or days of the visit of a protectee require an employee to work 16 hours per day or to remain overnight at his or her post of duty; the conducting of and participating in firearms matches; presentation of awards; for travel of Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the Committees on Appropriations; for research and development; for making grants to conduct behavioral

*research in support of protective research and operations; not to exceed \$25,000 for official reception and representation expenses; not to exceed \$100,000 to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; for payment in advance for commercial accommodations as may be necessary to perform protective functions; and for uniforms without regard to the general purchase price limitation for the current fiscal year, \$920,615,000, of which \$1,633,000 shall be available for forensic and related support of investigations of missing and exploited children, and of which \$3,009,000 shall be available as a grant for activities related to the investigations of exploited children and shall remain available until expended: Provided, That up to \$18,000,000 provided for protective travel shall remain available until September 30, 2003.*

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED  
EXPENSES

*For necessary expenses of construction, repair, alteration, and improvement of facilities, \$3,457,000, to remain available until expended.*

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

*SEC. 110. Any obligation or expenditure by the Secretary of the Treasury in connection with law enforcement activities of a Federal agency or a Department of the Treasury law enforcement organization in accordance with 31 U.S.C. 9703(g)(4)(B) from unobligated balances remaining in the Fund on September 30, 2002, shall be made in compliance with reprogramming guidelines.*

*SEC. 111. Appropriations to the Department of the Treasury in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.*

*SEC. 112. The funds provided to the Bureau of Alcohol, Tobacco and Firearms for fiscal year 2002 in this Act for the enforcement of the Federal Alcohol Administration Act shall be expended in a manner so as not to diminish enforcement efforts with respect to section 105 of the Federal Alcohol Administration Act.*

*SEC. 113. Not to exceed 2 percent of any appropriations in this Act made available to the Federal Law Enforcement Training Center, Financial Crimes Enforcement Network, Bureau of Alcohol, Tobacco and Firearms, United States Customs Service, Interagency Crime and Drug Enforcement, and United States Secret Service may be transferred between such appropriations upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.*

*SEC. 114. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Offices, Office of Inspector General, Treasury Inspector General for Tax Administration, Finan-*

cial Management Service, and Bureau of the Public Debt, may be transferred between such appropriations upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 115. Not to exceed 2 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to the Treasury Inspector General for Tax Administration's appropriation upon the advance approval of the Committees on Appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent.

SEC. 116. Of the funds available for the purchase of law enforcement vehicles, no funds may be obligated until the Secretary of the Treasury certifies that the purchase by the respective Treasury bureau is consistent with Departmental vehicle management principles: Provided, That the Secretary may delegate this authority to the Assistant Secretary for Management.

SEC. 117. None of the funds appropriated in this Act or otherwise available to the Department of the Treasury or the Bureau of Engraving and Printing may be used to redesign the \$1 Federal Reserve note.

SEC. 118. The Secretary of the Treasury may transfer funds from "Salaries and Expenses", Financial Management Service, to the Debt Services Account as necessary to cover the costs of debt collection: Provided, That such amounts shall be reimbursed to such Salaries and Expenses account from debt collections received in the Debt Services Account.

SEC. 119. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence and intelligence-related activities of the Department of the Treasury are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2002 until enactment of the Intelligence Authorization Act for fiscal year 2002.

SEC. 120. Section 122 of Public Law 105-119 (5 U.S.C. 3104 note), as amended by Public Law 105-277, is further amended in subsection (g)(1), by striking "3 years" and inserting "4 years"; and by striking "the United States Customs Service, and the United States Secret Service".

SEC. 121. None of the funds appropriated or otherwise made available by this or any other Act may be used by the United States Mint to construct or operate any museum without the explicit approval of the House Committee on Financial Services and the Senate Committee on Banking, Housing, and Urban Affairs.

SEC. 122. None of the funds appropriated or made available by this Act may be used for the production of Customs Declarations that do not inquire whether the passenger had been in the proximity of livestock.

SEC. 123. In addition to any other transfer authority in this Act and upon approval of the Committees on Appropriations, the Secretary of the Treasury may transfer out of any appropriations available in this title such sums as are necessary to meet financial statement audit requirements of the United States Customs Service and the Financial Management Service, not to exceed a total of \$3,000,000.

*This title may be cited as the “Treasury Department Appropriations Act, 2002”.*

## TITLE II—POSTAL SERVICE

### PAYMENT TO THE POSTAL SERVICE FUND

*For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, \$76,619,000, of which \$47,619,000 shall not be available for obligation until October 1, 2002: Provided, That mail for overseas voting and mail for the blind shall continue to be free: Provided further, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: Provided further, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: Provided further, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2002.*

*This title may be cited as the “Postal Service Appropriations Act, 2002”.*

## TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

### COMPENSATION OF THE PRESIDENT AND THE WHITE HOUSE OFFICE

#### COMPENSATION OF THE PRESIDENT

*For compensation of the President, including an expense allowance at the rate of \$50,000 per annum as authorized by 3 U.S.C. 102, \$450,000: Provided, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code: Provided further, That none of the funds made available for official expenses shall be considered as taxable to the President.*

#### SALARIES AND EXPENSES

*For necessary expenses for the White House as authorized by law, including not to exceed \$3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed \$100,000 to be expended and accounted for as provided by 3 U.S.C. 103); and not to exceed \$19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President, \$54,651,000: Provided, That \$10,740,000 of the funds appropriated shall be available for reimbursements to the White House Communications Agency.*

*EXECUTIVE RESIDENCE AT THE WHITE HOUSE**OPERATING EXPENSES*

*For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President, \$11,695,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109, 110, and 112-114.*

*REIMBURSABLE EXPENSES*

*For the reimbursable expenses of the Executive Residence at the White House, such sums as may be necessary: Provided, That all reimbursable operating expenses of the Executive Residence shall be made in accordance with the provisions of this paragraph: Provided further, That, notwithstanding any other provision of law, such amount for reimbursable operating expenses shall be the exclusive authority of the Executive Residence to incur obligations and to receive offsetting collections, for such expenses: Provided further, That the Executive Residence shall require each person sponsoring a reimbursable political event to pay in advance an amount equal to the estimated cost of the event, and all such advance payments shall be credited to this account and remain available until expended: Provided further, That the Executive Residence shall require the national committee of the political party of the President to maintain on deposit \$25,000, to be separately accounted for and available for expenses relating to reimbursable political events sponsored by such committee during such fiscal year: Provided further, That the Executive Residence shall ensure that a written notice of any amount owed for a reimbursable operating expense under this paragraph is submitted to the person owing such amount within 60 days after such expense is incurred, and that such amount is collected within 30 days after the submission of such notice: Provided further, That the Executive Residence shall charge interest and assess penalties and other charges on any such amount that is not reimbursed within such 30 days, in accordance with the interest and penalty provisions applicable to an outstanding debt on a United States Government claim under section 3717 of title 31, United States Code: Provided further, That each such amount that is reimbursed, and any accompanying interest and charges, shall be deposited in the Treasury as miscellaneous receipts: Provided further, That the Executive Residence shall prepare and submit to the Committees on Appropriations, by not later than 90 days after the end of the fiscal year covered by this Act, a report setting forth the reimbursable operating expenses of the Executive Residence during the preceding fiscal year, including the total amount of such expenses, the amount of such total that consists of reimbursable official and ceremonial events, the amount of such total that consists of reimbursable political events, and the portion of each such amount that has been reimbursed as of the date of the report: Provided further, That the Executive Residence shall maintain a system for the tracking of expenses related to reimbursable events within the Executive Residence that includes a standard for the classification of any such expense as political or nonpolitical: Provided further, That no provision of this paragraph may be construed to exempt the Executive Residence*

*from any other applicable requirement of subchapter I or II of chapter 37 of title 31, United States Code.*

WHITE HOUSE REPAIR AND RESTORATION

*For the repair, alteration, and improvement of the Executive Residence at the White House, \$8,625,000, to remain available until expended, of which \$1,306,000 is for six projects for required maintenance, safety and health issues, and continued preventative maintenance; and of which \$7,319,000 is for 3 projects for required maintenance and continued preventative maintenance in conjunction with the General Services Administration, the United States Secret Service, the Office of the President, and other agencies charged with the administration and care of the White House.*

SPECIAL ASSISTANCE TO THE PRESIDENT AND THE OFFICIAL RESIDENCE OF THE VICE PRESIDENT

SALARIES AND EXPENSES

*For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions; services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles, \$3,925,000.*

OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

*For the care, operation, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the official residence of the Vice President; the hire of passenger motor vehicles; and not to exceed \$90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate, \$318,000: Provided, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.*

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

*For necessary expenses of the Council of Economic Advisers in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), \$4,211,000.*

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

*For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, \$4,142,000.*

## NATIONAL SECURITY COUNCIL

## SALARIES AND EXPENSES

*For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, \$7,494,000.*

## OFFICE OF ADMINISTRATION

## SALARIES AND EXPENSES

*For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles, \$46,955,000, of which \$11,775,000 shall remain available until expended for the Capital Investment Plan for continued modernization of the information technology infrastructure within the Executive Office of the President: Provided, That \$4,475,000 of the Capital Investment Plan funds may not be obligated until the Executive Office of the President has submitted a report to the Committees on Appropriations that (1) includes an Enterprise Architecture, as defined in OMB Circular A-130 and the Federal Chief Information Officers Council guidance; (2) presents an Information Technology (IT) Human Capital Plan, to include an inventory of current IT workforce knowledge and skills, a definition of needed IT knowledge and skills, a gap analysis of any shortfalls, and a plan for addressing any shortfalls; (3) presents a capital investment plan for implementing the Enterprise Architecture; (4) includes a description of the IT capital planning and investment control process; and (5) is reviewed and approved by the Office of Management and Budget, is reviewed by the General Accounting Office, and is approved by the Committees on Appropriations.*

## OFFICE OF MANAGEMENT AND BUDGET

## SALARIES AND EXPENSES

*For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles and services as authorized by 5 U.S.C. 3109, \$70,752,000, of which not to exceed \$5,000,000 shall be available to carry out the provisions of chapter 35 of title 44, United States Code, and of which not to exceed \$3,000 shall be available for official representation expenses: Provided, That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made except as otherwise provided by law: Provided further, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): Provided further, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committees on Appropriations or the Committees on Veterans' Affairs or their subcommittees: Provided further, That the preceding shall not apply to printed hearings released by the Committees on Appropriations or the Committees on Veterans' Affairs: Provided further, That none of the funds appro-*

*riated in this Act may be available to pay the salary or expenses of any employee of the Office of Management and Budget who, after February 15, 2002, calculates, prepares, or approves any tabular or other material that proposes the sub-allocation of budget authority or outlays by the Committees on Appropriations among their subcommittees: Provided further, That of the amounts appropriated, not to exceed \$6,331,000 shall be available to the Office of Information and Regulatory Affairs, of which \$1,582,750 shall not be obligated until the Office of Management and Budget submits a report to the Committees on Appropriations that provides an assessment of the total costs and benefits of implementing Executive Order No. 13166: Provided further, That such assessment shall be submitted no later than 120 days after enactment of this Act.*

**OFFICE OF NATIONAL DRUG CONTROL POLICY**

**SALARIES AND EXPENSES**

**(INCLUDING TRANSFER OF FUNDS)**

*For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.); not to exceed \$10,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement, \$25,263,000; of which \$2,350,000 shall remain available until expended, consisting of \$1,350,000 for policy research and evaluation, and \$1,000,000 for the National Alliance for Model State Drug Laws: Provided, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, public and private, without fiscal year limitation, for the purpose of aiding or facilitating the work of the Office.*

**COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER**

**(INCLUDING TRANSFER OF FUNDS)**

*For necessary expenses for the Counterdrug Technology Assessment Center for research activities pursuant to the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), \$42,300,000, which shall remain available until expended, consisting of \$20,064,000 for counternarcotics research and development projects, and \$22,236,000 for the continued operation of the technology transfer program: Provided, That the \$20,064,000 for counternarcotics research and development projects shall be available for transfer to other Federal departments or agencies.*

**FEDERAL DRUG CONTROL PROGRAMS**

**HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM**

**(INCLUDING TRANSFER OF FUNDS)**

*For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, \$226,350,000, for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Traf-*

*ficking Areas, of which no less than 51 percent shall be transferred to State and local entities for drug control activities, which shall be obligated within 120 days of the date of the enactment of this Act: Provided, That up to 49 percent, to remain available until September 30, 2003, may be transferred to Federal agencies and departments at a rate to be determined by the Director: Provided further, That, of this latter amount, not less than \$2,100,000 shall be used for auditing services and activities: Provided further, That High Intensity Drug Trafficking Areas Programs designated as of September 30, 2001, shall be funded at no less than fiscal year 2001 levels unless the Director submits to the Committees on Appropriations, and the Committees approve, justification for changes in those levels based on clearly articulated priorities for the High Intensity Drug Trafficking Areas Programs, as well as published Office of National Drug Control Policy performance measures of effectiveness.*

**SPECIAL FORFEITURE FUND**

**(INCLUDING TRANSFER OF FUNDS)**

*For activities to support a national anti-drug campaign for youth, and for other purposes, authorized by 21 U.S.C. 1701 et seq., \$239,400,000, to remain available until expended, of which \$180,000,000 shall be to support a national media campaign, as authorized in the Drug-Free Media Campaign Act of 1998, of which \$4,800,000 shall be made available no later than 30 days after the enactment of this Act to the United States Anti-Doping Agency for their anti-doping efforts; of which \$50,600,000 shall be to continue a program of matching grants to drug-free communities, as authorized in chapter 2 of the National Narcotics Leadership Act of 1988, as amended; of which \$1,000,000 shall be available to the National Drug Court Institute; and of which \$3,000,000 shall be for the Counterdrug Intelligence Executive Secretariat: Provided, That such funds may be transferred to other Federal departments and agencies to carry out such activities.*

**UNANTICIPATED NEEDS**

*For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year, as authorized by 3 U.S.C. 108, \$1,000,000.*

*This title may be cited as the "Executive Office Appropriations Act, 2002".*

**TITLE IV—INDEPENDENT AGENCIES**

**COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED**

**SALARIES AND EXPENSES**

*For necessary expenses of the Committee for Purchase From People Who Are Blind or Severely Disabled established by Public Law 92-28, \$4,629,000.*

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

*For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended, \$43,689,000, of which no less than \$5,128,000 shall be available for internal automated data processing systems, and of which not to exceed \$5,000 shall be available for reception and representation expenses.*

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

*For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, including hire of experts and consultants, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia and elsewhere, \$26,524,000: Provided, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: Provided further, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.*

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING TRANSFER OF FUNDS)

*For an additional amount to be deposited in, and to be used for the purposes of, the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)), \$8,000,000. The revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and ex-*

*tension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, and any other obligations for public buildings acquired by installment purchase and purchase contract; in the aggregate amount of \$6,100,382,000, of which (1) \$386,280,000 shall remain available until expended for construction (including funds for sites and expenses and associated design and construction services) of additional projects at the following locations:*

*New Construction:*

*Alabama:*

*Mobile, United States Courthouse, \$11,290,000*

*Arkansas:*

*Little Rock, United States Courthouse Annex, \$5,022,000*

*California:*

*Fresno, United States Courthouse, \$121,225,000*

*District of Columbia:*

*Washington, United States Courthouse Annex, \$6,595,000*

*Washington, Southeast Federal Center Site Remediation, \$5,000,000*

*Florida:*

*Ft. Pierce, United States Courthouse, \$2,269,000*

*Miami, United States Courthouse, \$15,000,000*

*Orlando, United States Courthouse, \$4,000,000*

*Illinois:*

*Rockford, United States Courthouse, \$4,933,000*

*Iowa:*

*Cedar Rapids, United States Courthouse, \$9,785,000*

*Maine:*

*Jackman, Border Station, \$868,000*

*Maryland:*

*Montgomery County, FDA Consolidation, \$19,060,000*

*Prince Georges County, National Center for Environmental Prediction, \$3,000,000*

*Suitland, United States Census Bureau, \$2,813,000*

*Suitland, National Oceanic and Atmospheric Administration II, \$34,083,000*

*Massachusetts:*

*Springfield, United States Courthouse, \$6,473,000*

*Michigan:*

*Detroit, Ambassador Bridge Border Station, \$9,470,000*

*Mississippi:*

*Gulfport, United States Courthouse, \$3,000,000*

*Jackson, United States Courthouse, \$6,710,000*

*Montana:*

*Raymond, Border Station, \$693,000*

*New Mexico:*

*Las Cruces, United States Courthouse, \$4,110,000*

*New York:*

*Brooklyn, United States Courthouse Annex—GPO, \$3,361,000*

*Buffalo, United States Courthouse Annex, \$716,000*

*Champlain, Border Station, \$500,000*

*New York, United States Mission to the United Nations, \$4,617,000*

*Oklahoma:*

*Norman, NOAA Norman Consolidation Project, \$8,000,000, to be directly transferred to the National Oceanic and Atmospheric Administration*

*Oregon:*

*Eugene, United States Courthouse, \$4,470,000*

*Pennsylvania:*

*Erie, United States Courthouse Annex, \$30,739,000*

*Tennessee:*

*Nashville, United States Courthouse, \$14,700,000*

*Texas:*

*Del Rio III, Border Station, \$1,869,000*

*Eagle Pass, Border Station, \$2,256,000*

*El Paso, United States Courthouse, \$11,193,000*

*Fort Hancock, Border Station, \$2,183,000*

*Houston, Federal Bureau of Investigation, \$6,268,000*

*Utah:*

*Salt Lake City, United States Courthouse, \$3,000,000*

*Virginia:*

*Norfolk, United States Courthouse Annex, \$11,609,000*

*Nationwide:*

*Non-prospectus construction, \$5,400,000:*

*Provided, That funding for any project identified above may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 percent of the amounts included in an approved prospectus, if required, unless advance approval is obtained from the Committees on Appropriations of a greater amount: Provided further, That all funds for direct construction projects shall expire on September 30, 2003, and remain in the Federal Buildings Fund except for funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date; (2) \$826,676,000 shall remain available until expended for repairs and alterations which includes associated design and construction services: Provided further, That funds in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount by project, as follows, except each project may be increased by an amount not to exceed 10 percent unless advance approval is obtained from the Committees on Appropriations of a greater amount:*

*Repairs and Alterations:*

*Alabama:*

*Montgomery, Frank M. Johnson, Jr. Federal Building—United States Courthouse, \$4,000,000*

*California:*

*Laguna Niguel, Chet Holifield Federal Building, \$11,711,000*

*San Diego, Edward J. Schwartz Federal Building, United States Courthouse, \$13,070,000*

*Colorado:*

*Lakewood, Denver Federal Center, Building 67, \$8,484,000*

*District of Columbia:*

Washington, 320 First Street, Federal Building,  
\$8,260,000

Washington, Internal Revenue Service Main Building,  
Phase 2, \$20,391,000

Washington, Main Interior Building, \$22,739,000

Washington, Main Justice Building, Phase 3,  
\$45,974,000

Florida:

Jacksonville, Charles E. Bennett Federal Building,  
\$23,552,000

Tallahassee, United States Courthouse, \$4,894,000

Illinois:

Chicago, Federal Building, 536 South Clark Street,  
\$60,073,000

Chicago, Harold Washington Social Security Center,  
\$13,692,000

Chicago, John C. Kluczynski Federal Building,  
\$12,725,000

Iowa:

Des Moines, 210 Walnut Street, Federal Building,  
\$11,992,000

Missouri:

Kansas City, Federal Building, 811 Grand Boulevard,  
\$1,604,000

St. Louis, Federal Building, 104/105 Goodfellow,  
\$20,212,000

New Jersey:

Newark, Peter W. Rodino Federal Building, \$5,295,000

Nevada:

Las Vegas, Foley Federal Building—United States  
Courthouse, \$26,978,000

Ohio:

Cleveland, Anthony J. Celebrezze Federal Building,  
\$22,986,000

Cleveland, Howard M. Metzenbaum United States  
Courthouse, \$27,856,000

Oklahoma:

Muskogee, Federal Building—United States Court-  
house, \$8,214,000

Oregon:

Portland, Pioneer Courthouse, \$16,629,000

Pennsylvania:

Pittsburgh, United States Post Office and Courthouse,  
\$12,600,000

Rhode Island:

Providence, United States Federal Building and Court-  
house, \$5,039,000

Wisconsin:

Milwaukee, Federal Building—United States Court-  
house, \$10,015,000

Nationwide:

Design Program, \$33,657,000

Heating, Ventilation and Air Conditioning Moderniza-  
tion—Various Buildings, \$6,650,000

Transformers—Various Buildings, \$15,588,000

*Basic Repairs and Alterations, \$351,796,000:*  
*Provided further, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations: Provided further, That the amounts provided in this or any prior Act for "Repairs and Alterations" may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: Provided further, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading "Repairs and Alterations", may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: Provided further, That all funds for repairs and alterations prospectus projects shall expire on September 30, 2003, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: Provided further, That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading "Repairs and Alterations" or used to fund authorized increases in prospectus projects; (3) \$186,427,000 for installment acquisition payments including payments on purchase contracts which shall remain available until expended; (4) \$2,952,050,000 for rental of space which shall remain available until expended; and (5) \$1,748,949,000 for building operations which shall remain available until expended: Provided further, That funds available to the General Services Administration shall not be available for expenses of any construction, repair, alteration and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, as amended, has not been approved, except that necessary funds may be expended for each project for required expenses for the development of a proposed prospectus: Provided further, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations: Provided further, That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)(6)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, shall be available from such revenues and collections: Provided further, That revenues and collections and any other sums accruing to this Fund during fiscal year 2002, excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)(6)) in excess of \$6,100,382,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.*

## POLICY AND OPERATIONS

*For expenses authorized by law, not otherwise provided for, for Government-wide policy and oversight activities associated with asset management activities; utilization and donation of surplus personal property; transportation; procurement and supply; Government-wide responsibilities relating to automated data management, telecommunications, information resources management, and related technology activities; utilization survey, deed compliance inspection, appraisal, environmental and cultural analysis, and land use planning functions pertaining to excess and surplus real property; agency-wide policy direction; Board of Contract Appeals; accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Federal Claims; services as authorized by 5 U.S.C. 3109; and not to exceed \$7,500 for official reception and representation expenses, \$143,139,000, of which \$25,887,000 shall remain available until expended.*

## OFFICE OF INSPECTOR GENERAL

*For necessary expenses of the Office of Inspector General and services authorized by 5 U.S.C. 3109, \$36,346,000: Provided, That not to exceed \$15,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: Provided further, That not to exceed \$2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.*

## ELECTRONIC GOVERNMENT FUND

## (INCLUDING TRANSFER OF FUNDS)

*For necessary expenses in support of interagency projects that enable the Federal Government to expand its ability to conduct activities electronically, through the development and implementation of innovative uses of the Internet and other electronic methods, \$5,000,000 to remain available until expended: Provided, That these funds may be transferred to Federal agencies to carry out the purposes of the Fund: Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act: Provided further, That such transfers may not be made until 10 days after a proposed spending plan and justification for each project to be undertaken has been submitted to the Committees on Appropriations.*

## ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

## (INCLUDING TRANSFER OF FUNDS)

*For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), and Public Law 95-138, \$3,196,000: Provided, That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.*

## GENERAL SERVICES ADMINISTRATION

## GENERAL PROVISIONS—

SEC. 401. *The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).*

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

SEC. 403. *Funds in the Federal Buildings Fund made available for fiscal year 2002 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: Provided, That any proposed transfers shall be approved in advance by the Committees on Appropriations.*

SEC. 404. *No funds made available by this Act shall be used to transmit a fiscal year 2003 request for United States Courthouse construction that: (1) does not meet the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; and (2) does not reflect the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan: Provided, That the fiscal year 2003 request must be accompanied by a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.*

SEC. 405. *None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency that does not pay the rate per square foot assessment for space and services as determined by the General Services Administration in compliance with the Public Buildings Amendments Act of 1972 (Public Law 92-313).*

SEC. 406. *Funds provided to other Government agencies by the Information Technology Fund, General Services Administration, under section 110 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 757) and sections 5124(b) and 5128 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1424(b) and 1428), for performance of pilot information technology projects which have potential for Government-wide benefits and savings, may be repaid to this Fund from any savings actually incurred by these projects or other funding, to the extent feasible.*

SEC. 407. *From funds made available under the heading "Federal Buildings Fund, Limitations on Availability of Revenue", claims against the Government of less than \$250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations.*

SEC. 408. *The amount expended by the General Services Administration during fiscal year 2002 for the purchase of alternative fuel vehicles shall be at least \$5,000,000 more than the amount expended during fiscal year 2001 for such purpose.*

SEC. 409. *Notwithstanding any other provision of law, the General Services Administration is directed to maintain the vehicle*

rental rates and per mile rates charged for buses used by schools and dormitories funded by the Bureau of Indian Affairs that were in effect on April 30, 2001 until such time as appropriations to the Bureau of Indian Affairs funding for the Student Transportation Program for schools and dormitories funded by the Bureau of Indian Affairs equals or exceeds \$3 per mile.

**SEC. 410. DESIGNATION OF JUDGE BRUCE M. VAN SICKLE FEDERAL BUILDING AND UNITED STATES COURTHOUSE.** (a) *The Federal building and courthouse located at 100 1st Street, SW, Minot, North Dakota, shall be known and designated as the "Judge Bruce M. Van Sickle Federal Building and United States Courthouse".*

(b) *Any reference in law, map, regulation, document, paper, or other record of the United States to the Federal building and courthouse referred to in section (a) shall be deemed to be a reference to the Judge Bruce M. Van Sickle Federal Building and United States Courthouse.*

**SEC. 411.** *Section 410 of Appendix C of Public Law 106-554 (114 Stat. 2763A-146) is amended—*

(1) *by striking "a 125 foot wide right-of-way" and inserting "up to a 125 foot wide right-of-way";*

(2) *by striking "northeast corner of the existing port" and inserting "southeast corner of the existing port";*

(3) *striking "approximately 4,750 feet" and inserting "and then west to a connection with State Highway 11 between approximately 5,000 and 7,000 feet";*

(4) *by striking "a road to be built by the County of Luna, New Mexico to connect to";*

(5) *by striking "Provided further, That notwithstanding any other provision of law, Luna County shall construct the roadway from State Highway 11 to the terminus of the northbound road to be constructed by the General Services Administration in time for completion of the road to be constructed by the General Services Administration in time for completion of the road to be constructed by the General Services Administration.:"; and*

(6) *by striking "consisting of approximately 12 acres" and inserting "consisting of approximately 10.22 acres".*

**SEC. 412.** *Notwithstanding any other provision of law, the United States Government is directed to deed block four (4) of the LOCH HAVEN REPLAT, as recorded in Plat Book "Q", Page 9, Public Records of Orange County, Florida, back to the City of Orlando, Florida, for park and recreation purposes, under the same terms that the land was deeded to the United States Government by the City of Orlando in the recorded deed from the City dated September 20, 1951.*

**SEC. 413. DESIGNATION OF G. ROSS ANDERSON, JR. FEDERAL BUILDING AND UNITED STATES COURTHOUSE.** (a) *The Federal building and courthouse located at 315 S. McDuffie Street, Anderson, South Carolina, shall be known and designated as the "G. Ross Anderson, Jr. Federal Building and United States Courthouse".*

(b) *Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and courthouse referred to in subsection (a) shall be deemed to be a reference to the G. Ross Anderson, Jr. Federal Building and United States Courthouse.*

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

*For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and direct procurement of survey printing, \$30,555,000 together with not to exceed \$2,520,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.*

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY TRUST FUND

*For payment to the Morris K. Udall Scholarship and Excellence in National Environmental Policy Trust Fund, pursuant to the Morris K. Udall Scholarship and Excellence in National Environmental and Native American Public Policy Act of 1992 (20 U.S.C. 5601 et seq.), \$1,996,000, to remain available until expended: Provided, That up to 60 percent of such funds may be transferred by the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for the necessary expenses of the Native Nations Institute: Provided further, That not later than 90 days after the date of the enactment of this Act, the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation shall submit to the Committees on Appropriations a report describing the distribution of such funds.*

ENVIRONMENTAL DISPUTE RESOLUTION FUND

*For payment to the Environmental Dispute Resolution Fund to carry out activities authorized in the Environmental Policy and Conflict Resolution Act of 1998, \$1,309,000, to remain available until expended.*

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

*For necessary expenses in connection with the administration of the National Archives (including the Information Security Oversight Office) and archived Federal records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, and for the hire of passenger motor vehicles, \$244,247,000: Provided, That the Archivist of the United States is authorized to use any excess funds available from the amount borrowed for construction of the National Archives facility, for expenses necessary to provide adequate storage for holdings: Provided further, That of the funds made available, \$22,302,000 is for the elec-*

tronic records archive, \$16,337,000 of which shall be available until September 30, 2004.

#### REPAIRS AND RESTORATION

*For the repair, alteration, and improvement of archives facilities, and to provide adequate storage for holdings, \$39,143,000, to remain available until expended: Provided, That the Archivist of the United States is authorized, pursuant to 44 U.S.C. 2903, to construct a new Southeast Regional Archives on land to be acquired (Federal site), by direct payment or the provision of site improvements, from the State of Georgia or Clayton County or some other governmental authority thereof; such Federal site to be located near the campus of Clayton College and State University in Clayton County, Georgia, and abut land designated for construction of the Georgia State Archives facility, with both archival facilities co-located on a combined site. Of the funds provided in this account, \$28,500,000 shall be available until expended to be used for acquiring the Federal site, construction, and related services for building the new Federal archival facility, other related costs for improvement of the combined site which may also indirectly benefit the Georgia State Archives facility, and other necessary expenses.*

#### NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

##### GRANTS PROGRAM

*For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, as amended, \$6,436,000, to remain available until expended.*

#### OFFICE OF GOVERNMENT ETHICS

##### SALARIES AND EXPENSES

*For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, as amended and the Ethics Reform Act of 1989, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed \$1,500 for official reception and representation expenses, \$10,117,000.*

#### OFFICE OF PERSONNEL MANAGEMENT

##### SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

*For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed \$2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive*

*Order No. 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty, \$99,636,000, of which \$3,200,000 shall remain available until expended for the cost of the governmentwide human resources data network project; and in addition \$115,928,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of printed materials, for the retirement and insurance programs, of which \$21,777,000 shall remain available until expended for the cost of automating the retirement recordkeeping systems: Provided, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by sections 8348(a)(1)(B), 8909(g), and 9004(f)(1)(A) and (2)(A) of title 5, United States Code: Provided further, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order No. 9358 of July 1, 1943, or any successor unit of like purpose: Provided further, That the President's Commission on White House Fellows, established by Executive Order No. 11183 of October 3, 1964, may, during fiscal year 2002, accept donations of money, property, and personal services in connection with the development of a publicity brochure to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.*

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

*For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, as amended, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, \$1,498,000; and in addition, not to exceed \$10,016,000 for administrative expenses to audit, investigate, and provide other oversight of the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: Provided, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.*

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

*For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), as amended, such sums as may be necessary.*

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE  
INSURANCE

*For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, such sums as may be necessary.*

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

*For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: Provided, That annuities authorized by the Act of May 29, 1944, as amended, and the Act of August 19, 1950, as amended (33 U.S.C. 771-775), may hereafter be paid out of the Civil Service Retirement and Disability Fund.*

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

*For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95-454), the Whistleblower Protection Act of 1989 (Public Law 101-12), Public Law 103-424, and the Uniformed Services Employment and Reemployment Act of 1994 (Public Law 103-353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; \$11,891,000.*

UNITED STATES TAX COURT

SALARIES AND EXPENSES

*For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109, \$37,305,000: Provided, That travel expenses of the judges shall be paid upon the written certificate of the judge.*

*This title may be cited as the "Independent Agencies Appropriations Act, 2002".*

TITLE V—GENERAL PROVISIONS

THIS ACT

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

*SEC. 502. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.*

*SEC. 503. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a*

Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930.

SEC. 504. None of the funds made available by this Act shall be available in fiscal year 2002 for the purpose of transferring control over the Federal Law Enforcement Training Center located at Glynco, Georgia, and Artesia, New Mexico, out of the Department of the Treasury.

SEC. 505. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service, and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year, made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 506. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the “Buy American Act”).

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

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 508. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a “Made in America” inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 509. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefit program which provides any benefits or coverage for abortions.

SEC. 510. The provision of section 509 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or the pregnancy is the result of an act of rape or incest.

SEC. 511. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 2002 from appropriations made available for salaries and expenses for fiscal year 2002 in this Act, shall remain available through September 30, 2003, for each such account for the

*purposes authorized: Provided, That a request shall be submitted to the Committees on Appropriations for approval prior to the expenditure of such funds: Provided further, That these requests shall be made in compliance with reprogramming guidelines.*

*SEC. 512. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when—*

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

*(2) such request is required due to extraordinary circumstances involving national security.*

*SEC. 513. The cost accounting standards promulgated under section 26 of the Office of Federal Procurement Policy Act (Public Law 93-400; 41 U.S.C. 422) shall not apply with respect to a contract under the Federal Employees Health Benefits Program established under chapter 89 of title 5, United States Code.*

*SEC. 514. For the purpose of resolving litigation and implementing any settlement agreements regarding the nonforeign area cost-of-living allowance program, the Office of Personnel Management may accept and utilize (without regard to any restriction on unanticipated travel expenses imposed in an Appropriations Act) funds made available to the Office pursuant to court approval.*

*SEC. 515. No funds appropriated or otherwise made available under this Act shall be made available to any person or entity that has been convicted of violating the Buy American Act (41 U.S.C. 10a-10c).*

## TITLE VI—GENERAL PROVISIONS

### DEPARTMENTS, AGENCIES, AND CORPORATIONS

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

*SEC. 602. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2002 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees of such department, agency, or instrumentality.*

*SEC. 603. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at \$8,100 except station wagons for which the maximum shall be \$9,100: Provided, That these limits may be exceeded by not to exceed \$3,700 for police-type vehicles, and by not to exceed \$4,000 for special heavy-duty vehicles: Provided further, That the*

*limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: Provided further, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101-549 over the cost of comparable conventionally fueled vehicles.*

*SEC. 604. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel, or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922-5924.*

*SEC. 605. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person: (1) is a citizen of the United States; (2) is a person in the service of the United States on the date of the enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States; (3) is a person who owes allegiance to the United States; (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence; (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975; or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992: Provided, That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: Provided further, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than \$4,000 or imprisoned for not more than 1 year, or both: Provided further, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: Provided further, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.*

*SEC. 606. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements per-*

formed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 607. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials, including Federal records disposed of pursuant to a records schedule recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention, and recycling programs as described in Executive Order No. 13101 (September 14, 1998), including any such programs adopted prior to the effective date of the Executive order.

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

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

SEC. 608. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia; services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: Provided, That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 609. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 610. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive Boards), commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 611. Funds made available by this or any other Act to the Postal Service Fund (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service and under the charge and control of the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318), and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318a and 318b), attaching thereto penal consequences under the au-

thority and within the limits provided in section 4 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318c).

SEC. 612. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States.

SEC. 613. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for fiscal year 2002, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by section 613 of the Treasury and General Government Appropriations Act, 2001, until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 2002, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section 613; and

(2) during the period consisting of the remainder of fiscal year 2002, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 2002 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 2002 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in fiscal year 2001 under such section.

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

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 2001, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 2001, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) This section shall apply with respect to pay for service performed after September 30, 2001.

(f) For the purpose of administering any provision of law (including any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or

*limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.*

*(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.*

*(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.*

*SEC. 614. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of \$5,000 to furnish or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations. For the purposes of this section, the word "office" shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.*

*SEC. 615. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the Committees on Appropriations, except that the Federal Law Enforcement Training Center is authorized to obtain the temporary use of additional facilities by lease, contract, or other agreement for training which cannot be accommodated in existing Center facilities.*

*SEC. 616. Notwithstanding section 1346 of title 31, United States Code, or section 610 of this Act, funds made available for fiscal year 2002 by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order No. 12472 (April 3, 1984).*

*SEC. 617. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not created solely or primarily in order to detail the employee to the White House.*

*(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—*

- (1) the Central Intelligence Agency;*
- (2) the National Security Agency;*
- (3) the Defense Intelligence Agency;*

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

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

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of Central Intelligence.

SEC. 618. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 2002 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment and that all of its workplaces are not in violation of title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, and the Rehabilitation Act of 1973.

SEC. 619. None of the funds made available in this Act for the United States Customs Service may be used to allow—

(1) the importation into the United States of any good, ware, article, or merchandise mined, produced, or manufactured by forced or indentured child labor, as determined pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C. 1307); or

(2) the release into the United States of any good, ware, article, or merchandise on which the United States Customs Service has in effect a detention order, pursuant to such section 307, on the basis that the good, ware, article, or merchandise may have been mined, produced, or manufactured by forced or indentured child labor.

SEC. 620. No part of any appropriation contained in this or any other Act shall be available for the payment of the salary of any officer or employee of the Federal Government, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any other officer or employee of the Federal Government from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the department or agency of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any other officer or employee of the Federal Gov-

ernment, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 621. (a) None of the funds made available in this or any other Act may be obligated or expended for any employee training that—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

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

(5) is offensive to, or designed to change, participants’ personal values or lifestyle outside the workplace.

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

SEC. 622. No funds appropriated in this or any other Act may be used to implement or enforce the agreements in Standard Forms 312 and 4414 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: “These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order No. 12958; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive order and listed statutes are incorporated into this agreement and are controlling.”: Provided, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the

*United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.*

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

*SEC. 624. None of the funds appropriated by this or any other Act may be used by an agency to provide a Federal employee's home address to any labor organization except when the employee has authorized such disclosure or when such disclosure has been ordered by a court of competent jurisdiction.*

*SEC. 625. None of the funds made available in this Act or any other Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the Committees on Appropriations.*

*SEC. 626. No part of any appropriation contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.*

*SEC. 627. (a) In this section the term "agency"—*

*(1) means an Executive agency as defined under section 105 of title 5, United States Code;*

*(2) includes a military department as defined under section 102 of such title, the Postal Service, and the Postal Rate Commission; and*

*(3) shall not include the General Accounting Office.*

*(b) Unless authorized in accordance with law or regulations to use such time for other purposes, an employee of an agency shall use official time in an honest effort to perform official duties. An employee not under a leave system, including a Presidential appointee exempted under section 6603(2) of title 5, United States Code, has an obligation to expend an honest effort and a reasonable proportion of such employee's time in the performance of official duties.*

*SEC. 628. Notwithstanding 31 U.S.C. 1346 and section 610 of this Act, funds made available for fiscal year 2002 by this or any other Act to any department or agency, which is a member of the Joint Financial Management Improvement Program (JFMIP), shall be available to finance an appropriate share of JFMIP administrative costs, as determined by the JFMIP, but not to exceed a total of \$800,000 including the salary of the Executive Director and staff support.*

*SEC. 629. Notwithstanding 31 U.S.C. 1346 and section 610 of this Act, the head of each Executive department and agency is hereby authorized to transfer to the "Policy and Operations" account, General Services Administration, with the approval of the Director of the Office of Management and Budget, funds made available for fiscal year 2002 by this or any other Act, including rebates from charge card and other contracts. These funds shall be administered by the Administrator of General Services to support Government-*

wide financial, information technology, procurement, and other management innovations, initiatives, and activities, as approved by the Director of the Office of Management and Budget, in consultation with the appropriate interagency groups designated by the Director (including the Chief Financial Officers Council and the Joint Financial Management Improvement Program for financial management initiatives, the Chief Information Officers Council for information technology initiatives, and the Procurement Executives Council for procurement initiatives). The total funds transferred shall not exceed \$17,000,000. Such transfers may only be made 15 days following notification of the Committees on Appropriations by the Director of the Office of Management and Budget.

SEC. 630. (a) *IN GENERAL.*—Hereafter, in accordance with regulations promulgated by the Office of Personnel Management, an Executive agency which provides or proposes to provide child care services for Federal employees may use appropriated funds (otherwise available to such agency for salaries and expenses) to provide child care, in a Federal or leased facility, or through contract, for civilian employees of such agency.

(b) *AFFORDABILITY.*—Amounts so provided with respect to any such facility or contractor shall be applied to improve the affordability of child care for lower income Federal employees using or seeking to use the child care services offered by such facility or contractor.

(c) *ADVANCES.*—Notwithstanding 31 U.S.C. 3324, amounts paid to licensed or regulated child care providers may be in advance of services rendered, covering agreed upon periods, as appropriate.

(d) *DEFINITION.*—For purposes of this section, the term “Executive agency” has the meaning given such term by section 105 of title 5, United States Code, but does not include the General Accounting Office.

(e) *NOTIFICATION.*—None of the funds made available in this or any other Act may be used to implement the provisions of this section absent advance notification to the Committees on Appropriations.

SEC. 631. Notwithstanding any other provision of law, a woman may breastfeed her child at any location in a Federal building or on Federal property, if the woman and her child are otherwise authorized to be present at the location.

SEC. 632. Notwithstanding section 1346 of title 31, United States Code, or section 610 of this Act, funds made available for fiscal year 2002 by this or any other Act shall be available for the interagency funding of specific projects, workshops, studies, and similar efforts to carry out the purposes of the National Science and Technology Council (authorized by Executive Order No. 12881), which benefit multiple Federal departments, agencies, or entities: Provided, That the Office of Management and Budget shall provide a report describing the budget of and resources connected with the National Science and Technology Council to the Committees on Appropriations, the House Committee on Science; and the Senate Committee on Commerce, Science, and Transportation 90 days after enactment of this Act.

SEC. 633. Any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing

*the funds and the amount provided. This provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.*

*SEC. 634. Subsection (f) of section 403 of Public Law 103–356 (31 U.S.C. 501 note) is amended by striking “October 1, 2001” and inserting “October 1, 2002”.*

*SEC. 635. Section 3 of Public Law 93–346 as amended (3 U.S.C. 111 note) is amended by inserting “, utilities (including electrical) for,” after “military staffing”.*

*SEC. 636. Section 6 of Public Law 93–346 as amended (3 U.S.C. 111 note) is amended by inserting “, or for use at official functions in or about,” after “about”.*

*SEC. 637. During fiscal year 2002 and thereafter, the head of an entity named in 3 U.S.C. 112 may, with respect to civilian personnel of any branch of the Federal Government performing duties in such entity, exercise authority comparable to the authority that may by law (including chapter 57 and sections 8344 and 8468 of title 5, United States Code) be exercised with respect to the employees of an Executive agency (as defined in 5 U.S.C. 105) by the head of such Executive agency, and the authority granted by this section shall be in addition to any other authority available in law.*

*SEC. 638. Each Executive agency covered by section 630 of the Treasury and General Government Appropriations Act, 1999 (as contained in section 101(h) of division A of Public Law 105–277) shall submit a report 60 days after the close of fiscal year 2001 to the Office of Personnel Management regarding its efforts to implement the intent of such section 630. The Office of Personnel Management shall prepare a summary of the information received and shall submit the summary report to the House Committee on Appropriations 90 days after the close of fiscal year 2001.*

*SEC. 639. (a) PROHIBITION OF FEDERAL AGENCY MONITORING OF PERSONAL INFORMATION ON USE OF INTERNET.—None of the funds made available in this or any other Act may be used by any Federal agency—*

*(1) to collect, review, or create any aggregate list, derived from any means, that includes the collection of any personally identifiable information relating to an individual’s access to or use of any Federal Government Internet site of the agency; or*

*(2) to enter into any agreement with a third party (including another government agency) to collect, review, or obtain any aggregate list, derived from any means, that includes the collection of any personally identifiable information relating to an individual’s access to or use of any nongovernmental Internet site.*

*(b) EXCEPTIONS.—The limitations established in subsection (a) shall not apply to—*

*(1) any record of aggregate data that does not identify particular persons;*

*(2) any voluntary submission of personally identifiable information;*

*(3) any action taken for law enforcement, regulatory, or supervisory purposes, in accordance with applicable law; or*

*(4) any action described in subsection (a)(1) that is a system security action taken by the operator of an Internet site and is necessarily incident to the rendition of the Internet site serv-*

ices or to the protection of the rights or property of the provider of the Internet site.

(c) *DEFINITIONS.*—For the purposes of this section:

(1) The term “regulatory” means agency actions to implement, interpret or enforce authorities provided in law.

(2) The term “supervisory” means examinations of the agency’s supervised institutions, including assessing safety and soundness, overall financial condition, management practices and policies and compliance with applicable standards as provided in law.

*SEC. 640.* (a) Section 8335(a) of title 5, United States Code, is amended by striking the period at the end of the first sentence and inserting: “or completes the age and service requirements for an annuity under section 8336, whichever occurs later.”.

(b) The amendment made by subsection (a) takes effect on the date of enactment with regard to any individual subject to chapter 83 of title 5, United States Code, who is employed as an air traffic controller on that date.

*SEC. 641.* (a) *IN GENERAL.*—Title 5, United States Code, is amended by inserting after section 4507 the following:

**“§4507a. Awarding of ranks to other senior career employees**

“(a) For the purpose of this section, the term ‘senior career employee’ means an individual appointed to a position classified above GS–15 and paid under section 5376 who is not serving—

“(1) under a time-limited appointment; or

“(2) in a position that is excepted from the competitive service because of its confidential or policy-making character.

“(b) Each agency employing senior career employees shall submit annually to the Office of Personnel Management recommendations of senior career employees in the agency to be awarded the rank of Meritorious Senior Professional or Distinguished Senior Professional, which may be awarded by the President for sustained accomplishment or sustained extraordinary accomplishment, respectively.

“(c) The recommendations shall be made, reviewed, and awarded under the same terms and conditions (to the extent determined by the Office of Personnel Management) that apply to rank awards for members of the Senior Executive Service under section 4507.”.

(b) *REGULATIONS.*—Section 4506 of title 5, United States Code, is amended by striking “the agency awards program” and inserting “the awards programs”.

(c) *CLERICAL AMENDMENT.*—The table of sections for chapter 45 of title 5, United States Code, is amended by inserting after the item relating to section 4507 the following:

“4507a. Awarding of ranks to other senior career employees.”.

(d) The amendments made by this section shall take effect for awards granted in 2003.

*SEC. 642.* Section 640(c) of the Treasury and General Government Appropriations Act, 2000 (Public Law 106–58; 2 U.S.C. 437g note) is amended by striking “violations occurring between January 1, 2000 and December 31, 2001” and inserting “violations that relate to reporting periods that begin on or after January 1, 2000, and that end on or before December 31, 2003”.

*SEC. 643. (a) None of the funds appropriated by this Act may be used to enter into or renew a contract which includes a provision providing prescription drug coverage, except where the contract also includes a provision for contraceptive coverage.*

*(b) Nothing in this section shall apply to a contract with—*

*(1) any of the following religious plans:*

*(A) Personal Care's HMO; and*

*(B) OSF Health Plans, Inc.; and*

*(2) any existing or future plan, if the carrier for the plan objects to such coverage on the basis of religious beliefs.*

*(c) In implementing this section, any plan that enters into or renews a contract under this section may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individual's religious beliefs or moral convictions.*

*(d) Nothing in this section shall be construed to require coverage of abortion or abortion-related services.*

*SEC. 644. The Congress of the United States recognizes the United States Anti-Doping Agency (USADA) as the official anti-doping agency for Olympic, Pan American, and Paralympic sport in the United States.*

*SEC. 645. (a) Section 1238(e)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted by Public Law 106-398) is amended by adding at the end the following: "The executive director and any personnel who are employees of the United States-China Security Review Commission shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title."*

*(b) The amendment made by this section shall take effect on January 3, 2001.*

*SEC. 646. (a) The adjustment in rates of basic pay for the statutory pay systems that takes effect in fiscal year 2002 under sections 5303 and 5304 of title 5, United States Code, shall be an increase of 4.6 percent.*

*(b) Funds used to carry out this section shall be paid from appropriations which are made to each applicable department or agency for salaries and expenses for fiscal year 2002.*

*SEC. 647. Not later than six months after the date of enactment of this Act, the Inspector General of each applicable department or agency shall submit to the Committee on Appropriations a report detailing what policies and procedures are in place for each department or agency to give first priority to the location of new offices and other facilities in rural areas, as directed by the Rural Development Act of 1972.*

*SEC. 648. DEADLINE FOR SUBMISSION OF ANNUAL REPORTS BY UNITED STATES-CHINA SECURITY REVIEW COMMISSION.—Section 1238(c)(1) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (as enacted into law by section 1 of Public Law 106-398) is amended by striking "March" and inserting "June".*

*SEC. 649. Subsection (a) of section 2105 of title 44, United States Code, is amended to read as follows:*

*"(a)(1) The Archivist is authorized to select, appoint, employ, and fix the compensation of such officers and employees, pursuant*

to part III of title 5, as are necessary to perform the functions of the Archivist and the Administration.

“(2) Notwithstanding paragraph (1), the Archivist is authorized to appoint, subject to the consultation requirements set forth in paragraph (f)(2) of section 2203 of this title, a director at each Presidential archival depository established under section 2112 of this title. The Archivist may appoint a director without regard to subchapter I and subchapter VIII of chapter 33 of title 5, United States Code, governing appointments in the competitive service and the Senior Executive Service. A director so appointed shall be responsible for the care and preservation of the Presidential records and historical materials deposited in a Presidential archival depository, shall serve at the pleasure of the Archivist and shall perform such other functions as the Archivist may specify.”

SEC. 650. REAUTHORIZATION OF BREAST CANCER RESEARCH SPECIAL POSTAGE STAMP. (a) SHORT TITLE.—This section may be cited as the “Breast Cancer Research Stamp Act of 2001”.

(b) REAUTHORIZATION AND INAPPLICABILITY OF LIMITATION.—

(1) IN GENERAL.—Section 414 of title 39, United States Code, is amended by striking subsection (g) and inserting the following:

“(g) For purposes of section 416 (including any regulation prescribed under subsection (e)(1)(C) of that section), the special postage stamp issued under this section shall not apply to any limitation relating to whether more than 1 semipostal may be offered for sale at the same time.

“(h) This section shall cease to be effective after December 31, 2003.”

(2) EFFECTIVE DATE.—The amendment made by this subsection shall take effect on the earlier of—

(A) the date of enactment of this Act; or

(B) July 29, 2002.

(c) RATE OF POSTAGE.—Section 414(b) of title 39, United States Code, is amended—

(1) in paragraph (1), by striking “of not to exceed 25 percent” and inserting “of not less than 15 percent”; and

(2) by adding after the sentence following paragraph (3) the following: “The special rate of postage of an individual stamp under this section shall be an amount that is evenly divisible by 5.”

SEC. 651. AMENDMENT TO TITLE 39. Section 5402(d) of title 39, United States Code, is amended by—

(1) inserting “(1)” after “(d)”; and

(2) inserting at the end the following:

“(2)(A) In the exercise of its authority under paragraph (1), the Postal Service may require any air carrier to accept as mail shipments of day-old poultry and such other live animals as postal regulations allow to be transmitted as mail matter. The authority of the Postal Service under this subparagraph shall not apply in the case of any air carrier who commonly and regularly refuses to accept any live animals as cargo.

“(B) Notwithstanding any other provision of law, the Postal Service is authorized to assess, as postage to be paid by the mailers of any shipments covered by subparagraph (A), a reasonable surcharge that the Postal Service determines in its discretion to be ade-

quate to compensate air carriers for any necessary additional expense incurred in handling such shipments.

“(C) The authority of the Postal Service under subparagraph (B) shall apply during the period beginning on the date of enactment of this paragraph, and ending June 30, 2002.”.

SEC. 652. THE 9/11 HEROES STAMP OF 2001. (a) SHORT TITLE.—This section may be cited as the “9/11 Heroes Stamp Act of 2001”.

(b) IN GENERAL.—In order to afford the public a direct and tangible way to provide assistance to the families of emergency relief personnel killed or permanently disabled in the line of duty in connection with the terrorist attacks against the United States on September 11, 2001, the United States Postal Service shall issue a semipostal in accordance with subsection (c).

(c) REQUIREMENTS.—The provisions of section 416(a), (c), (d), and (f) of title 39, United States Code, shall apply as practicable with respect to the semipostal described in subsection (b), subject to the following:

(1) RATE OF POSTAGE.—Section 414(c) of title 39, United States Code, is amended—

(A) in paragraph (1), by striking “of not to exceed 25 percent” and inserting “of not less than 15 percent”; and

(B) by adding after the sentence following paragraph (2) the following: “The special rate of postage of an individual stamp under this section shall be an amount that is evenly divisible by 5.”.

(2) DISPOSITION OF AMOUNTS BECOMING AVAILABLE.—All amounts becoming available from the sale of the semipostal (as determined under such section) shall be transferred to the Federal Emergency Management Agency under such arrangements as the Postal Service shall by mutual agreement with such agency establish in order to carry out the purposes of this section.

(3) COMMENCEMENT AND TERMINATION DATES.—Stamps under this section shall be issued—

(A) beginning on the earliest date practicable; and

(B) for such period of time as the Postal Service considers necessary and appropriate, but in no event after December 31, 2004.

(d) LIMITATION.—For purposes of section 416 of title 39, United States Code (including any regulation prescribed under subsection (e)(1)(C) of that section), the semipostal postage stamp issued under this section shall not apply to any limitation relating to whether more than one semipostal may be offered for sale at the same time.

(e) DESIGN.—It is the sense of the Congress that the semipostal issued under this section should depict, by such design as the Postal Service considers to be most appropriate, the efforts of emergency relief personnel at the site of the World Trade Center in New York City and the Pentagon in Arlington, Virginia.

(f) DEFINITIONS.—For purposes of this section—

(1) the term “emergency relief personnel” means firefighters, law enforcement officers, paramedics, emergency medical technicians, members of the clergy, and other individuals (including employees of legally organized and recognized volunteer organizations, whether compensated or not) who, in the course of

professional duties, respond to fire, medical, hazardous material, or other similar emergencies; and

(2) the term “semipostal” has the meaning given such term by section 416 of title 39, United States Code.

**SEC. 653. DOMESTIC VIOLENCE SEMIPOSTAL STAMP.**

(a) *SHORT TITLE.*—This section may be cited as the “Stamp Out Domestic Violence Act of 2001”.

(b) *IN GENERAL.*—In order to afford the public a direct and tangible way to contribute to funding for domestic violence programs, the United States Postal Service shall issue a semipostal in accordance with subsection (c).

(c) *REQUIREMENTS.*—The provisions of section 416 of title 39, United States Code, shall apply as practicable with respect to the semipostal described in subsection (b), subject to the following:

(1) *DISPOSITION OF AMOUNTS BECOMING AVAILABLE.*—All amounts becoming available from the sale of the semipostal (as determined under such section) shall be transferred to the Department of Health and Human Services under such arrangements as the Postal Service shall by mutual agreement with such agency establish in order to carry out the purposes of this section.

(2) *COMMENCEMENT AND TERMINATION DATES.*—Stamps under this section shall be issued—

(A) beginning on the earliest date practicable, but not later than January 1, 2004; and

(B) for such period of time as the Postal Service considers necessary and appropriate, but in no event after December 31, 2006.

(d) *LIMITATION.*—For purposes of section 416 of title 39, United States Code (including any regulation prescribed under subsection (e)(1)(C) of that section), the semipostal stamp issued under this section shall not apply to any limitation relating to whether more than one semipostal may be offered for sale at the same time.

(e) *DEFINITION.*—For purposes of this section the term “semipostal” has the meaning given such term by section 416 of title 39, United States Code.

This Act may be cited as the “Treasury and General Government Appropriations Act, 2002”.

And the Senate agree to the same.

ERNEST J. ISTOOK, Jr.,  
FRANK R. WOLF,  
ANNE M. NORTHUP,  
JOHN E. SUNUNU,  
JOHN E. PETERSON,  
TODD TIAHRT,  
JOHN E. SWEENEY,  
DON SHERWOOD,  
C.W. BILL YOUNG,  
STENY H. HOYER,  
CARRIE P. MEEK,  
DAVID E. PRICE,  
PETER J. VISCLOSKY,  
STEVEN R. ROTHMAN,

DAVID R. OBEY,  
*Managers on the Part of the House.*

BYRON L. DORGAN,  
BARBARA A. MIKULSKI,  
MARY L. LANDRIEU,  
JACK REED,  
ROBERT C. BYRD,  
BEN NIGHTHORSE CAMPBELL,  
RICHARD C. SHELBY,  
MIKE DEWINE,  
TED STEVENS,  
*Managers on the Part of the Senate.*



## JOINT EXPLANATORY STATEMENT

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2590), 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, 2002, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report.

The conference agreement on the Treasury and General Government Appropriations Act, 2002, incorporates some of the language and allocations set forth in House Report 107-152 and Senate Report 107-57. The language in these reports should be complied with unless specifically addressed in the accompanying statement of managers.

Senate Amendment: The Senate deleted the entire House bill after the enacting clause and inserted the Senate bill. The conference agreement includes a revised bill.

Throughout the accompanying explanatory statement, the managers refer to the Committee and the Committees on Appropriations. Unless otherwise noted, in both instances, the managers are referring to the House Subcommittee on Treasury, Postal Service, and General Government and the Senate Subcommittee on Treasury and General Government.

In a number of instances, House Report 107-152 and Senate Report 107-57 direct agencies to report to the Committees by specific dates that have now passed. In those instances, and unless alternative dates are provided in the accompanying explanatory statement, agencies are directed to provide these reports to the House and Senate Committees on Appropriations no later than January 2, 2002.

### REPROGRAMMING AND TRANSFER OF FUNDS GUIDELINES

The conference agreement includes the following reprogramming guidelines which shall be complied with by all agencies funded by the Treasury and General Government Appropriations Act, 2002:

1. Except under extraordinary and emergency situations, the Committees on Appropriations will not consider requests for a reprogramming or a transfer of funds, or use of unobligated balances, which are submitted after the close of the third quarter of the fiscal year, June 30;
2. Clearly stated and detailed documentation presenting justification for the reprogramming, transfer, or use of unobligated balances shall accompany each request;

3. For agencies, departments, or offices receiving appropriations in excess of \$20,000,000, a reprogramming shall be submitted if the amount to be shifted to or from any object class, budget activity, program line item, or program activity involved is in excess of \$500,000 or 10 percent, whichever is greater, of the object class, budget activity, program line item, or program activity;

4. For agencies, departments, or offices receiving appropriations less than \$20,000,000, a reprogramming shall be submitted if the amount to be shifted to or from any object class, budget activity, program line item, or program activity involved is in excess of \$50,000, or 10 percent, whichever is greater, of the object class, budget activity, program line item, or program activity;

5. For any action where the cumulative effect of below threshold reprogramming actions, or past reprogramming and/or transfer actions added to the request, would exceed the dollar threshold mentioned above, a reprogramming shall be submitted;

6. For any action which would result in a major change to the program or item which is different than that presented to and approved by either of the Committees, or the Congress, a reprogramming shall be submitted;

7. For any action where funds earmarked by either of the Committees for a specific activity are proposed to be used for a different activity, a reprogramming shall be submitted; and

8. For any action where funds earmarked by either of the Committees for a specific activity are in excess of the project or activity requirement, and are proposed to be used for a different activity, a reprogramming shall be submitted.

Additionally, each request shall include a declaration that, as of the date of the request, none of the funds included in the request have been obligated, and none will be obligated, until the Committees on Appropriations have approved the request.

#### TERRORIST ACTS OF SEPTEMBER 11, 2001

The conferees condemn the terrorist attacks against the United States on September 11, 2001, and express profound sorrow for the victims and their families. These attacks underscore the need to ensure that the resources necessary to keep our society safe are available. The conferees are dedicated to ensuring that sufficient resources are available to respond to this crisis and are committed to working with all the agencies under the jurisdiction of this bill, including the Office of Homeland Security, to ensure the safety of our Nation.

### TITLE I—DEPARTMENT OF THE TREASURY

#### DEPARTMENTAL OFFICES

#### SALARIES AND EXPENSES

The conferees agree to provide \$177,142,000 instead of \$174,219,000 as proposed by the House and \$187,322,000 as proposed by the Senate. The conferees have included \$677,000 for non-

pay inflation, an additional \$763,000 for the anticipated pay adjustment, \$3,356,000 for initiatives proposed by the Administration, \$1,600,000 as a grant for local law enforcement support in Hawaii, and \$2,000,000 as a grant to Florida International University for transfer pricing research. The conferees agree with the direction provided by the House with respect to e-learning for employees.

DEPARTMENT-WIDE SYSTEMS AND CAPITAL INVESTMENTS PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide \$68,828,000 as proposed by the House instead of \$69,028,000 as proposed by the Senate. Within this amount, the conferees direct that not less than \$7,993,000 be spent on the Treasury-wide Critical Infrastructure project .

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

The conferees agree to provide \$35,424,000 instead of \$35,508,000 as proposed by the House and \$35,150,000 as proposed by the Senate. Included in this amount are increases of \$84,000 for non-pay inflation and an additional \$190,000 for the anticipated pay adjustment. The conferees fully concur with the Senate report language regarding the Inspector General's mid-year alteration of performing certain financial audits. The conferees also concur with the Senate report language on the movement of staff resources from performing financial audits to conducting investigations.

TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

SALARIES AND EXPENSES

The conferees agree to provide \$123,746,000 instead of \$123,474,000 as proposed by the House and \$123,799,000 as proposed by the Senate. Included in this amount are increases of \$229,000 for non-pay inflation, an additional \$675,000 for an anticipated pay adjustment, and \$500,000 for bimonthly audits of IRS taxpayer assistance centers.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

The conferees agree to provide \$28,932,000 instead of \$30,932,000 as proposed by the House and \$32,932,000 as proposed by the Senate.

EXPANDED ACCESS TO FINANCIAL SERVICES

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide \$2,000,000 instead of \$10,000,000 as proposed by the House and a rescission of \$8,000,000 as proposed by the Senate.

FINANCIAL CRIMES ENFORCEMENT NETWORK  
SALARIES AND EXPENSES

The conferees agree to provide \$45,837,000 as proposed by the House instead of \$45,702,000 as proposed by the Senate.

FINCEN LEASE RENEGOTIATION

The conferees are aware that the present lease arrangement for the Financial Crimes Enforcement Network (FinCEN) expires in fiscal year 2003, and recognize that FinCEN has special needs for space and facilities, both to address growing demands on its resources by customer agencies and in light of new requirements arising after the September 11th terrorist attack. The conferees therefore encourage FinCEN, working with the Department of the Treasury, to ensure that its decisions on office space facilitate the best use of FinCEN resources by joint investigations and task forces, especially where co-location is required and enhanced building security is a necessity.

COUNTERTERRORISM FUND

The conferees agree to provide \$40,000,000 for the Counterterrorism Fund instead of \$36,879,000 as proposed by the House and \$44,879,000 as proposed by the Senate. The conferees agree that such funding is available to counter, investigate or prosecute unexpected threats or acts of terrorism, subject to prior notification of the Committees in accordance with reprogramming and transfer guidelines.

FEDERAL LAW ENFORCEMENT TRAINING CENTER  
SALARIES AND EXPENSES

The conferees agree to provide \$105,680,000 instead of \$102,132,000 as proposed by the House and \$106,317,000 as proposed by the Senate. Included in this amount is \$3,298,000 to cover additional training costs associated with the U.S. Secret Service rebalancing initiative and the U.S. Customs Service Northern Border initiative, \$363,000 for the anticipated pay adjustment, as well as \$1,250,000 to continue and expand the rural law enforcement education collaboration of the National Center for State and Local Training.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED  
EXPENSES

The conferees agree to provide \$33,434,000 as proposed by the Senate instead of \$27,534,000 as proposed by the House.

INTERAGENCY LAW ENFORCEMENT  
INTERAGENCY CRIME AND DRUG ENFORCEMENT

The conferees agree to provide \$107,576,000 as proposed by the House instead of \$106,965,000 as proposed by the Senate.

## FINANCIAL MANAGEMENT SERVICE

## SALARIES AND EXPENSES

The conferees agree to provide \$212,850,000 instead of \$213,211,000 as proposed by the House and \$212,316,000 as proposed by the Senate. Included in this amount are increases of \$361,000 for non-pay inflation and an additional \$895,000 for the anticipated pay adjustment.

## BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

## SALARIES AND EXPENSES

The conferees agree to provide \$823,316,000 instead of \$816,816,000 as proposed by the House and \$821,421,000 as proposed by the Senate. The conferees include \$9,655,000 for non-pay inflation, an additional \$3,140,000 for the anticipated pay adjustment, \$500,000 to improve firearms licensing and regulatory operations, \$3,000,000 to expand the Integrated Violence Reduction Strategy, and \$3,500,000 to upgrade the National Tracing Center. The conferees also provide that \$13,000,000 shall remain available until expended for grants, cooperative agreements or contracts to local governments for the Gang Resistance Education and Training program, as proposed by the Senate.

## ATF AUTOMATION

The Bureau of Alcohol, Tobacco and Firearm's (ATF) continued leadership in alcohol beverage regulation is particularly important because the 21st Amendment prohibits the transportation or importation of alcohol beverages for delivery or use within a State in violation of the laws of such State. States have worked with ATF to develop complementary enforcement mechanisms. For example, alcohol beverages can be sold in most States upon submission to the State of the ATF-issued Certificate of Label Approval. As Congress has mandated individual label review, and a government warning on all labels, ATF's efforts to carry out those laws are essential. However, ATF's existing paper-intensive label approval system creates a crushing workload, leading to employee turnover, frustration, and delays in processing applications.

ATF officials identified funds in fiscal year 2001 to upgrade the label approval process. The agency has also begun working with the Financial Management Service in an effort to automate industry production reports, which are required to support tax audits and other regulatory activities. The conferees encourage ATF to sustain efforts to automate routine compliance measures mandated by the Federal Alcohol Administration Act, and to implement new initiatives in cooperation with State officials and industry members.

## UNITED STATES CUSTOMS SERVICE

## SALARIES AND EXPENSES

The conferees agree to provide \$2,079,357,000, instead of \$2,056,604,000 as proposed by the House and \$2,022,453,000 as

proposed by the Senate. Included in this amount are \$33,476,000 for non-pay inflation and \$9,247,000 for the anticipated pay adjustment; \$800,000 for tobacco smuggling task forces, \$1,317,000 as authorized by the African Growth and Opportunity Act, \$5,000,000 for the Intellectual Property Rights Center and investigations initiative, \$33,151,000 for non-intrusive inspection technology, \$28,152,000 for a Northern Border hiring initiative, \$750,000 for agricultural trade research, \$250,000 for a Vermont Trade Center, and \$450,000 for screening scrap metal. The conferees direct that not less than \$1,000,000 of available funds shall be used to develop a canine training curriculum to combat and respond to terrorist activities related to chemical and biological weapons threats.

#### BORDER PORTS OF ENTRY ORGANIZATION

The conferees are interested in the continuing growth in commercial and passenger traffic along the U.S. border ports of entry. Given the events surrounding the terrorist attacks on September 11, 2001, the conferees are also concerned about the heightened security requirements at all ports of entry. Growth in traffic and concurrent security requirements demand that resources be allocated expeditiously to secure our borders while facilitating the free flow of trade. Therefore, the conferees are closely following the infrastructure improvements for the Southern and Northern ports identified in the U.S. Port of Entry Infrastructure Study 2000, and look forward to the recommendations of the Border Station Partnership Council. Given the potential infrastructure enhancements, along with highway improvements on both sides of the border, airport improvements, security enhancements, as well as increased NAFTA activity, the conferees request that Customs submit a report to the Committees on Appropriations on how it plans to change existing port or border infrastructure, including any concomitant changes in the size or organization of Customs Service border operations.

#### INTELLECTUAL PROPERTY RIGHTS INITIATIVE

The conferees have agreed to provide \$5,000,000 for the investigative efforts of the Intellectual Property Rights Center (IPR Center) to combat cyberpiracy and counterfeiting, such as software counterfeiting, as proposed in the Senate bill. The conference agreement assumes that this funding will be used for the hiring and strategic placement of additional Customs Special Agents in domestic and overseas offices to enhance enforcement of U.S. intellectual property laws, as well as to support and enhance the operation of the IPR Center to combat intellectual property rights violations. The conferees direct the Customs Service to notify the Committees on Appropriations on its spending plan prior to obligating these funds, and also to provide a status report on the initiative to the Committees not later than July 31, 2002.

#### HARBOR MAINTENANCE FEE COLLECTION

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide \$3,000,000 as proposed by the Senate, instead of \$2,993,000 as proposed by the House.

OPERATION, MAINTENANCE AND PROCUREMENT, AIR AND MARINE  
INTERDICTION PROGRAMS

The conferees agree to provide \$177,860,000 instead of \$181,860,000 as proposed by the House and \$172,637,000 as proposed by the Senate. This amount includes funding for non-pay inflation; \$7,000,000 for the Training Standardization Branch; \$4,200,000 for electro-optical and infrared imaging systems; and \$2,938,000 for additional marine interceptor craft and safety equipment.

AUTOMATION MODERNIZATION

The conferees agree to provide \$427,832,000 as proposed by the House instead of \$357,832,000 as proposed by the Senate.

AUTOMATED COMMERCIAL ENVIRONMENT

The conferees strongly believe that continued oversight of the Automated Commercial Environment (ACE) program by GAO and Treasury is critical to successful adherence to the ACE expenditure plan. Periodic review of investment increments allows for oversight of the capital planning and architecture development, and is consistent with best practices. The conferees direct that regular quarterly reports continue to be provided until ACE becomes functional.

Additionally, the conferees direct Customs to submit requests for release of funds, including a cost-benefit analysis, in a timely manner, but in no case less than 30 days before the anticipated need for the funds.

UNITED STATES MINT

UNITED STATES MINT PUBLIC ENTERPRISE FUND

The conferees agree to include new bill language establishing a spending level for capital investments by the U.S. Mint for circulating coinage and protective services of \$43,000,000. The conferees also agree to include a requirement that the United States Mint Public Enterprise Fund pay \$250,000 for a study by the General Accounting Office on public interest and acceptance of circulating coinage.

The conferees recognize the initial steps the Director has taken to investigate and remedy many of the ongoing problems and concerns raised by the House and Senate Appropriations Committees. The conferees are aware of the challenges facing the U.S. Mint and look forward to a close working relationship with its new Director.

The conferees are concerned with the direction of the marketing campaigns that the U.S. Mint is using to promote the Golden Dollar coin and the circulating commemorative quarters authorized under P.L. 105-124. The conferees are also concerned with the lack of information regarding the nature and extent to which the Golden Dollar coin is being used in commerce as contained within the report, Report to Congress on the Marketing of the Golden Dollar, submitted to the Congress by the U.S. Mint. The conferees are especially concerned with the lack of consultation by the Mint with the Congress on these promotional efforts. Therefore, the U.S. Mint shall not draw funds from the United States Mint Public Enter-

prise Fund to further promote the Golden Dollar coin or the circulating commemorative quarters until the Director submits and the Committees on Appropriations approve a marketing plan for such promotional efforts. This requirement shall not be construed to limit the sales or marketing of either of these coins for sale directly to the public through the U.S. Mint's traditional numismatic sales channels.

The conferees remain concerned with the amount of travel outside the continental United States that is being conducted by the U.S. Mint. Therefore, the conferees direct the U.S. Mint not to draw funds from the United States Mint Public Enterprise Fund for travel outside the continental United States without specific approval of the Director of the Mint. The Director shall submit a report on the cost of such travel occurring during fiscal year 2002 to the Committees on Appropriations no later than October 31, 2002.

#### BUREAU OF THE PUBLIC DEBT

##### ADMINISTERING THE PUBLIC DEBT

The conferees agree to provide \$186,953,000 instead of \$187,927,000 as proposed by the House and \$187,318,000 as proposed by the Senate. Included in this amount are increases of \$974,000 for non-pay inflation and an additional \$609,000 for the anticipated pay adjustment. Within these funds, the conferees have provided sufficient amounts to pay for administrative services by the Bureau of the Public Debt in association with the South Dakota Trust Fund and the Cheyenne River Sioux Tribe Terrestrial Wildlife Restoration and Lower Brule Sioux Tribe Terrestrial Restoration Trust Fund, as authorized by sections 603(f) and 604(f) of Public Law 106-53.

#### INTERNAL REVENUE SERVICE

##### PROCESSING, ASSISTANCE, AND MANAGEMENT

The conferees agree to provide \$3,797,890,000 instead of \$3,808,434,000 as proposed by the House and \$3,786,347,000 as proposed by the Senate. Included in this amount are increases of \$12,543,000 for non-pay inflation, \$1,000,000 for low-income taxpayer clinics, and \$1,000,000 for volunteer income tax assistance.

##### TAX LAW ENFORCEMENT

The conferees agree to provide \$3,538,347,000 as proposed by the House instead of \$3,535,198,000 as proposed by the Senate.

##### EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE

The conferees agree to provide \$146,000,000 as proposed by the House and the Senate.

##### INFORMATION SYSTEMS

The conferees agree to provide \$1,563,249,000 as proposed by the Senate instead of \$1,573,065,000 as proposed by the House. The conferees are concerned about the degree to which development-related investments funded in this account are coordinated

and integrated with the information technology improvements funded in the business systems modernization account. The conferees further believe that the development-related activities funded under this account should be managed with careful diligence and appropriate centralized control.

#### BUSINESS SYSTEMS MODERNIZATION

The conferees agree to provide \$391,593,000 as proposed by the House instead of \$419,593,000 as proposed by the Senate.

#### ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

Section 101. The conferees agree to continue a provision which allows the transfer of 5 percent of any appropriation made available to the IRS to any other IRS appropriation subject to Congressional approval.

Section 102. The conferees agree to continue a provision which requires the IRS to maintain a training program in taxpayers' rights, dealing courteously with taxpayers, and cross-cultural relations.

Section 103. The conferees agree to continue a provision which requires the IRS to institute and enforce policies and practices that will safeguard the confidentiality of taxpayer information.

Section 104. The conferees agree to continue a provision with respect to the IRS 1-800 help line service.

#### UNITED STATES SECRET SERVICE

#### SALARIES AND EXPENSES

The conferees agree to provide \$920,615,000 instead of \$920,112,000 as proposed by the House and \$899,615,000 as proposed by the Senate. This includes the costs of non-pay inflation and the anticipated pay adjustment. The conferees also provide \$1,633,000 for forensic support to the National Center for Missing and Exploited Children (NCMEC), and \$3,009,000 for grants to NCMEC.

#### ACQUISITION, CONSTRUCTION, IMPROVEMENT, AND RELATED EXPENSES

The conferees agree to provide \$3,457,000 as proposed by the House instead of \$3,352,000 as proposed by the Senate.

#### GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

Section 110. The conferees agree to continue a provision that requires the Secretary of the Treasury to comply with certain reprogramming guidelines when obligating or expending funds for law enforcement activities.

Section 111. The conferees agree to continue a provision that allows the Department of the Treasury to purchase uniforms, insurance, and motor vehicles without regard to the general purchase price limitation, and enter into contracts with the Department of State for health and medical services for Treasury employees in overseas locations.

Section 112. The conferees agree to continue a provision that requires the expenditure of funds so as not to diminish efforts under section 105 of the Federal Alcohol Administration Act.

Section 113. The conferees agree to continue a provision that authorizes transfers, up to 2 percent, between law enforcement appropriations under certain circumstances.

Section 114. The conferees agree to continue a provision that authorizes the transfer, up to 2 percent, between the Departmental Offices, Office of Inspector General, Treasury Inspector General for Tax Administration, Financial Management Service, and Bureau of Public Debt appropriations under certain circumstances.

Section 115. The conferees agree to continue a provision that authorizes transfer, up to 2 percent, between the Internal Revenue Service and the Treasury Inspector General for Tax Administration under certain circumstances.

Section 116. The conferees agree to continue a provision regarding the purchase of law enforcement vehicles.

Section 117. The conferees agree to continue a provision proposed by the House that prohibits the Department of the Treasury and the Bureau of Engraving and Printing from redesigning the \$1 Federal Reserve Note.

Section 118. The conferees agree to continue a provision that provides for transfer from and reimbursements to the Salaries and Expenses appropriation of the Financial Management Service for the purposes of debt collection.

Section 119. The conferees agree to include a new provision authorizing the transfer of funds for intelligence and intelligence-related activities.

Section 120. The conferees agree to include a new provision that extends the pilot project for designated critical occupations for one additional year.

Section 121. The conferees agree to include a new provision as proposed by the Senate that requires the approval of the authorizing committees for the construction and operation of any museum by the U.S. Mint.

Section 122. The conferees agree to include a new provision as proposed by the Senate limiting the use of funds for the production of Customs declarations that do not inquire whether the passenger had been in the proximity of livestock.

Section 123. The conferees agree to include a new provision that authorizes the Secretary of the Treasury to transfer, upon the advance approval of the Committees on Appropriation, a total of up to \$3,000,000 to the U.S. Customs Service and the Financial Management Service for the purposes of financial audits.

## TITLE II—POSTAL SERVICE

### PAYMENT TO THE POSTAL SERVICE FUND

The conferees agree to provide \$143,712,000, as proposed by the House and Senate. Of this amount \$47,619,000 is provided as an advance appropriation for free mail to the blind and overseas voters, as proposed by the House. The conferees include an additional \$29,000,000 for prior year reimbursement shortfalls, as proposed by the House and Senate. Additional funds of \$67,093,000 re-

flect the advance appropriation provided in the fiscal year 2001 appropriations bill.

#### MAIL SORTING PRACTICES IN HAWAII

The conferees are aware that Hawaii has only one mail sorting station, on the island of Oahu. Standard practice dictates that mail sent within Hawaii be sent to Oahu for sorting and delivery, even mail sent within a given island. In light of the disruption of the Nation's air transportation and mail delivery system caused by the recent terrorist attacks, the conferees urge the Postal Service to develop a procedure by which mail that originates on the same island to which it is addressed can be kept and sorted on that island. The conferees agree that the Postal Service should examine the feasibility of implementing procedures that take into account Hawaii's unique geography.

#### POSTAL SERVICE AUTHORITIES

The conferees direct both the United States Postal Service and the Postal Rate Commission to independently report, 90 days after enactment of this Act, on the scope of existing authority of the US Postal Service, under title 39, United States Code, and title 39, Code of Federal Regulations, to introduce and provide new products and services (including the introduction and provision of new products and services on an experimental or market test basis) and to enter into negotiated service agreements with individual customers or groups of customers. Such reports shall include background on the use of such authority within the past 24 months and shall be provided to the Committees on Appropriations, the Senate Committee on Governmental Affairs, and the House Committee on Government Reform.

#### SEMI-POSTAL STAMPS

The conferees have included and modified a Senate provision reauthorizing the Breast Cancer Research Special Postage Stamp, included and modified a Senate provision authorizing the 9/11 Heroes Stamp Act of 2001, and included a new provision authorizing the Stamp Out Domestic Violence Act of 2001. The conferees agree that each of these causes are in the national public interest and are appropriate at this time. The conferees expect that any future candidates for semi-postal stamps will be selected by the Postal Service through the congressionally-authorized process.

#### TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

##### COMPENSATION OF THE PRESIDENT AND THE WHITE HOUSE OFFICE

##### SALARIES AND EXPENSES

The conferees agree to provide \$54,651,000 as proposed by the House instead of \$54,165,000 as proposed by the Senate.

## EXECUTIVE RESIDENCE AT THE WHITE HOUSE

## OPERATING EXPENSES

The conferees agree to provide \$11,695,000 as proposed by the House instead of \$11,914,000 as proposed by the Senate.

## WHITE HOUSE REPAIR AND RESTORATION

The conferees agree to provide \$8,625,000 as proposed by the House and Senate for 9 separate construction projects. For each project in excess of \$100,000, with the exception of computer upgrades and software development, and prior to the obligation of funds, the conferees direct the National Park Service to submit to the Committees on Appropriations a prospectus that includes, at minimum, a complete description of the project's scope and design, major work items to be completed, estimated total obligations by activity (construction cost, design and review cost, management and inspection), estimated construction schedules including start and completion dates for both design and construction, and estimated construction cost by major work item.

SPECIAL ASSISTANCE TO THE PRESIDENT AND OFFICIAL RESIDENCE  
OF THE VICE PRESIDENT

## SALARIES AND EXPENSES

The conferees agree to provide \$3,925,000 as proposed by the House instead of \$3,896,000 as proposed by the Senate.

## OPERATING EXPENSES

## (INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide \$318,000 as proposed by the House instead of \$314,000 as proposed by the Senate.

## COUNCIL OF ECONOMIC ADVISERS

## SALARIES AND EXPENSES

The conferees agree to provide \$4,211,000 as proposed by the House instead of \$4,192,000 as proposed by the Senate.

## OFFICE OF POLICY DEVELOPMENT

## SALARIES AND EXPENSES

The conferees agree to provide \$4,142,000 as proposed by the House instead of \$4,119,000 as proposed by the Senate.

## NATIONAL SECURITY COUNCIL

## SALARIES AND EXPENSES

The conferees agree to provide \$7,494,000 as proposed by the House instead of \$7,447,000 as proposed by the Senate.

## OFFICE OF ADMINISTRATION

## SALARIES AND EXPENSES

The conferees agree to provide \$46,955,000 as proposed by the House instead of \$46,032,000 as proposed by the Senate. The conferees agree to include bill language withholding a portion of the funds appropriated for the Capital Investment Plan pending the submission of a report, as proposed by the House.

## OFFICE OF MANAGEMENT AND BUDGET

## SALARIES AND EXPENSES

The conferees agree to provide \$70,752,000 as proposed by the House instead of \$70,519,000 as proposed by the Senate. The conferees modify a provision proposed by the House related to a cost and benefit assessment of Executive Order 13166 and agree to delete a provision related to subsidy estimates of certain loans.

## SBA LOAN PROGRAMS

The conferees are concerned that since the enactment of the Federal Credit Reform Act of 1990, the subsidy rate for the Small Business Administration's 7(a) and 504 loan programs has been re-estimated downwards, and that borrowers and lenders in both programs have been paying higher than necessary fees to participate in the programs. This is a direct result of the fact that the subsidy rate model developed to determine a program's subsidy rate uses default assumptions that do not reflect recent program performance of either the 7(a) program or the 504 program, or the legislative and administrative changes made to these programs in the 1990's. The conferees also note that although the Administration reports it has begun to update the 7(a) program's subsidy rate model, which is welcome, no written verification has been given that they have begun to address the 504 program's subsidy rate calculation issue.

Finally, the conferees understand that the Small Business Administration has submitted to the Office of Management and Budget for review new subsidy rate estimates for inclusion in the President's budget submission for FY 2003. The conferees direct that, within 30 days after enactment of this act, the Office of Management and Budget and the Small Business Administration submit a progress report to the House and Senate Committees on Small Business, the Committees on Appropriations, and the Committees on the Budget on this subject.

## INTERNATIONAL FOOD ASSISTANCE

The House bill contained a provision based upon concerns of the proper role for the Office of Management and Budget in the administration of international food assistance programs. In lieu of the House bill language, the conferees direct the Office of Management and Budget to work closely with USDA and AID, as well as other appropriate Federal departments and agencies, with the expectations that agencies will work together to standardize eligibility standards and deadlines for aid; define program goals with

measurable standards of performance; ensure that performance is appropriately measured and evaluated; and fully utilize all Federal expertise to ensure that the best possible assistance is being provided to the private voluntary organizations operating the programs. The Office of Management and Budget is also expected to keep the Committees on Appropriations fully apprised of on-going action with respect to this multi-agency effort.

#### OFFICE OF NATIONAL DRUG CONTROL POLICY

##### SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide \$25,263,000 instead of \$25,267,000 as proposed by the House and \$25,096,000 as proposed by the Senate. This includes \$167,000 for non-pay inflation.

##### COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide \$42,300,000 instead of \$42,000,000 as proposed by the Senate and \$40,000,000 as proposed by the House. Of this funding, \$20,064,000 is for the basic research and development program and \$22,236,000 is for continuation of the technology transfer program.

The conferees include \$2,000,000 to provide neuroimaging technology to an institution that can conduct substance abuse research and train Native American physicians in substance abuse research as described in the Senate report, and \$300,000 to support research into the relationship between genetic factors leading to conditions such as Alzheimer's Disease and environmental factors, particularly substance abuse.

#### FEDERAL DRUG CONTROL PROGRAMS

##### HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide \$226,350,000 as proposed by the Senate instead of \$233,882,000 as proposed by the House. The conferees fully fund the Administration's request, and include an additional \$20,000,000 to increase funding for or expand existing High Intensity Drug Trafficking Areas (HIDTAs), or to fund newly designated HIDTAs. The conferees provide that existing HIDTAs shall be funded at no less than fiscal year 2001 levels unless the Office of National Drug Control Policy (ONDCP) Director submits to the Committees, and the Committees approve, justification for changes in those levels based on clearly articulated priorities for the HIDTA program, as well as published ONDCP performance measures of effectiveness. Similarly, while the conferees provide additional funding that may be used for newly designated HIDTAs, they direct that no funds may be obligated for such purposes until similar justification is provided to the Committees for approval.

The ability to evaluate effectiveness of individual HIDTAs, and to match funding needs against budgets, depends on reliable and

consistent methodology for performance measurement and management. This is particularly important given the key role HIDTAs play in bringing together many divergent counterdrug agencies and crosscutting programs—which also exacerbates the problem of isolating the impact of HIDTAs. The conferees direct that the HIDTA program shall employ the performance measurement methodology and data collection identified by the HIDTA Performance Management Working Group in 1999. These would emphasize three main areas: increasing compliance with HIDTA developmental standards; dismantling or disabling at least 5 percent of targeted drug trafficking organizations; and reducing specific types of violent crime. The conferees support, and include funding for, ONDCP validation and verification of HIDTA management and performance, including the use of on-site reviews and external financial evaluations.

As ONDCP reviews proposals for the increased HIDTA funding provided, the conferees direct it to consider the following: increases for Central Florida, Rocky Mountain, Midwest (for Missouri, Iowa and North Dakota), Chicago, Southwest Border (for Arizona, New Mexico and West Texas), Southeast Michigan, Appalachian, Lake County, Gulf Coast, Hawaii, Philadelphia/Camden, Oregon, and Milwaukee HIDTAs; and funding for expansion of HIDTAs in North Texas (to Oklahoma counties), and the Northwest (to counties in southwest and eastern Washington); and possible designation of Arkansas and North Carolina, which have sought designation in recent years.

#### SPECIAL FORFEITURE FUND

##### (INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide \$239,400,000 instead of \$238,600,000 as proposed by the House and \$249,400,000 as proposed by the Senate. This includes \$180,000,000 for the National Youth Anti-Drug Media Campaign, of which \$5,000,000 shall be spent on purchasing advertising time and space specifically targeted at combating the drug Ecstasy. It also includes \$50,600,000 for the Drug-Free Communities Act program, \$4,800,000 for the U.S. Anti-Doping Agency, \$1,000,000 for the National Drug Courts Institute, and \$3,000,000 for the Counterdrug Intelligence Executive Secretariat.

#### DRUG-FREE COMMUNITIES ACT EVALUATION

The conferees recognize the importance of evaluating performance of the Drug-Free Communities Program, and expect that ONDCP will utilize up to \$750,000 of total funding provided for this purpose. The conferees direct ONDCP to work with the authorizing committees of jurisdiction to ensure authorization for such funding is included in forthcoming ONDCP reauthorization legislation.

## TITLE IV—INDEPENDENT AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR  
SEVERELY DISABLED

## SALARIES AND EXPENSES

The conferees agree to provide \$4,629,000 as proposed by the House instead of \$4,498,000 as proposed by the Senate.

## FEDERAL ELECTION COMMISSION

## SALARIES AND EXPENSES

The conferees agree to provide \$43,689,000 as proposed by the House instead of \$43,993,000 as proposed by the Senate.

## ELECTION ADMINISTRATION REFORM

The conferees support efforts to achieve election administration reform and are aware of several legislative initiatives currently being considered in both the Senate and the House. The conferees support bipartisan efforts to produce legislation that assists State and local governments while respecting their primacy in the conduct of elections. The conferees will consider appropriations for election administration reform when such reform measures become authorized.

## FEDERAL LABOR RELATIONS AUTHORITY

## SALARIES AND EXPENSES

The conferees agree to provide \$26,524,000 as proposed by the House instead of \$26,378,000 as proposed by the Senate.

## GENERAL SERVICES ADMINISTRATION

## FEDERAL BUILDINGS FUND

## LIMITATIONS ON AVAILABILITY OF REVENUE

## (INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide \$6,100,382,000 in new obligational authority instead of \$6,072,138,000 as proposed by the House and \$6,217,350,000 as proposed by the Senate. The conferees directly appropriate \$8,000,000 into the Fund to cover a portion of the new obligational needs of the Fund.

## CONSTRUCTION AND ACQUISITION

The conferees agree to provide \$386,280,000 instead of \$348,816,000 as proposed by the House and \$477,544,000 as proposed by the Senate.

## ORLANDO, FLORIDA, COURTHOUSE

The conferees agree to provide \$4,000,000 for additional design of the Orlando, Florida, courthouse. These additional design funds, subject to House and Senate authorization, are being provided to ensure that the new Orlando courthouse will meet the security,

community, and space needs of the judiciary. Subject to the required authorizations, the conferees expect the General Services Administration (GSA) to move forward with obligation of these funds and incorporation of the GSA and judiciary agreed upon design elements.

#### PORT OF ENTRY INFRASTRUCTURE

The conferees strongly concur with the port of entry infrastructure language contained in Senate Report 107-57. The conferees agree that GSA, in conjunction with the Office of Management and Budget, the Customs Service and the Immigration and Naturalization Service, should develop a multi-year plan to address the growing facilities construction backlog, starting with the fiscal year 2003 budget submission.

#### REPAIRS AND ALTERATIONS

The conferees agree to provide \$826,676,000, the level proposed by the House instead of \$844,880,000 as proposed by the Senate.

#### RENTAL OF SPACE

The conferees agree to provide \$2,952,050,000 instead of \$2,959,550,000 as proposed by the House and the Senate.

#### BUILDING OPERATIONS

The conferees agree to provide \$1,748,949,000 as proposed by the Senate instead of \$1,750,669,000 as proposed by the House. Within this amount the conferees direct that GSA conduct a study of hurricane vulnerabilities and risk mitigation strategies, including perforated metal technology applications, for Federal buildings in the southeastern United States as proposed by the House. Also within this amount the conferees direct that GSA provide \$1,000,000 for an automated external defibrillator pilot program in buildings within its jurisdiction in accordance with guidelines developed in partnership with the Department of Health and Human Services as proposed by the Senate. The conferees further direct GSA to submit a report to the Committees on Appropriations no later than June 1, 2002, on the steps it has taken to meet the goals of the pilot program as expressed in Senate Report 107-57.

#### POLICY AND OPERATIONS

The conferees agree to provide \$143,139,000 instead of \$137,947,000 as proposed by the House and \$145,749,000 as proposed by the Senate. The conferees have included \$9,982,000 for the Federal computer incident response capability, \$3,822,000 for activities associated with the Lorton complex, \$8,582,000 for activities associated with Governor's Island, \$758,000 for non-pay inflation, an additional \$432,000 for the anticipated pay adjustment, \$250,000 for the virtual archive storage terminal, \$1,000,000 for digital learning technologies, \$750,000 for the government services rural outreach initiative, \$1,700,000 for a grant to the Oklahoma Centennial Commission, and \$1,750,000 for a one-time grant to the Dwight D. Eisenhower Memorial Commission.

## OFFICE OF INSPECTOR GENERAL

The conferees agree to provide \$36,346,000 instead of \$36,478,000 as proposed by the House and \$36,025,000 as proposed by the Senate. Included in this amount are increases of \$133,000 for non-pay inflation and an additional \$188,000 for the anticipated pay adjustment.

## ELECTRONIC GOVERNMENT FUND

## (INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide \$5,000,000 as proposed by the House and the Senate. The conferees support, in general, the purpose of the fund and recommend the Administration work with the House Committee on Government Reform and the Senate Committee on Governmental Affairs to clarify the status of its authorization. The conferees encourage the use of these funds for interagency electronic government projects for which matching funds are provided. The conferees are aware of interagency groups, such as the Chief Information Officer Council chaired by the Office of Management and Budget, that have wide experience and expertise in electronic government and information technology and suggest that these groups could make key contributions in the review and selection of projects.

## ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

## (INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide \$3,196,000 as proposed by the House instead of \$3,376,000 as proposed by the Senate.

## GENERAL PROVISIONS—GENERAL SERVICES ADMINISTRATION

Section 401. The conferees agree to continue a provision that provides that accounts available to GSA shall be credited with certain funds received from government corporations.

Section 402. The conferees agree to continue a provision that provides that funds available to GSA shall be available for the hire of passenger motor vehicles.

Section 403. The conferees agree to continue a provision that authorizes GSA to transfer funds within the Federal Buildings Fund to meet program requirements subject to approval by the Committees on Appropriations.

Section 404. The conferees agree to continue a provision that prohibits the use of funds to submit a fiscal year 2003 budget request for courthouse construction projects that does not meet design guide criteria, does not reflect the priorities of the Judicial Conference of the United States, and is not accompanied by a standardized courtroom utilization study.

Section 405. The conferees agree to continue a provision that provides that no funds may be used to increase the amount of occupiable square feet or provide cleaning services, security enhancements, or any other service usually provided to any agency which does not pay the requested rental rates.

Section 406. The conferees agree to continue a provision that provides that funds provided by the Information Technology Fund for pilot information technology projects may be repaid to the Fund.

Section 407. The conferees agree to continue a provision that permits GSA to pay claims of up to \$250,000 arising from construction projects and the acquisition of buildings.

Section 408. The conferees agree to include a new provision requiring GSA to increase its fiscal year 2002 expenditures for purchasing alternative fuel vehicles by \$5,000,000 above its fiscal year 2001 expenditures, as proposed by the House.

Section 409. The conferees agree to include a new provision directing GSA to maintain the vehicle rates and per mile rates charged for buses leased by schools and dormitories funded by the Bureau of Indian Affairs, as proposed by the Senate.

Section 410. The conferees agree to include a new provision naming a Federal building and courthouse in Minot, North Dakota, as proposed by the Senate.

Section 411. The conferees agree to include a new provision modifying section 410 of Appendix C of Public Law 106-554 concerning the construction of a road in New Mexico, as proposed by the Senate.

Section 412. The conferees agree to include and modify a new provision proposed by the Senate to transfer property in Orlando, Florida.

Section 413. The conferees agree to include a new provision naming a Federal building in Anderson, South Carolina, as proposed by the Senate.

#### MERIT SYSTEMS PROTECTION BOARD

##### SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

The conferees agree to provide \$30,555,000 as proposed by the House instead of \$30,375,000 as proposed by the Senate.

#### MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

##### MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY TRUST FUND

The conferees agree to provide \$1,996,000 as proposed by the Senate instead of \$2,500,000 as proposed by the House.

#### NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

##### OPERATING EXPENSES

The conferees agree to provide \$244,247,000 as proposed by the House and by the Senate. The conferees agree with the direction provided by the House.

## REPAIRS AND RESTORATION

The conferees agree to provide \$39,143,000 instead of \$24,643,000 as proposed by the House and \$41,143,000 as proposed by the Senate. Included in this amount is \$28,500,000 for a new Southeast Regional archives facility.

## NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

## GRANTS PROGRAM

The conferees agree to provide \$6,436,000 as proposed by the Senate instead of \$10,000,000 as proposed by the House. The conferees are aware of a grant application being made by Jefferson Parish, Louisiana, regarding historical documents and urge that this application be given due consideration.

## OFFICE OF GOVERNMENT ETHICS

## SALARIES AND EXPENSES

The conferees agree to provide \$10,117,000 as proposed by the House instead of \$10,060,000 as proposed by the Senate.

## OFFICE OF PERSONNEL MANAGEMENT

## SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

The conferees agree to provide \$99,636,000 as proposed by the House instead of \$99,036,000 as proposed by the Senate.

## FEDERAL WAGE GRADE SYSTEM FOR BUREAU OF PRISONS

The conferees are concerned that the wage surveys utilized in determining the cost of labor for Federal wage grade positions are inadequate with respect to Bureau of Prisons employees. Wage grade employees in the Bureau of Prisons are often in "mixed jobs" that have no private sector equivalent. These employees are hired for one primary skill, but they also are trained as security officers and perform security functions in conjunction with their other duties. The conferees direct the Office of Personal Management to review and report to the Committees on Appropriations on how the current survey instrument quantifies the cost of labor with respect to mixed wage grade jobs at the Bureau of Prisons. The report should include a comparison of the average wage rates for employees at each Federal prison facility, a review of any differences in how the surveys are conducted in different wage areas, and a set of recommendations for determining how to quantify the cost of labor in a given wage area if there are no private sector comparables. The report is due no later than 90 days after the date of enactment of this Act.

## OFFICE OF INSPECTOR GENERAL

## SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

The conferees agree to provide \$1,498,000 as proposed by the House instead of \$1,398,000 as proposed by the Senate.

## OFFICE OF SPECIAL COUNSEL

## SALARIES AND EXPENSES

The conferees agree to provide \$11,891,000 as proposed by the House instead of \$11,784,000 as proposed by the Senate.

## UNITED STATES TAX COURT

## SALARIES AND EXPENSES

The conferees agree to provide \$37,305,000 as proposed by the Senate instead of \$37,809,000 as proposed by the House.

## TITLE V—GENERAL PROVISIONS

## THIS ACT

Section 501. The conferees agree to continue the provision limiting the expenditure of funds to the current year unless expressly provided in this Act.

Section 502. The conferees agree to continue the provision limiting the expenditure of funds for consulting services under certain conditions.

Section 503. The conferees agree to continue the provision prohibiting the use of funds to engage in activities that would prohibit the enforcement of section 307 of the 1930 Tariff Act.

Section 504. The conferees agree to continue the provision prohibiting the transfer of control over the Federal Law Enforcement Training Center out of the Department of the Treasury.

Section 505. The conferees agree to continue the provision concerning employment rights of Federal employees who return to their civilian jobs after assignment with the Armed Forces.

Section 506. The conferees agree to continue the provision that requires compliance with the Buy American Act.

Section 507. The conferees agree to continue the provision concerning prohibition of contracts that use certain goods not made in America.

Section 508. The conferees agree to continue the provision prohibiting contract eligibility where fraudulent intent has been proven in affixing “Made in America” labels.

Section 509. The conferees agree to continue the provision prohibiting the expenditure of funds for abortions under the FEHBP, as proposed by the House.

Section 510. The conferees agree to continue the provision that would authorize the expenditure of funds for abortions under the FEHBP if the life of the mother is in danger or the pregnancy is a result of an act of rape or incest, as proposed by the House.

Section 511. The conferees agree to continue the provision providing that fifty percent of unobligated balances may remain available for certain purposes.

Section 512. The conferees agree to continue the provision restricting the use of funds for the White House to request official background reports without the written consent of the individual who is the subject of the report.

Section 513. The conferees agree to continue the provision that cost accounting standards under the Federal Procurement Policy Act shall not apply to the FEHBP.

Section 514. The conferees agree to continue a provision regarding non-foreign area cost of living adjustments.

Section 515. The conferees agree to include a new provision prohibiting the use of funds to any person or entity convicted of violating the Buy American Act, as proposed by the House.

## TITLE VI—GENERAL PROVISIONS

### DEPARTMENTS, AGENCIES, AND CORPORATIONS

Section 601. The conferees agree to continue the provision authorizing agencies to pay costs of travel to the United States for the immediate families of Federal employees assigned to foreign duty in the event of a death or a life threatening illness of the employee.

Section 602. The conferees agree to continue the provision requiring agencies to administer a policy designed to ensure that all of its workplaces are free from the illegal use of controlled substances.

Section 603. The conferees agree to continue the provision regarding price limitations on vehicles to be purchased by the Federal Government.

Section 604. The conferees agree to continue the provision allowing funds made available to agencies for travel to also be used for quarters allowances and cost-of-living allowances.

Section 605. The conferees agree to continue the provision prohibiting the Federal Government, with certain specified exceptions, from employing non-U.S. citizens whose posts of duty would be in the continental United States.

Section 606. The conferees agree to continue the provision ensuring that agencies will have authority to pay GSA bills for space renovation and other services.

Section 607. The conferees agree to continue the provision allowing agencies to finance the costs of recycling and waste prevention programs with proceeds from the sale of materials recovered through such programs.

Section 608. The conferees agree to continue the provision providing that funds may be used by certain groups to pay rent and other service costs in the District of Columbia.

Section 609. The conferees agree to continue the provision prohibiting the use of funds to pay the salary of any nominee after the Senate voted not to approve the nomination.

Section 610. The conferees agree to continue the provision precluding the financing of groups by more than one Federal agency absent prior and specific statutory approval.

Section 611. The conferees agree to continue the provision authorizing the Postal Service to employ guards and give them the same special police powers as GSA guards.

Section 612. The conferees agree to continue the provision prohibiting the use of funds for enforcing regulations disapproved in accordance with the applicable law of the United States.

Section 613. The conferees agree to continue the provision limiting the pay increases of certain prevailing rate employees.

Section 614. The conferees agree to continue the provision limiting the amount of funds that can be used for redecoration of offices under certain circumstances.

Section 615. The conferees agree to continue the provision prohibiting the expenditure of funds for the acquisition of additional law enforcement training facilities.

Section 616. The conferees agree to continue the provision to allow for interagency funding of national security and emergency telecommunications initiatives.

Section 617. The conferees agree to continue the provision requiring agencies to certify that a Schedule C appointment was not created solely or primarily to detail the employee to the White House.

Section 618. The conferees agree to continue the provision requiring agencies to administer a policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment.

Section 619. The conferees agree to modify and continue the provision prohibiting the importation of any goods manufactured by forced or indentured child labor.

Section 620. The conferees agree to continue the provision prohibiting the payment of the salary of any employee who prohibits, threatens or prevents another employee from communicating with Congress.

Section 621. The conferees agree to continue the provision prohibiting Federal training not directly related to the performance of official duties.

Section 622. The conferees agree to continue the provision prohibiting the expenditure of funds for implementation of agreements in nondisclosure policies unless certain provisions are included.

Section 623. The conferees agree to continue the provision prohibiting use of appropriated funds for publicity or propaganda designed to support or defeat legislation pending in Congress.

Section 624. The conferees agree to continue the provision prohibiting any Federal agency from disclosing an employee's home address to any labor organization, absent employee authorization or court order.

Section 625. The conferees agree to continue the provision prohibiting funds to be used to provide non-public information such as mailing or telephone lists to any person or organization outside the Federal Government without the approval of the Committees on Appropriations.

Section 626. The conferees agree to continue the provision prohibiting the use of funds for propaganda and publicity purposes not authorized by Congress.

Section 627. The conferees agree to continue the provision directing agency employees to use official time in an honest effort to perform official duties.

Section 628. The conferees agree to continue the provision authorizing the use of funds to finance an appropriate share of the Joint Financial Management Improvement Program.

Section 629. The conferees agree to continue the provision authorizing agencies to transfer funds to the Policy and Operations account of GSA to finance an appropriate share of the Joint Financial Management Improvement Program.

Section 630. The conferees agree to continue and make permanent the provision authorizing agencies to provide childcare in Federal facilities.

Section 631. The conferees agree to continue the provision authorizing breastfeeding at any location in a Federal building or on Federal property.

Section 632. The conferees agree to continue the provision that permits interagency funding of the National Science and Technology Council and provides for a report on the budget and resources of the National Science and Technology Council.

Section 633. The conferees agree to continue the provision requiring that any request for proposals, solicitation, grant application, form, notification, press release, or other publications involving the distribution of Federal funds shall indicate the agency providing the funds and the amount provided. This provision shall apply to direct payments, formula funds, and grants received by a State receiving Federal funds.

Section 634. The conferees agree to include a new provision to extend the authorization for franchise fund pilots for one year, as proposed by the House and Senate.

Section 635. The conferees agree to include a new provision to clarify that the Department of the Navy will provide and pay for utilities for the official residence of the Vice President without reimbursement, as proposed by the House and Senate.

Section 636. The conferees agree to include a new provision authorizing the Secretary of the Navy to accept gifts of consumable items, or funds for them, to be accepted for use at official functions at the Vice President's residence, including the hosting of foreign dignitaries, as proposed by the House and Senate.

Section 637. The conferees agree to include a new provision clarifying that certain title 5 authorities are available with respect to civilian personnel of the White House Office, the Executive Residence at the White House, the Office of the Vice President, the Domestic Policy Council, and the Office of Administration, as proposed by the House and Senate.

Section 638. The conferees agree to include a new provision requiring the Office of Personnel Management to submit a report regarding telecommuting centers, as proposed by the House.

Section 639. The conferees agree to continue and modify a provision prohibiting the use of funds to monitor personal information relating to the use of Federal internet sites; the conferees apply this provision government-wide.

Section 640. The conferees agree to include a new provision amending title 5 to clarify retirement benefits for air traffic controllers, as proposed by the House.

Section 641. The conferees agree to include and modify a new provision as proposed by the House and Senate amending title 5 that would make Federal employees in service technical positions eligible for Presidential rank awards.

Section 642. The conferees agree to include a new provision extending authority for the Federal Election Commission to assess administrative fines for straightforward violations of reporting deadlines from December 31, 2001 to December 31, 2003, as proposed by the House.

Section 643. The conferees agree to continue, with a technical modification, the provision addressing contraceptive coverage in health plans participating in the FEHBP.

Section 644. The conferees agree to include a new provision clarifying that the U.S. Anti-Doping Agency is the official anti-doping agency for Olympic games, as proposed by the Senate.

Section 645. The conferees agree to include a new provision clarifying the status of certain employees of the United States-China Security Review Commission, as proposed by the Senate.

Section 646. The conferees agree to continue and modify a provision regarding pay for Federal employees.

Section 647. The conferees agree to include a new provision directing departments and agencies to comply with the Rural Development Act of 1972, as proposed by the Senate.

Section 648. The conferees agree to include and modify a new provision extending the deadline for the submission of annual reports by the United States-China Security Review Commission, as proposed by the Senate.

Section 649. The conferees agree to include a new provision allowing the National Archives to establish SES positions at Presidential Libraries.

Section 650. The conferees agree to include and modify a new provision extending authorization of the "Breast Cancer Research Stamp", as proposed by the Senate.

Section 651. The conferees agree to include and modify a new provision regarding the transportation of day-old poultry, as proposed by the Senate.

Section 652. The conferees agree to include and modify a new provision authorizing the "9/11 Heroes Stamp", as proposed by the Senate.

Section 653. The conferees agree to include a new provision authorizing the "Stamp Out Domestic Violence" Stamp.

#### CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2002 recommended by the Committee of Conference, with comparisons to the fiscal year 2001 amount, the 2002 budget estimates, and the House and Senate bills for 2002 follow:

	[In thousands of dollars]	
New budget (obligational) authority, fiscal year 2001 .....		\$30,574,722
Budget estimates of new (obligational) authority, fiscal year 2002 .....		32,035,351
House bill, fiscal year 2002 .....		32,464,769

Senate bill, fiscal year 2002 .....	32,363,450
Conference agreement, fiscal year 2002 .....	32,493,069
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 2001 .....	+1,918,347
Budget estimates of new (obligational) authority, fiscal year 2002 .....	+457,718
House bill, fiscal year 2002 .....	+28,300
Senate bill, fiscal year 2002 .....	+129,619

ERNEST J. ISTOOK, Jr.,  
FRANK R. WOLF,  
ANNE M. NORTHUP,  
JOHN E. SUNUNU,  
JOHN E. PETERSON,  
TODD TIAHRT,  
JOHN E. SWEENEY,  
DON SHERWOOD,  
C.W. BILL YOUNG,  
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DAVID R. OBEY,

*Managers on the Part of the House.*

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BEN NIGHTHORSE CAMPBELL,  
RICHARD C. SHELBY,  
MIKE DEWINE,  
TED STEVENS,

*Managers on the Part of the Senate.*

