

109TH CONGRESS
1ST SESSION

H. R. 2985

IN THE SENATE OF THE UNITED STATES

JUNE 24, 2005

Received; read twice and referred to the Committee on Appropriations

AN ACT

Making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 That the following sums are appropriated, out of any
2 money in the Treasury not otherwise appropriated, for the
3 Legislative Branch for the fiscal year ending September
4 30, 2006, and for other purposes, namely:

5 HOUSE OF REPRESENTATIVES

6 SALARIES AND EXPENSES

7 For salaries and expenses of the House of Represent-
8 atives, \$1,092,407,000, as follows:

9 HOUSE LEADERSHIP OFFICES

10 For salaries and expenses, as authorized by law,
11 \$19,844,000, including: Office of the Speaker,
12 \$2,788,000, including \$25,000 for official expenses of the
13 Speaker; Office of the Majority Floor Leader, \$2,089,000,
14 including \$10,000 for official expenses of the Majority
15 Leader; Office of the Minority Floor Leader, \$2,928,000,
16 including \$10,000 for official expenses of the Minority
17 Leader; Office of the Majority Whip, including the Chief
18 Deputy Majority Whip, \$1,797,000, including \$5,000 for
19 official expenses of the Majority Whip; Office of the Mi-
20 nority Whip, including the Chief Deputy Minority Whip,
21 \$1,345,000, including \$5,000 for official expenses of the
22 Minority Whip; Speaker's Office for Legislative Floor Ac-
23 tivities, \$482,000; Republican Steering Committee,
24 \$906,000; Republican Conference, \$1,548,000; Repub-
25 lican Policy Committee, \$307,000; Democratic Steering

1 and Policy Committee, \$1,945,000; Democratic Caucus,
2 \$816,000; nine minority employees, \$1,445,000; training
3 and program development—majority, \$290,000; training
4 and program development—minority, \$290,000; Cloak-
5 room Personnel—majority, \$434,000; and Cloakroom
6 Personnel—minority, \$434,000.

7 MEMBERS' REPRESENTATIONAL ALLOWANCES
8 INCLUDING MEMBERS' CLERK HIRE, OFFICIAL
9 EXPENSES OF MEMBERS, AND OFFICIAL MAIL

10 For Members' representational allowances, including
11 Members' clerk hire, official expenses, and official mail,
12 \$538,109,000.

13 COMMITTEE EMPLOYEES

14 STANDING COMMITTEES, SPECIAL AND SELECT
15 For salaries and expenses of standing committees,
16 special and select, authorized by House resolutions,
17 \$117,913,000: *Provided*, That such amount shall remain
18 available for such salaries and expenses until December
19 31, 2006.

20 COMMITTEE ON APPROPRIATIONS

21 For salaries and expenses of the Committee on Ap-
22 propriations, \$25,668,000, including studies and examina-
23 tions of executive agencies and temporary personal serv-
24 ices for such committee, to be expended in accordance with
25 section 202(b) of the Legislative Reorganization Act of

1 1946 and to be available for reimbursement to agencies
2 for services performed: *Provided*, That such amount shall
3 remain available for such salaries and expenses until De-
4 cember 31, 2006.

5 SALARIES, OFFICERS AND EMPLOYEES

6 For compensation and expenses of officers and em-
7 ployees, as authorized by law, \$167,749,000, including:
8 for salaries and expenses of the Office of the Clerk, includ-
9 ing not more than \$13,000, of which not more than
10 \$10,000 is for the Family Room, for official representa-
11 tion and reception expenses, \$21,911,000; for salaries and
12 expenses of the Office of the Sergeant at Arms, including
13 the position of Superintendent of Garages, and including
14 not more than \$3,000 for official representation and re-
15 ception expenses, \$6,284,000; for salaries and expenses of
16 the Office of the Chief Administrative Officer,
17 \$116,971,000, of which \$3,306,000 shall remain available
18 until expended; for salaries and expenses of the Office of
19 the Inspector General, \$3,991,000; for salaries and ex-
20 penses of the Office of Emergency Planning, Preparedness
21 and Operations, \$5,000,000, to remain available until ex-
22 pended; for salaries and expenses of the Office of General
23 Counsel, \$962,000; for the Office of the Chaplain,
24 \$161,000; for salaries and expenses of the Office of the
25 Parliamentarian, including the Parliamentarian and

1 \$2,000 for preparing the Digest of Rules, \$1,767,000; for
2 salaries and expenses of the Office of the Law Revision
3 Counsel of the House, \$2,453,000; for salaries and ex-
4 penses of the Office of the Legislative Counsel of the
5 House, \$6,963,000; for salaries and expenses of the Office
6 of Interparliamentary Affairs, \$720,000; for other author-
7 ized employees, \$161,000; and for salaries and expenses
8 of the Office of the Historian, \$405,000.

9 **ALLOWANCES AND EXPENSES**

10 For allowances and expenses as authorized by House
11 resolution or law, \$223,124,000, including: supplies, mate-
12 rials, administrative costs and Federal tort claims,
13 \$4,179,000; official mail for committees, leadership of-
14 fices, and administrative offices of the House, \$410,000;
15 Government contributions for health, retirement, Social
16 Security, and other applicable employee benefits,
17 \$214,422,000; supplies, materials, and other costs relating
18 to the House portion of expenses for the Capitol Visitor
19 Center, \$3,410,000, to remain available until expended;
20 and miscellaneous items including purchase, exchange,
21 maintenance, repair and operation of House motor vehi-
22 cles, interparliamentary receptions, and gratuities to heirs
23 of deceased employees of the House, \$703,000.

1 CHILD CARE CENTER

2 For salaries and expenses of the House of Represent-
3 atives Child Care Center, such amounts as are deposited
4 in the account established by section 312(d)(1) of the Leg-
5 islative Branch Appropriations Act, 1992 (2 U.S.C. 2112),
6 subject to the level specified in the budget of the Center,
7 as submitted to the Committee on Appropriations of the
8 House of Representatives.

9 ADMINISTRATIVE PROVISIONS

10 SEC. 101. (a) REQUIRING AMOUNTS REMAINING IN
11 MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE
12 USED FOR DEFICIT REDUCTION OR TO REDUCE THE
13 FEDERAL DEBT.—Notwithstanding any other provision of
14 law, any amounts appropriated under this Act for
15 “HOUSE OF REPRESENTATIVES—SALARIES AND
16 EXPENSES—MEMBERS' REPRESENTATIONAL ALLOW-
17 ANCES” shall be available only for fiscal year 2006. Any
18 amount remaining after all payments are made under such
19 allowances for fiscal year 2006 shall be deposited in the
20 Treasury and used for deficit reduction (or, if there is no
21 Federal budget deficit after all such payments have been
22 made, for reducing the Federal debt, in such manner as
23 the Secretary of the Treasury considers appropriate).

1 (b) REGULATIONS.—The Committee on House Ad-
2 ministration of the House of Representatives shall have
3 authority to prescribe regulations to carry out this section.

4 (c) DEFINITION.—As used in this section, the term
5 “Member of the House of Representatives” means a Rep-
6 resentative in, or a Delegate or Resident Commissioner
7 to, the Congress.

8 JOINT ITEMS

9 For Joint Committees, as follows:

10 JOINT ECONOMIC COMMITTEE

11 For salaries and expenses of the Joint Economic
12 Committee, \$4,276,000, to be disbursed by the Secretary
13 of the Senate.

14 JOINT COMMITTEE ON TAXATION

15 For salaries and expenses of the Joint Committee on
16 Taxation, \$8,781,000, to be disbursed by the Chief Ad-
17 ministrative Officer of the House of Representatives.

18 For other joint items, as follows:

19 OFFICE OF THE ATTENDING PHYSICIAN

20 For medical supplies, equipment, and contingent ex-
21 penses of the emergency rooms, and for the Attending
22 Physician and his assistants, including: (1) an allowance
23 of \$2,175 per month to the Attending Physician; (2) an
24 allowance of \$725 per month each to four medical officers
25 while on duty in the Office of the Attending Physician;

1 (3) an allowance of \$725 per month to two assistants and
2 \$580 per month each not to exceed 11 assistants on the
3 basis heretofore provided for such assistants; and (4)
4 \$1,834,000 for reimbursement to the Department of the
5 Navy for expenses incurred for staff and equipment as-
6 signed to the Office of the Attending Physician, which
7 shall be advanced and credited to the applicable appropria-
8 tion or appropriations from which such salaries, allow-
9 ances, and other expenses are payable and shall be avail-
10 able for all the purposes thereof, \$2,545,000, to be dis-
11 bursed by the Chief Administrative Officer of the House
12 of Representatives.

13 CAPITOL GUIDE SERVICE AND SPECIAL SERVICES

14 OFFICE

15 For salaries and expenses of the Capitol Guide Serv-
16 ice and Special Services Office, \$4,268,000, to be dis-
17 bursed by the Secretary of the Senate: *Provided*, That no
18 part of such amount may be used to employ more than
19 58 individuals: *Provided further*, That the Capitol Guide
20 Board is authorized, during emergencies, to employ not
21 more than two additional individuals for not more than
22 120 days each, and not more than 10 additional individ-
23 uals for not more than 6 months each, for the Capitol
24 Guide Service.

1 STATEMENTS OF APPROPRIATIONS

2 For the preparation, under the direction of the Com-
3 mittees on Appropriations of the Senate and the House
4 of Representatives, of the statements for the first session
5 of the 109th Congress, showing appropriations made, in-
6 definite appropriations, and contracts authorized, together
7 with a chronological history of the regular appropriations
8 bills as required by law, \$30,000, to be paid to the persons
9 designated by the chairmen of such committees to super-
10 vise the work.

11 CAPITOL POLICE

12 SALARIES

13 For salaries of employees of the Capitol Police, in-
14 cluding overtime, hazardous duty pay differential, and
15 Government contributions for health, retirement, social se-
16 curity, professional liability insurance, and other applica-
17 ble employee benefits, \$210,350,000, to be disbursed by
18 the Chief of the Capitol Police or his designee.

19 GENERAL EXPENSES

20 For necessary expenses of the Capitol Police, includ-
21 ing motor vehicles, communications and other equipment,
22 security equipment and installation, uniforms, weapons,
23 supplies, materials, training, medical services, forensic
24 services, stenographic services, personal and professional
25 services, the employee assistance program, the awards pro-
26 gram, postage, communication services, travel advances,

1 relocation of instructor and liaison personnel for the Fed-
2 eral Law Enforcement Training Center, and not more
3 than \$5,000 to be expended on the certification of the
4 Chief of the Capitol Police in connection with official rep-
5 resentation and reception expenses, \$29,345,000, to be
6 disbursed by the Chief of the Capitol Police or his des-
7 ignee: *Provided*, That, notwithstanding any other provision
8 of law, the cost of basic training for the Capitol Police
9 at the Federal Law Enforcement Training Center for fis-
10 cal year 2006 shall be paid by the Secretary of Homeland
11 Security from funds available to the Department of Home-
12 land Security.

13 ADMINISTRATIVE PROVISIONS

14 (INCLUDING TRANSFER OF FUNDS)

15 SEC. 1001. TRANSFER AUTHORITY.—Amounts ap-
16 propriated for fiscal year 2006 for the Capitol Police may
17 be transferred between the headings “SALARIES” and
18 “GENERAL EXPENSES” upon the approval of the Commit-
19 tees on Appropriations of the Senate and the House of
20 Representatives.

21 SEC. 1002. (a) The United States Capitol Police may
22 not operate a mounted horse unit during fiscal year 2006
23 or any succeeding fiscal year.

24 (b) Not later than 60 days after the date of the enact-
25 ment of this Act, the Chief of the Capitol Police shall

1 transfer to the Chief of the United States Park Police the
2 horses, equipment, and supplies of the Capitol Police
3 mounted horse unit which remain in the possession of the
4 Capitol Police as of such date.

5 SEC. 1003. (a) Section 103(h)(1)(A)(i)(I) of the Eth-
6 ics in Government Act of 1978 (5 U.S.C. App.
7 103(h)(1)(A)(i)(I)) is amended by inserting “United
8 States Capitol Police,” after “Architect of the Capitol,”.

9 (b) The amendment made by subsection (a) shall
10 apply with respect to reports filed under the Ethics in
11 Government Act of 1978 for calendar year 2005 and each
12 succeeding calendar year.

13 SEC. 1004. Section 1003 of the Legislative Branch
14 Appropriations Act, 2004 (Public Law 108–83; 117 Stat.
15 1021), is hereby repealed, and each provision of law
16 amended by such section is hereby restored as if such sec-
17 tion had not been enacted into law.

18 SEC. 1005. (a) During fiscal year 2006 and each suc-
19 ceeding fiscal year, the United States Capitol Police may
20 not carry out any reprogramming, transfer, or use of
21 funds described in subsection (b) unless—

22 (1) the Chief of the Capitol Police submits a re-
23 quest for the reprogramming, transfer, or use of
24 funds to the Committees on Appropriations of the
25 House of Representatives and Senate on or before

1 August 1 of the respective year, unless both such
2 Committees agree to accept the request at a later
3 date because of extraordinary and emergency cir-
4 cumstances cited by the Chief;

5 (2) the request contains clearly stated and de-
6 tailed documentation presenting justification for the
7 reprogramming, transfer, or use of funds;

8 (3) the request contains a declaration that, as
9 of the date of the request, none of the funds in-
10 cluded in the request have been obligated, and none
11 will be obligated, until both Committees have ap-
12 proved the request; and

13 (4) both Committees approve the request.

14 (b) A reprogramming, transfer, or use of funds de-
15 scribed in this subsection is any reprogramming or trans-
16 fer of funds, or use of unobligated balances, under
17 which—

18 (1) the amount to be shifted to or from any ob-
19 ject class, approved budget, or program involved
20 under the request, or the aggregate amount to be
21 shifted to or from any object class, approved budget,
22 or program involved during the fiscal year taking
23 into account the amount contained in the request, is
24 in excess of \$250,000 or 10 percent, whichever is

1 less, of the object class, approved budget, or pro-
2 gram;

3 (2) the reprogramming, transfer, or use of
4 funds would result in a major change to the pro-
5 gram or item which is different than that presented
6 to and approved by the Committees on Appropria-
7 tions of the House of Representatives and Senate; or

8 (3) the funds involved were earmarked by either
9 of the Committees for a specific activity which is dif-
10 ferent than the activity proposed under the request,
11 without regard to whether the amount provided in
12 the earmark is less than, equal to, or greater than
13 the amount required to carry out the activity.

14 SEC. 1006. (a) ESTABLISHMENT OF OFFICE.—There
15 is established in the United States Capitol Police the Of-
16 fice of the Inspector General (hereafter in this section re-
17 ferred to as the “Office”), headed by the Inspector Gen-
18 eral of the United States Capitol Police (hereafter in this
19 section referred to as the “Inspector General”).

20 (b) INSPECTOR GENERAL.—

21 (1) APPOINTMENT.—The Inspector General
22 shall be appointed by the Capitol Police Board, in
23 consultation with and subject to the approval of the
24 Speaker of the House of Representatives and the
25 President pro tempore of the Senate, acting jointly,

1 and shall be appointed without regard to political af-
2 filiation and solely on the basis of integrity and dem-
3 onstrated ability in accounting, auditing, financial
4 analysis, law, management analysis, public adminis-
5 tration, or investigations.

6 (2) TERM OF SERVICE.—The Inspector General
7 shall serve for a term of 5 years, and an individual
8 serving as Inspector General may be reappointed for
9 not more than 2 additional terms.

10 (3) REMOVAL.—The Inspector General may be
11 removed from office prior to the expiration of his
12 term only by the unanimous vote of all of the mem-
13 bers of the Capitol Police Board, and the Board
14 shall communicate the reasons for any such removal
15 to the Speaker of the House of Representatives and
16 President pro tempore of the Senate.

17 (4) SALARY.—The Inspector General shall be
18 paid at an annual rate equal to \$1,000 less than the
19 annual rate of pay in effect for the Chief of the Cap-
20 itol Police.

21 (5) DEADLINE.—The Capitol Police Board shall
22 appoint the first Inspector General under this sec-
23 tion not later than 180 days after the date of the
24 enactment of this Act.

25 (c) DUTIES.—

1 (1) APPLICABILITY OF DUTIES OF INSPECTOR
2 GENERAL OF EXECUTIVE BRANCH ESTABLISH-
3 MENT.—The Inspector General shall carry out the
4 same duties and responsibilities with respect to the
5 United States Capitol Police as an Inspector General
6 of an establishment carries out with respect to an
7 establishment under section 4 of the Inspector Gen-
8 eral Act of 1978 (5 U.S.C. App. 4), under the same
9 terms and conditions which apply under such sec-
10 tion.

11 (2) SEMIANNUAL REPORTS.—The Inspector
12 General shall prepare and submit semiannual re-
13 ports summarizing the activities of the Office in the
14 same manner, and in accordance with the same
15 deadlines, terms, and conditions, as an Inspector
16 General of an establishment under section 5 of the
17 Inspector General Act of 1978 (5 U.S.C. App. 5).
18 For purposes of applying section 5 of such Act to
19 the Inspector General, the Capitol Police Board shall
20 be considered the head of the establishment, except
21 that the Inspector General shall transmit to the
22 Chief of the Capitol Police a copy of any report sub-
23 mitted to the Board pursuant to this paragraph.

24 (3) INVESTIGATIONS OF COMPLAINTS OF EM-
25 PLOYEES AND MEMBERS.—

1 (A) AUTHORITY.—The Inspector General
2 may receive and investigate complaints or infor-
3 mation from an employee or member of the
4 Capitol Police concerning the possible existence
5 of an activity constituting a violation of law,
6 rules, or regulations, or mismanagement, gross
7 waste of funds, abuse of authority, or a sub-
8 stantial and specific danger to the public health
9 and safety, including complaints or information
10 the investigation of which is under the jurisdic-
11 tion of the Internal Affairs Division of the Cap-
12 itol Police as of the date of the enactment of
13 this Act.

14 (B) NONDISCLOSURE.—The Inspector
15 General shall not, after receipt of a complaint
16 or information from an employee or member,
17 disclose the identity of the employee or member
18 without the consent of the employee or member,
19 unless the Inspector General determines such
20 disclosure is unavoidable during the course of
21 the investigation.

22 (C) PROHIBITING RETALIATION.—An em-
23 ployee or member of the Capitol Police who has
24 authority to take, direct others to take, rec-
25 ommend, or approve any personnel action, shall

1 not, with respect to such authority, take or
2 threaten to take any action against any em-
3 ployee or member as a reprisal for making a
4 complaint or disclosing information to the In-
5 spector General, unless the complaint was made
6 or the information disclosed with the knowledge
7 that it was false or with willful disregard for its
8 truth or falsity.

9 (4) INDEPENDENCE IN CARRYING OUT DU-
10 TIES.—Neither the Capitol Police Board, the Chief
11 of the Capitol Police, nor any other member or em-
12 ployee of the Capitol Police may prevent or prohibit
13 the Inspector General from carrying out any of the
14 duties or responsibilities assigned to the Inspector
15 General under this section.

16 (d) POWERS.—

17 (1) IN GENERAL.—The Inspector General may
18 exercise the same authorities with respect to the
19 United States Capitol Police as an Inspector General
20 of an establishment may exercise with respect to an
21 establishment under section 6(a) of the Inspector
22 General Act of 1978 (5 U.S.C. App. 6(a)), other
23 than paragraphs (7) and (8) of such section.

24 (2) STAFF.—

1 (A) IN GENERAL.—The Inspector General
2 may appoint and fix the pay of such personnel
3 as the Inspector General considers appropriate.
4 Such personnel may be appointed without re-
5 gard to the provisions of title 5, United States
6 Code, regarding appointments in the competi-
7 tive service, and may be paid without regard to
8 the provisions of chapter 51 and subchapter III
9 of chapter 53 of such title relating to classifica-
10 tion and General Schedule pay rates, except
11 that no personnel of the Office (other than the
12 Inspector General) may be paid at an annual
13 rate greater than \$500 less than the annual
14 rate of pay of the Inspector General under sub-
15 section (b)(4).

16 (B) EXPERTS AND CONSULTANTS.—The
17 Inspector General may procure temporary and
18 intermittent services under section 3109 of title
19 5, United States Code, at rates not to exceed
20 the daily equivalent of the annual rate of basic
21 pay for level IV of the Executive Schedule
22 under section 5315 of such title.

23 (C) INDEPENDENCE IN APPOINTING
24 STAFF.—No individual may carry out any of
25 the duties or responsibilities of the Office unless

1 the individual is appointed by the Inspector
2 General, or provides services procured by the
3 Inspector General, pursuant to this paragraph.
4 Nothing in this subparagraph may be construed
5 to prohibit the Inspector General from entering
6 into a contract or other arrangement for the
7 provision of services under this section.

8 (D) APPLICABILITY OF CAPITOL POLICE
9 PERSONNEL RULES.—None of the regulations
10 governing the appointment and pay of employ-
11 ees of the Capitol Police shall apply with re-
12 spect to the appointment and compensation of
13 the personnel of the Office, except to the extent
14 agreed to by the Inspector General. Nothing in
15 the previous sentence may be construed to af-
16 fect subparagraphs (A) through (C).

17 (3) EQUIPMENT AND SUPPLIES.—The Chief of
18 the Capitol Police shall provide the Office with ap-
19 propriate and adequate office space, together with
20 such equipment, supplies, and communications facili-
21 ties and services as may be necessary for the oper-
22 ation of the Office, and shall provide necessary
23 maintenance services for such office space and the
24 equipment and facilities located therein.

25 (e) TRANSFER OF FUNCTIONS.—

1 (1) TRANSFER.—To the extent that any office
2 or entity in the Capitol Police prior to the appoint-
3 ment of the first Inspector General under this sec-
4 tion carried out any of the duties and responsibilities
5 assigned to the Inspector General under this section,
6 the functions of such office or entity shall be trans-
7 ferred to the Office upon the appointment of the
8 first Inspector General under this section.

9 (2) NO REDUCTION IN PAY OR BENEFITS.—The
10 transfer of the functions of an office or entity to the
11 Office under paragraph (1) may not result in a re-
12 duction in the pay or benefits of any employee of the
13 office or entity, except to the extent required under
14 subsection (d)(2)(A).

15 SEC. 1007. (a) IN GENERAL.—Not later than 60
16 days after the last day of each semiannual period, the
17 Chief of the Capitol Police shall submit to Congress, with
18 respect to that period, a detailed, itemized report of the
19 disbursements for the operations of the United States
20 Capitol Police.

21 (b) CONTENTS.—The report required by subsection
22 (a) shall include—

23 (1) the name of each person or entity who re-
24 ceives a payment from the Capitol Police;

1 (2) the cost of any item furnished to the Cap-
2 itol Police;

3 (3) a description of any service rendered to the
4 Capitol Police, together with service dates;

5 (4) a statement of all amounts appropriated to,
6 or received or expended by, the Capitol Police and
7 any unexpended balances of such amounts for any
8 open fiscal year; and

9 (5) such additional information as may be re-
10 quired by regulation of the Committee on House Ad-
11 ministration of the House of Representatives or the
12 Committee on Rules and Administration of the Sen-
13 ate.

14 (c) PRINTING.—Each report under this section shall
15 be printed as a House document.

16 (d) EFFECTIVE DATE.—This section shall apply with
17 respect to the semiannual periods of October 1 through
18 March 31 and April 1 through September 30 of each year,
19 beginning with the semiannual period in which this section
20 is enacted.

21 OFFICE OF COMPLIANCE

22 SALARIES AND EXPENSES

23 For salaries and expenses of the Office of Compli-
24 ance, as authorized by section 305 of the Congressional
25 Accountability Act of 1995 (2 U.S.C. 1385), \$3,112,000,

1 of which \$780,000 shall remain available until September
 2 30, 2007: *Provided*, That the Executive Director of the
 3 Office of Compliance may, within the limits of available
 4 appropriations, dispose of surplus or obsolete personal
 5 property by interagency transfer, donation, or discarding:
 6 *Provided further*, That not more than \$500 may be ex-
 7 pended on the certification of the Executive Director of
 8 the Office of Compliance in connection with official rep-
 9 resentation and reception expenses.

10 CONGRESSIONAL BUDGET OFFICE

11 SALARIES AND EXPENSES

12 For salaries and expenses necessary for operation of
 13 the Congressional Budget Office, including not more than
 14 \$3,000 to be expended on the certification of the Director
 15 of the Congressional Budget Office in connection with offi-
 16 cial representation and reception expenses, \$35,450,000.

17 ADMINISTRATIVE PROVISION

18 SEC. 1100. (a) PERMITTING WAIVER OF CLAIMS FOR
 19 OVERPAYMENT OF PAY AND ALLOWANCES.—Section
 20 5584(g) of title 5, United States Code, is amended—

21 (1) by striking “and” at the end of paragraph

22 (5);

23 (2) by striking the period at the end of para-
 24 graph (6) and inserting “; and”; and

1 (3) by inserting immediately after paragraph
2 (6) the following new paragraph:

3 “(7) the Congressional Budget Office.”.

4 (b) EFFECTIVE DATE.—The amendments made by
5 this section shall apply with respect to fiscal year 2006
6 and each succeeding fiscal year.

7 ARCHITECT OF THE CAPITOL

8 GENERAL ADMINISTRATION

9 For salaries for the Architect of the Capitol, and
10 other personal services, at rates of pay provided by law;
11 for surveys and studies in connection with activities under
12 the care of the Architect of the Capitol; for all necessary
13 expenses for the general and administrative support of the
14 operations under the Architect of the Capitol including the
15 Botanic Garden; electrical substations of the Capitol, Sen-
16 ate and House office buildings, and other facilities under
17 the jurisdiction of the Architect of the Capitol; including
18 furnishings and office equipment; including not more than
19 \$5,000 for official reception and representation expenses,
20 to be expended as the Architect of the Capitol may ap-
21 prove; for purchase or exchange, maintenance, and oper-
22 ation of a passenger motor vehicle, \$77,002,000, of which
23 \$350,000 shall remain available until September 30, 2008.

1 CAPITOL BUILDING

2 For all necessary expenses for maintenance, care, and
3 operation of the Capitol, \$22,097,000, of which
4 \$6,580,000 shall remain available until September 30,
5 2008.

6 CAPITOL GROUNDS

7 For all necessary expenses for care and improvement
8 of grounds surrounding the Capitol, the Senate and House
9 office buildings, and the Capitol Power Plant, \$7,723,000,
10 of which \$740,000 shall remain available until September
11 30, 2008.

12 HOUSE OFFICE BUILDINGS

13 For all necessary expenses for the maintenance, care
14 and operation of the House office buildings, \$59,616,000,
15 of which \$20,922,000 shall remain available until Sep-
16 tember 30, 2008.

17 CAPITOL POWER PLANT

18 For all necessary expenses for the maintenance, care
19 and operation of the Capitol Power Plant; lighting, heat-
20 ing, power (including the purchase of electrical energy)
21 and water and sewer services for the Capitol, Senate and
22 House office buildings, Library of Congress buildings, and
23 the grounds about the same, Botanic Garden, Senate ga-
24 rage, and air conditioning refrigeration not supplied from
25 plants in any of such buildings; heating the Government

1 Printing Office and Washington City Post Office, and
2 heating and chilled water for air conditioning for the Su-
3 preme Court Building, the Union Station complex, the
4 Thurgood Marshall Federal Judiciary Building and the
5 Folger Shakespeare Library, expenses for which shall be
6 advanced or reimbursed upon request of the Architect of
7 the Capitol and amounts so received shall be deposited
8 into the Treasury to the credit of this appropriation,
9 \$58,585,000, of which \$1,592,000 shall remain available
10 until September 30, 2008: *Provided*, That not more than
11 \$6,600,000 of the funds credited or to be reimbursed to
12 this appropriation as herein provided shall be available for
13 obligation during fiscal year 2006.

14 LIBRARY BUILDINGS AND GROUNDS

15 For all necessary expenses for the mechanical and
16 structural maintenance, care and operation of the Library
17 buildings and grounds, \$31,318,000, of which \$6,325,000
18 shall remain available until September 30, 2008.

19 CAPITOL POLICE BUILDINGS AND GROUNDS

20 For all necessary expenses for the maintenance, care
21 and operation of buildings and grounds of the United
22 States Capitol Police, \$16,830,000, of which \$5,500,000
23 shall remain available until September 30, 2008.

1 BOTANIC GARDEN

2 For all necessary expenses for the maintenance, care
3 and operation of the Botanic Garden and the nurseries,
4 buildings, grounds, and collections; and purchase and ex-
5 change, maintenance, repair, and operation of a passenger
6 motor vehicle; all under the direction of the Joint Com-
7 mittee on the Library, \$7,211,000: *Provided*, That this ap-
8 propriation shall not be available for construction of the
9 National Garden: *Provided further*, That of the amount
10 made available under this heading, the Architect may obli-
11 gate and expend such sums as may be necessary for the
12 maintenance, care, and operation of the National Garden
13 established under section 307E of the Legislative Branch
14 Appropriations Act, 1989 (2 U.S.C. 2146), upon vouchers
15 approved by the Architect or a duly authorized designee.

16 CAPITOL VISITOR CENTER

17 For an additional amount for the Capitol Visitor Cen-
18 ter project, \$36,900,000, to remain available until ex-
19 pended: *Provided*, That the Architect of the Capitol may
20 not obligate any of the funds which are made available
21 for the Capitol Visitor Center project without an obliga-
22 tion plan approved by the Committees on Appropriations
23 of the Senate and House of Representatives.

1 ADMINISTRATIVE PROVISIONS

2 SEC. 1201. (a) Section 108 of the Legislative Branch
3 Appropriations Act, 1991 (2 U.S.C. 1849), is amended—

4 (1) in subsection (b), by striking “8 positions”
5 and inserting “10 positions”; and

6 (2) in subsection (c), by striking “4 positions”
7 and inserting “2 positions”.

8 (b) The amendments made by subsection (a) shall
9 apply with respect to pay periods beginning on or after
10 the date of the enactment of this Act.

11 SEC. 1202. (a) Section 905 of the 2002 Supplemental
12 Appropriations Act for Further Recovery From and Re-
13 sponse To Terrorist Attacks on the United States (2
14 U.S.C. 1819) is amended—

15 (1) by redesignating subsection (d) as sub-
16 section (e); and

17 (2) by inserting after subsection (c) the fol-
18 lowing new subsection:

19 “(d) In the case of a building or facility acquired
20 through purchase pursuant to subsection (a), the Archi-
21 tect of the Capitol may enter into or assume a lease with
22 another person for the use of any portion of the building
23 or facility that the Architect of the Capitol determines is
24 not required to be used to carry out the purposes of this
25 section, subject to the approval of the entity which ap-

1 proved the acquisition of such building or facility under
2 subsection (b).”.

3 (b) The amendments made by subsection (a) shall
4 apply with respect to leases entered into on or after the
5 date of the enactment of this Act.

6 SEC. 1203. (a) There is hereby established the Cap-
7 itol Visitor Center Governing Board (hereafter in this sec-
8 tion referred to as the “Governing Board”), consisting of
9 each of the following individuals:

10 (1) The Speaker of the House of Representa-
11 tives, or the Speaker’s designee.

12 (2) The minority leader of the House of Rep-
13 resentatives, or the minority leader’s designee.

14 (3) The majority leader of the Senate, or the
15 majority leader’s designee.

16 (4) The minority leader of the Senate, or the
17 minority leader’s designee.

18 (5) The chairman of the Committee on House
19 Administration of the House of Representatives, who
20 shall serve as co-chairman of the Governing Board.

21 (6) The ranking minority member of the Com-
22 mittee on House Administration of the House of
23 Representatives.

1 (7) The chairman of the Committee on Rules
2 and Administration of the Senate, who shall serve as
3 co-chairman of the Governing Board.

4 (8) The ranking minority member of the Com-
5 mittee on Rules and Administration of the Senate.

6 (b) The Governing Board shall be responsible for es-
7 tablishing the policies which govern the operations of the
8 Capitol Visitor Center, consistent with applicable law.

9 (c) This section shall apply with respect to fiscal year
10 2006 and each succeeding fiscal year.

11 LIBRARY OF CONGRESS

12 SALARIES AND EXPENSES

13 (INCLUDING RESCISSION)

14 For necessary expenses of the Library of Congress
15 not otherwise provided for, including development and
16 maintenance of the Library's catalogs; custody and custo-
17 dial care of the Library buildings; special clothing; clean-
18 ing, laundering and repair of uniforms; preservation of
19 motion pictures in the custody of the Library; operation
20 and maintenance of the American Folklife Center in the
21 Library; preparation and distribution of catalog records
22 and other publications of the Library; hire or purchase
23 of one passenger motor vehicle; and expenses of the Li-
24 brary of Congress Trust Fund Board not properly charge-
25 able to the income of any trust fund held by the Board,
26 \$388,144,000, of which not more than \$6,000,000 shall

1 be derived from collections credited to this appropriation
2 during fiscal year 2006, and shall remain available until
3 expended, under the Act of June 28, 1902 (chapter 1301;
4 32 Stat. 480; 2 U.S.C. 150) and not more than \$350,000
5 shall be derived from collections during fiscal year 2006
6 and shall remain available until expended for the develop-
7 ment and maintenance of an international legal informa-
8 tion database and activities related thereto: *Provided*,
9 That the Library of Congress may not obligate or expend
10 any funds derived from collections under the Act of June
11 28, 1902, in excess of the amount authorized for obliga-
12 tion or expenditure in appropriations Acts: *Provided fur-*
13 *ther*, That the total amount available for obligation shall
14 be reduced by the amount by which collections are less
15 than \$6,350,000: *Provided further*, That of the total
16 amount appropriated, \$13,972,000 shall remain available
17 until expended for the partial acquisition of books, periodi-
18 cals, newspapers, and all other materials including sub-
19 scriptions for bibliographic services for the Library, in-
20 cluding \$40,000 to be available solely for the purchase,
21 when specifically approved by the Librarian, of special and
22 unique materials for additions to the collections: *Provided*
23 *further*, That of the total amount appropriated, not more
24 than \$12,000 may be expended, on the certification of the
25 Librarian of Congress, in connection with official rep-

1 representation and reception expenses for the Overseas Field
2 Offices: *Provided further*, That of the total amount appro-
3 priated, \$500,000 shall remain available until expended,
4 and shall be transferred to the Abraham Lincoln Bicenten-
5 nial Commission for carrying out the purposes of Public
6 Law 106–173, of which \$10,000 may be used for official
7 representation and reception expenses of the Abraham
8 Lincoln Bicentennial Commission: *Provided further*, That
9 of the total amount appropriated, \$11,078,000 shall re-
10 main available until expended for partial support of the
11 National Audio-Visual Conservation Center: *Provided fur-*
12 *ther*, That of the amounts made available under this head-
13 ing in chapter 9 of division A of the Miscellaneous Appro-
14 priations Act, 2001 (Public Law 106–554; 114 Stat.
15 2763A–194), \$15,500,000 is rescinded.

16 COPYRIGHT OFFICE

17 SALARIES AND EXPENSES

18 For necessary expenses of the Copyright Office,
19 \$58,601,000, of which not more than \$30,481,000, to re-
20 main available until expended, shall be derived from collec-
21 tions credited to this appropriation during fiscal year 2006
22 under section 708(d) of title 17, United States Code: *Pro-*
23 *vided*, That the Copyright Office may not obligate or ex-
24 pend any funds derived from collections under such sec-
25 tion, in excess of the amount authorized for obligation or

1 expenditure in appropriations Acts: *Provided further*, That
2 not more than \$5,465,000 shall be derived from collections
3 during fiscal year 2006 under sections 111(d)(2),
4 119(b)(2), 802(h), 1005, and 1316 of such title: *Provided*
5 *further*, That the total amount available for obligation
6 shall be reduced by the amount by which collections are
7 less than \$35,946,000: *Provided further*, That not more
8 than \$100,000 of the amount appropriated is available for
9 the maintenance of an “International Copyright Institute”
10 in the Copyright Office of the Library of Congress for the
11 purpose of training nationals of developing countries in
12 intellectual property laws and policies: *Provided further*,
13 That not more than \$4,250 may be expended, on the cer-
14 tification of the Librarian of Congress, in connection with
15 official representation and reception expenses for activities
16 of the International Copyright Institute and for copyright
17 delegations, visitors, and seminars: *Provided further*, That
18 notwithstanding any provision of chapter 8 of title 17,
19 United States Code, any amounts made available under
20 this heading which are attributable to royalty fees and
21 payments received by the Copyright Office pursuant to
22 sections 111, 119, and chapter 10 of such title may be
23 used for the costs incurred in the administration of the
24 Copyright Royalty Judges program.

1 CONGRESSIONAL RESEARCH SERVICE
2 SALARIES AND EXPENSES

3 For necessary expenses to carry out the provisions
4 of section 203 of the Legislative Reorganization Act of
5 1946 (2 U.S.C. 166) and to revise and extend the Anno-
6 tated Constitution of the United States of America,
7 \$99,952,000: *Provided*, That no part of such amount may
8 be used to pay any salary or expense in connection with
9 any publication, or preparation of material therefor (ex-
10 cept the Digest of Public General Bills), to be issued by
11 the Library of Congress unless such publication has ob-
12 tained prior approval of either the Committee on House
13 Administration of the House of Representatives or the
14 Committee on Rules and Administration of the Senate.

15 BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED
16 SALARIES AND EXPENSES

17 For salaries and expenses to carry out the Act of
18 March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C.
19 135a), \$54,049,000, of which \$15,831,000 shall remain
20 available until expended.

21 ADMINISTRATIVE PROVISIONS

22 SEC. 1301. INCENTIVE AWARDS PROGRAM.—Of the
23 amounts appropriated to the Library of Congress in this
24 Act, not more than \$5,000 may be expended, on the cer-
25 tification of the Librarian of Congress, in connection with

1 official representation and reception expenses for the in-
2 centive awards program.

3 SEC. 1302. REIMBURSABLE AND REVOLVING FUND
4 ACTIVITIES. (a) IN GENERAL.—For fiscal year 2006, the
5 obligational authority of the Library of Congress for the
6 activities described in subsection (b) may not exceed
7 \$109,943,000.

8 (b) ACTIVITIES.—The activities referred to in sub-
9 section (a) are reimbursable and revolving fund activities
10 that are funded from sources other than appropriations
11 to the Library in appropriations Acts for the legislative
12 branch.

13 (c) TRANSFER OF FUNDS.—During fiscal year 2006,
14 the Librarian of Congress may temporarily transfer funds
15 appropriated in this Act, under the heading “LIBRARY
16 OF CONGRESS” under the subheading “SALARIES AND
17 EXPENSES” to the revolving fund for the FEDLINK Pro-
18 gram and the Federal Research Program established
19 under section 103 of the Library of Congress Fiscal Oper-
20 ations Improvement Act of 2000 (Public Law 106–481;
21 2 U.S.C. 182c): *Provided*, That the total amount of such
22 transfers may not exceed \$1,900,000: *Provided further*,
23 That the appropriate revolving fund account shall reim-
24 burse the Library for any amounts transferred to it before

1 the period of availability of the Library appropriation ex-
2 pires.

3 SEC. 1303. UNITED STATES DIPLOMATIC FACILI-
4 TIES.—Funds made available for the Library of Congress
5 under this Act are available for transfer to the Depart-
6 ment of State as remittance for a fee charged by the De-
7 partment for fiscal year 2006 for the maintenance, up-
8 grade, or construction of United States diplomatic facili-
9 ties only to the extent that the amount of the fee so
10 charged is equal to or less than the unreimbursed value
11 of the services provided during fiscal year 2006 to the Li-
12 brary of Congress on State Department diplomatic facili-
13 ties.

14 SEC. 1304. (a) Section 208 of the Legislative Branch
15 Appropriations Act, 1996 (Public Law 104–53; 109 Stat.
16 532), is hereby repealed.

17 (b) The amendment made by this section shall take
18 effect on the date of the enactment of this Act or October
19 1, 2005, whichever occurs earlier.

20 GOVERNMENT PRINTING OFFICE

21 CONGRESSIONAL PRINTING AND BINDING

22 (INCLUDING TRANSFER OF FUNDS)

23 For authorized printing and binding for the Congress
24 and the distribution of Congressional information in any
25 format; printing and binding for the Architect of the Cap-

1 itol; expenses necessary for preparing the semimonthly
2 and session index to the Congressional Record, as author-
3 ized by law (section 902 of title 44, United States Code);
4 printing and binding of Government publications author-
5 ized by law to be distributed to Members of Congress; and
6 printing, binding, and distribution of Government publica-
7 tions authorized by law to be distributed without charge
8 to the recipient, \$88,090,000 (reduced by \$5,400,000):
9 *Provided*, That this appropriation shall not be available
10 for paper copies of the permanent edition of the Congres-
11 sional Record for individual Representatives, Resident
12 Commissioners or Delegates authorized under section 906
13 of title 44, United States Code: *Provided further*, That this
14 appropriation shall be available for the payment of obliga-
15 tions incurred under the appropriations for similar pur-
16 poses for preceding fiscal years: *Provided further*, That
17 notwithstanding the 2-year limitation under section 718
18 of title 44, United States Code, none of the funds appro-
19 priated or made available under this Act or any other Act
20 for printing and binding and related services provided to
21 Congress under chapter 7 of title 44, United States Code,
22 may be expended to print a document, report, or publica-
23 tion after the 27-month period beginning on the date that
24 such document, report, or publication is authorized by
25 Congress to be printed, unless Congress reauthorizes such

1 printing in accordance with section 718 of title 44, United
2 States Code: *Provided further*, That any unobligated or
3 unexpended balances in this account or accounts for simi-
4 lar purposes for preceding fiscal years may be transferred
5 to the Government Printing Office revolving fund for car-
6 rying out the purposes of this heading, subject to the ap-
7 proval of the Committees on Appropriations of the House
8 of Representatives and Senate.

9 OFFICE OF SUPERINTENDENT OF DOCUMENTS

10 SALARIES AND EXPENSES

11 (INCLUDING TRANSFER OF FUNDS)

12 For expenses of the Office of Superintendent of Doc-
13 uments necessary to provide for the cataloging and index-
14 ing of Government publications and their distribution to
15 the public, Members of Congress, other Government agen-
16 cies, and designated depository and international exchange
17 libraries as authorized by law, \$33,337,000: *Provided*,
18 That amounts of not more than \$2,000,000 from current
19 year appropriations are authorized for producing and dis-
20 seminating Congressional serial sets and other related
21 publications for fiscal years 2004 and 2005 to depository
22 and other designated libraries: *Provided further*, That any
23 unobligated or unexpended balances in this account or ac-
24 counts for similar purposes for preceding fiscal years may
25 be transferred to the Government Printing Office revolv-

1 ing fund for carrying out the purposes of this heading,
2 subject to the approval of the Committees on Appropria-
3 tions of the House of Representatives and Senate.

4 GOVERNMENT PRINTING OFFICE REVOLVING FUND

5 For payment to the Government Printing Office Re-
6 volving Fund, \$1,200,000 for workforce retraining. The
7 Government Printing Office may make such expenditures,
8 within the limits of funds available and in accord with the
9 law, and to make such contracts and commitments without
10 regard to fiscal year limitations as provided by section
11 9104 of title 31, United States Code, as may be necessary
12 in carrying out the programs and purposes set forth in
13 the budget for the current fiscal year for the Government
14 Printing Office revolving fund: *Provided*, That not more
15 than \$5,000 may be expended on the certification of the
16 Public Printer in connection with official representation
17 and reception expenses: *Provided further*, That the revol-
18 ving fund shall be available for the hire or purchase of not
19 more than 12 passenger motor vehicles: *Provided further*,
20 That expenditures in connection with travel expenses of
21 the advisory councils to the Public Printer shall be deemed
22 necessary to carry out the provisions of title 44, United
23 States Code: *Provided further*, That the revolving fund
24 shall be available for temporary or intermittent services
25 under section 3109(b) of title 5, United States Code, but

1 at rates for individuals not more than the daily equivalent
2 of the annual rate of basic pay for level V of the Executive
3 Schedule under section 5316 of such title: *Provided fur-*
4 *ther*, That the revolving fund and the funds provided
5 under the headings “OFFICE OF SUPERINTENDENT OF
6 DOCUMENTS” and “SALARIES AND EXPENSES” together
7 may not be available for the full-time equivalent employ-
8 ment of more than 2,621 workyears (or such other number
9 of workyears as the Public Printer may request, subject
10 to the approval of the Committees on Appropriations of
11 the House of Representatives and Senate): *Provided fur-*
12 *ther*, That activities financed through the revolving fund
13 may provide information in any format: *Provided further*,
14 That not more than \$10,000 may be expended from the
15 revolving fund in support of the activities of the Benjamin
16 Franklin Tercentenary Commission established by Public
17 Law 107–202.

18 GOVERNMENT ACCOUNTABILITY OFFICE

19 SALARIES AND EXPENSES

20 For necessary expenses of the Government Account-
21 ability Office, including not more than \$12,500 to be ex-
22 pended on the certification of the Comptroller General of
23 the United States in connection with official representa-
24 tion and reception expenses; temporary or intermittent
25 services under section 3109(b) of title 5, United States

1 Code, but at rates for individuals not more than the daily
2 equivalent of the annual rate of basic pay for level IV of
3 the Executive Schedule under section 5315 of such title;
4 hire of one passenger motor vehicle; advance payments in
5 foreign countries in accordance with section 3324 of title
6 31, United States Code; benefits comparable to those pay-
7 able under sections 901(5), (6), and (8) of the Foreign
8 Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8));
9 and under regulations prescribed by the Comptroller Gen-
10 eral of the United States, rental of living quarters in for-
11 eign countries, \$482,395,000: *Provided*, That not more
12 than \$5,104,000 of payments received under section 782
13 of title 31, United States Code, shall be available for use
14 in fiscal year 2006: *Provided further*, That not more than
15 \$2,061,000 of reimbursements received under section
16 9105 of title 31, United States Code, shall be available
17 for use in fiscal year 2006: *Provided further*, That this
18 appropriation and appropriations for administrative ex-
19 penses of any other department or agency which is a mem-
20 ber of the National Intergovernmental Audit Forum or a
21 Regional Intergovernmental Audit Forum shall be avail-
22 able to finance an appropriate share of either Forum's
23 costs as determined by the respective Forum, including
24 necessary travel expenses of non-Federal participants:
25 *Provided further*, That payments hereunder to the Forum

1 may be credited as reimbursements to any appropriation
2 from which costs involved are initially financed.

3 PAYMENT TO THE OPEN WORLD LEADERSHIP CENTER
4 TRUST FUND

5 For a payment to the Open World Leadership Center
6 Trust Fund for financing activities of the Open World
7 Leadership Center under section 313 of the Legislative
8 Branch Appropriations Act, 2001 (2 U.S.C. 1151),
9 \$14,000,000.

10 TITLE II—GENERAL PROVISIONS

11 SEC. 201. MAINTENANCE AND CARE OF PRIVATE
12 VEHICLES.—No part of the funds appropriated in this Act
13 shall be used for the maintenance or care of private vehi-
14 cles, except for emergency assistance and cleaning as may
15 be provided under regulations relating to parking facilities
16 for the House of Representatives issued by the Committee
17 on House Administration and for the Senate issued by the
18 Committee on Rules and Administration.

19 SEC. 202. FISCAL YEAR LIMITATION.—No part of
20 the funds appropriated in this Act shall remain available
21 for obligation beyond fiscal year 2006 unless expressly so
22 provided in this Act.

23 SEC. 203. RATES OF COMPENSATION AND DESIGNA-
24 TION.—Whenever in this Act any office or position not
25 specifically established by the Legislative Pay Act of 1929

1 (46 Stat. 32 et seq.) is appropriated for or the rate of
2 compensation or designation of any office or position ap-
3 propriated for is different from that specifically estab-
4 lished by such Act, the rate of compensation and the des-
5 ignation in this Act shall be the permanent law with re-
6 spect thereto: *Provided*, That the provisions in this Act
7 for the various items of official expenses of Members, offi-
8 cers, and committees of the Senate and House of Rep-
9 resentatives, and clerk hire for Senators and Members of
10 the House of Representatives shall be the permanent law
11 with respect thereto.

12 SEC. 204. CONSULTING SERVICES.—The expenditure
13 of any appropriation under this Act for any consulting
14 service through procurement contract, under section 3109
15 of title 5, United States Code, shall be limited to those
16 contracts where such expenditures are a matter of public
17 record and available for public inspection, except where
18 otherwise provided under existing law, or under existing
19 Executive order issued under existing law.

20 SEC. 205. AWARDS AND SETTLEMENTS.—Such sums
21 as may be necessary are appropriated to the account de-
22 scribed in subsection (a) of section 415 of the Congres-
23 sional Accountability Act of 1995 (2 U.S.C. 1415(a)) to
24 pay awards and settlements as authorized under such sub-
25 section.

1 SEC. 206. COSTS OF LBFMC.—Amounts available
2 for administrative expenses of any legislative branch entity
3 which participates in the Legislative Branch Financial
4 Managers Council (LBFMC) established by charter on
5 March 26, 1996, shall be available to finance an appro-
6 priate share of LBFMC costs as determined by the
7 LBFMC, except that the total LBFMC costs to be shared
8 among all participating legislative branch entities (in such
9 allocations among the entities as the entities may deter-
10 mine) may not exceed \$2,000.

11 SEC. 207. LANDSCAPE MAINTENANCE.—The Archi-
12 tect of the Capitol, in consultation with the District of Co-
13 lumbia, is authorized to maintain and improve the land-
14 scape features, excluding streets and sidewalks, in the ir-
15 regular shaped grassy areas bounded by Washington Ave-
16 nue, SW on the northeast, Second Street SW on the west,
17 Square 582 on the south, and the beginning of the I-395
18 tunnel on the southeast.

19 SEC. 208. LIMITATION ON TRANSFERS.—None of the
20 funds made available in this Act may be transferred to
21 any department, agency, or instrumentality of the United
22 States Government, except pursuant to a transfer made
23 by, or transfer authority provided in, this Act or any other
24 appropriation Act.

1 SEC. 209. COMPENSATION LIMITATION.—None of
2 the funds contained in this Act or any other Act may be
3 used to pay the salary of any officer or employee of the
4 legislative branch during fiscal year 2006 or any suc-
5 ceeding fiscal year to the extent that the aggregate
6 amount of compensation paid to the employee during the
7 year (including base salary, performance awards and other
8 bonus payments, and incentive payments, but excluding
9 the value of any in-kind benefits and payments) exceeds
10 the annual rate of pay for a Member of the House of Rep-
11 resentatives or a Senator.

12 TITLE III—CONTINUITY IN REPRESENTATION

13 SEC. 301. Section 26 of the Revised Statutes of the
14 United States (2 U.S.C. 8) is amended—

15 (1) by striking “The time” and inserting “(a)
16 IN GENERAL.—Except as provided in subsection (b),
17 the time”; and

18 (2) by adding at the end the following new sub-
19 section:

20 “(b) SPECIAL RULES IN EXTRAORDINARY CIR-
21 CUMSTANCES.—

22 “(1) IN GENERAL.—In extraordinary cir-
23 cumstances, the executive authority of any State in
24 which a vacancy exists in its representation in the

1 House of Representatives shall issue a writ of elec-
2 tion to fill such vacancy by special election.

3 “(2) TIMING OF SPECIAL ELECTION.—A special
4 election held under this subsection to fill a vacancy
5 shall take place not later than 49 days after the
6 Speaker of the House of Representatives announces
7 that the vacancy exists, unless, during the 75-day
8 period which begins on the date of the announce-
9 ment of the vacancy—

10 “(A) a regularly scheduled general election
11 for the office involved is to be held; or

12 “(B) another special election for the office
13 involved is to be held, pursuant to a writ for a
14 special election issued by the chief executive of
15 the State prior to the date of the announcement
16 of the vacancy.

17 “(3) NOMINATIONS BY PARTIES.—If a special
18 election is to be held under this subsection, the de-
19 termination of the candidates who will run in such
20 election shall be made—

21 “(A) by nominations made not later than
22 10 days after the Speaker announces that the
23 vacancy exists by the political parties of the
24 State that are authorized by State law to nomi-
25 nate candidates for the election; or

1 “(B) by any other method the State con-
2 siders appropriate, including holding primary
3 elections, that will ensure that the State will
4 hold the special election within the deadline re-
5 quired under paragraph (2).

6 “(4) EXTRAORDINARY CIRCUMSTANCES.—

7 “(A) IN GENERAL.—In this subsection,
8 ‘extraordinary circumstances’ occur when the
9 Speaker of the House of Representatives an-
10 nounces that vacancies in the representation
11 from the States in the House exceed 100.

12 “(B) JUDICIAL REVIEW.—If any action is
13 brought for declaratory or injunctive relief to
14 challenge an announcement made under sub-
15 paragraph (A), the following rules shall apply:

16 “(i) Not later than 2 days after the
17 announcement, the action shall be filed in
18 the United States District Court having ju-
19 risdiction in the district of the Member of
20 the House of Representatives whose seat
21 has been announced to be vacant and shall
22 be heard by a 3-judge court convened pur-
23 suant to section 2284 of title 28, United
24 States Code.

1 “(ii) A copy of the complaint shall be
2 delivered promptly to the Clerk of the
3 House of Representatives.

4 “(iii) A final decision in the action
5 shall be made within 3 days of the filing
6 of such action and shall not be reviewable.

7 “(iv) The executive authority of the
8 State that contains the district of the
9 Member of the House of Representatives
10 whose seat has been announced to be va-
11 cant shall have the right to intervene either
12 in support of or opposition to the position
13 of a party to the case regarding the an-
14 nouncement of such vacancy.

15 “(5) PROTECTING ABILITY OF ABSENT MILI-
16 TARY AND OVERSEAS VOTERS TO PARTICIPATE IN
17 SPECIAL ELECTIONS.—

18 “(A) DEADLINE FOR TRANSMITTAL OF AB-
19 SENTEE BALLOTS.—In conducting a special
20 election held under this subsection to fill a va-
21 cancy in its representation, the State shall en-
22 sure to the greatest extent practicable (includ-
23 ing through the use of electronic means) that
24 absentee ballots for the election are transmitted
25 to absent uniformed services voters and over-

1 seas voters (as such terms are defined in the
2 Uniformed and Overseas Citizens Absentee Vot-
3 ing Act) not later than 15 days after the
4 Speaker of the House of Representatives an-
5 nounces that the vacancy exists.

6 “(B) PERIOD FOR BALLOT TRANSIT
7 TIME.—Notwithstanding the deadlines referred
8 to in paragraphs (2) and (3), in the case of an
9 individual who is an absent uniformed services
10 voter or an overseas voter (as such terms are
11 defined in the Uniformed and Overseas Citizens
12 Absentee Voting Act), a State shall accept and
13 process any otherwise valid ballot or other elec-
14 tion material from the voter so long as the bal-
15 lot or other material is received by the appro-
16 priate State election official not later than 45
17 days after the State transmits the ballot or
18 other material to the voter.

19 “(6) APPLICATION TO DISTRICT OF COLUMBIA
20 AND TERRITORIES.—This subsection shall apply—

21 “(A) to a Delegate or Resident Commis-
22 sioner to the Congress in the same manner as
23 it applies to a Member of the House of Rep-
24 resentatives; and

1 “(B) to the District of Columbia, the Com-
2 monwealth of Puerto Rico, American Samoa,
3 Guam, and the United States Virgin Islands in
4 the same manner as it applies to a State, ex-
5 cept that a vacancy in the representation from
6 any such jurisdiction in the House shall not be
7 taken into account by the Speaker in deter-
8 mining whether vacancies in the representation
9 from the States in the House exceed 100 for
10 purposes of paragraph (4)(A).

11 “(7) RULE OF CONSTRUCTION REGARDING FED-
12 ERAL ELECTION LAWS.—Nothing in this subsection
13 may be construed to affect the application to special
14 elections under this subsection of any Federal law
15 governing the administration of elections for Federal
16 office (including any law providing for the enforce-
17 ment of any such law), including, but not limited to,
18 the following:

19 “(A) The Voting Rights Act of 1965 (42
20 U.S.C. 1973 et seq.), as amended.

21 “(B) The Voting Accessibility for the El-
22 derly and Handicapped Act (42 U.S.C. 1973ee
23 et seq.), as amended.

1 “(C) The Uniformed and Overseas Citizens
2 Absentee Voting Act (42 U.S.C. 1973ff et seq.),
3 as amended.

4 “(D) The National Voter Registration Act
5 of 1993 (42 U.S.C. 1973gg et seq.), as amend-
6 ed.

7 “(E) The Americans With Disabilities Act
8 of 1990 (42 U.S.C. 12101 et seq.), as amended.

9 “(F) The Rehabilitation Act of 1973 (29
10 U.S.C. 701 et seq.), as amended.

11 “(G) The Help America Vote Act of 2002
12 (42 U.S.C. 15301 et seq.), as amended.”.

13 This Act may be cited as the “Legislative Branch Ap-
14 propriations Act, 2006”.

Passed the House of Representatives June 22, 2005.

Attest: JEFF TRANDAHL,
Clerk.