

(B) be responsible for the administration and coordination of the review of records by the Commission; and

(C) be responsible for coordinating all official activities of the Commission.

(4) **COMPENSATION.**—The Chairperson of the Commission may fix the compensation of the executive director, deputy executive director, general counsel, and other personnel employed by the Commission, without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that—

(A) the rate of pay for the executive director of the Commission may not exceed the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code; and

(B) the rate of pay for the deputy executive director, the general counsel of the Commission, and other Commission personnel may not exceed the rate payable for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(5) **EMPLOYEE BENEFITS.**—

(A) **IN GENERAL.**—An employee of the Commission shall be an employee for purposes of chapters 83, 84, 85, 87, and 89 of title 5, United States Code, and service as an employee of the Commission shall be service for purposes of such chapters.

(B) **NONAPPLICATION TO MEMBERS.**—This paragraph shall not apply to a member of the Commission.

(6) **OFFICE OF PERSONNEL MANAGEMENT.**—The Office of Personnel Management—

(A) may promulgate regulations to apply the provisions referred to under subsection (a) to employees of the Commission; and

(B) shall provide support services, on a reimbursable basis, relating to—

(i) the initial employment of employees of the Commission; and

(ii) other personnel needs of the Commission.

(d) **DETAIL OF GOVERNMENT EMPLOYEES.**—Any Federal Government employee may be detailed to the Commission without reimbursement to the agency of that employee, and such detail shall be without interruption or loss of civil service status or privilege.

(e) **PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.**—The Chairperson of the Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals which do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of such title.

(f) **STAFF QUALIFICATIONS.**—Any person appointed to the staff of or employed by the Commission shall be an individual of integrity and impartiality.

(g) **CONDITIONAL EMPLOYMENT.**—

(1) **IN GENERAL.**—The Commission may offer employment on a conditional basis to a prospective employee pending the completion of any necessary security clearance background investigation. During the pendency of any such investigation, the Commission shall ensure that

such conditional employee is not given and does not have access to or responsibility involving classified or otherwise restricted material.

(2) **TERMINATION.**—If a person hired on a conditional basis as described in paragraph (1) is denied or otherwise does not qualify for all security clearances necessary for the fulfillment of the responsibilities of that person as an employee of the Commission, the Commission shall immediately terminate the employment of that person with the Commission.

(h) **EXPEDITED SECURITY CLEARANCE PROCEDURES.**—A candidate for executive director or deputy executive director of the Commission and any potential employee of the Commission shall, to the maximum extent possible, be investigated or otherwise evaluated for and granted, if applicable, any necessary security clearances on an expedited basis.

#### **SEC. 6. ADMINISTRATIVE SUPPORT SERVICES.**

Upon the request of the Commission, the Administrator of General Services shall provide to the Commission, on a reimbursable basis, the administrative support services necessary for the Commission to carry out its responsibilities under this Act.

#### **SEC. 7. TERMINATION OF THE COMMISSION.**

The Commission shall terminate 90 days after the date on which the Commission submits its final report under section 3.

#### **SEC. 8. MISCELLANEOUS PROVISIONS.**

(a) **INAPPLICABILITY OF FACA.**—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the Commission.

(b) **PUBLIC ATTENDANCE.**—To the maximum extent practicable, each meeting of the Commission shall be open to members of the public.

#### **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated not more than \$3,500,000, in total, for the interagency funding of activities of the Commission under this Act for fiscal years 1998, 1999, and 2000, of which, notwithstanding section 1346 of title 31, United States Code, and section 611 of the Treasury and General Government Appropriations Act, 1998, \$537,000 shall be made available in equal amounts from funds made available for fiscal year 1998 to the Departments of Justice, State, and the Army that are otherwise unobligated. Funds made available to the Commission pursuant to this section shall remain available for obligation until December 31, 1999.

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate agree to the amendment of the House.

The PRESIDING OFFICER. Without objection, it is so ordered.

through the morning hour be granted and the Senate then begin a period of morning business until 11:15 a.m., with Senators permitted to speak for up to 5 minutes each, with the following exceptions: Senator ROCKEFELLER, 10 minutes; Senator TORRICELLI, 15 minutes; Senator BAUCUS, 30 minutes; Senator COLLINS, 15 minutes; Senator KERRY, 15 minutes; and Senator SMITH of Oregon, 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. COLLINS. I further ask consent that following morning business the Senate resume consideration of S. 1415, the tobacco bill. Further, that at noon the Senate proceed to vote on the motion to invoke cloture on the modified committee substitute and the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Ms. COLLINS. Mr. President, for the information of all Senators, the Senate will reconvene tomorrow at 9:45 a.m. and begin a period of morning business until 11:15 a.m. Following morning business, the Senate will resume consideration of the tobacco bill. At 12 noon, the Senate will proceed to vote on the motion to invoke cloture on the modified tobacco committee substitute. Assuming cloture fails, the Senate will continue debate on the tobacco bill. It is hoped that Members will come to the floor to offer and debate remaining amendments to the bill throughout Thursday's session. The Senate may also consider any other legislative or Executive Calendar item that may be cleared for action. Therefore, rollcall votes are possible throughout Thursday's session of the Senate.

#### ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

Ms. COLLINS. Mr. President, if there is no further business to come before the Senate, I now ask the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:44 p.m., adjourned until Thursday, June 11, 1998, at 9:45 a.m.

#### ORDERS FOR THURSDAY, JUNE 11, 1998

Ms. COLLINS. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:45 a.m. on Thursday, June 11. I further ask that on Thursday, immediately following the prayer, the routine requests