Committee on Government Reform marked up H.R. 2513 by a voice vote. On September 29, 1999, a hearing on H.R. 2513 was conducted by the subcommittee, and testimony was presented by representatives of the Terre Haute community, myself, and representatives of the USPS and GSA. At the hearing, concerns about H.R. 2513 were raised by GSA officials and Representative HENRY WAXMAN, ranking member of the Committee on Government Reform.

H.R. 2513 was scheduled to be marked up by the Committee on Government Reform on September 30, 1999. However, at my request, H.R. 2513 was withdrawn form the Committee's agenda for that day. Ranking Member WAXMAN and I agreed to allow GSA 30 days to review whether there were realistic alternatives for management of the Terre Haute facility, other than ownership by GSA. Under this agreement, if GSA failed to move forward and provide a viable option in the 30-day period, then the ranking member agreed to moving the bill forward in its current form on the House suspension calendar. To date, GSA has been unable to provide a viable option, though it has worked diligently on the project and has been in regular communication with my staff, committee staff, and representatives of various government entities in Terre Haute.

For more than 2 years, my staff and I have been working with GSA, the USPS, and the Terre Haute community to resolve this matter. Though we have made progress, a comprehensive solution has not yet been reached, but this bill helps us advance the negotiations toward the only viable option yet discovered. To expedite this matter, Representative DAN BURTON, chairman of the Committee on Government Reform, with the concurrence of Ranking Member HENRY WAXMAN, agreed to waive the committee's consideration of H.R. 2513. In addition, Representative BUD SHUSTER, chairman of the Committee on Transportation and Infrastructure agreed to forego his committee's sequential referral on the bill.

In conclusion, it makes sense to transfer its property from the USPS to GSA. The General Services Administration is familiar with building management and better suited to properly manage this multitenant facility—a historic structure architecturally and structurally similar to facilities managed by GSA in other cities. I believe that the figures clearly indicate a strong federal presence, as well as a strong demand, for space in the Terre Haute facility. For many reasons, the transfer of the facility to GSA is a sound transaction which will prove to be an asset to the Federal Government and to the citizens of the Terre Haute area. I urge my colleagues to support H.R. 2513.

Mr. WAXMAN. Mr. Speaker, I will support this legislation because I entered into an agreement with the gentleman from Indiana, Mr. PEASE, and the gentleman from California, Mr. HORN. Under our understanding, I agreed to support moving this legislation through the House if the General Services Administration did not find a viable alternative for the postal building in Terre Haute within 30 days. The 30 days are up, and although GSA is continuing to analyze and investigate the property, it has not yet found an entity interested in buying or taking the property.

Nevertheless, although I am supporting moving this legislation through the House, I continue to have genuine reservations about H.R. 2513. I hope Mr. PEASE will work to resolve these issues as this legislation moves forward.

H.R. 2513 provides that the postal services building in Terre Haute will be transferred to GSA. It also provides the U.S. Postal Service with an option to remain in the building rent-free for 20 years. In addition, this bill authorizes $5,000,000 for necessary renovations to the building and to acquire parking space to accommodate existing and future offices.

I am not sure that this is the best policy. It ordinarily does not make sense to force GSA to own a building it does not want or need. GSA has explained the many difficulties it will have in leasing space in the facility. The building has a 55 percent vacancy rate, and it is not clear that this rate will increase enough to cover the costs of the renovations. In addition, there now appears to be little justification for allowing the Postal Service to have office space rent-free for 20 years.

In essence, I fear that this bill could require GSA to sink millions of dollars into a property when there is little chance that the Federal Government will be able to recoup those costs.

Mr. Speaker, in addition to my concerns about the substance of this bill, I am also troubled by the inconsistent information that has circulated regarding this bill.

During a September 29, 1999, subcommittee hearing on H.R. 2513, which was held at my insistence, the parties concerned came to an agreement to postpone a decision on how to proceed with the Terre Haute Post Office building for 1 month. During that month, GSA was to review the potential options for the building, including a directed sale, and report to us no later than October 29, 1999, regarding those options. If GSA did not report in that timeframe or failed to report a viable alternative to H.R. 2513, I agreed to move H.R. 2513 to the floor under suspension of the rules.

On October 29, 1999, GSA reported to us that there was a potential purchaser, the Vigo County School District. My staff also contacted the treasurer of the Vigo County School District about their interest. The treasurer indicated that the school district was interested and that it needed more space. The treasurer also said that the school district needed another month in which to do a cost-benefit analysis. It thus appeared that there was a viable alternative for the property.

Mr. PEASE's staff disputed this point, however, and by the end of the day the school district's interest appears to have evaporated. Late in the day, my staff received a call from the superintendent of the Vigo County School District. With Mr. PEASE's chief of staff present in his office, the superintendent indicated that the school district was not a viable alternative and that its interest was just lukewarm.

In addition, I have received conflicting information regarding the Postal Service's intentions. It was my understanding initially that the provision in the bill giving the Postal Service free rent for 20 years was justified because but-for the free rent, the Postal Service had no intention of staying downtown. On October 29, however, we learned that Postal Service had always intended on keeping a presence in downtown Terre Haute, just not in the Federal building in question. As the gentleman from Texas, Mr. TURNER, has rightly pointed out, it doesn't seem necessary to give free rent to the Postal Service. This is especially true if it intended on paying rent in another building.

This point has significant ramifications. The fact that the Postal Service must receive space rent-free detracts from the building. In fact, it may be the reason that GSA has to date been apparently unable to find a viable alternative.

Mr. Speaker, I am not going to vote against this bill. However, I hope that Mr. PEASE and my colleagues in the Senate will take my comments into consideration as this bill moves through their Chamber.

Mr. TURNER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HORN. Mr. Speaker, I yield back the balance of my time and urge the adoption of this measure.

The SPEAKER pro tempore (Mr. SUNUNU). The question is on the motion offered by the gentleman from California (Mr. HORN) that the House suspend the rules and pass the bill, H.R. 2513.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PRESIDENTIAL TRANSITION ACT AMENDMENTS

Mr. HORN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3137) to amend the Presidential Transaction Act of 1963 to provide for training of individuals a President-elect intends to nominate as department heads or appoint to key positions in the Executive Office of the President.

The Clerk read as follows:

H.R. 3137

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENTS TO PRESIDENTIAL TRANSITION ACT OF 1963.

Section 3(a) of the Presidential Transition Act of 1963 (3 U.S.C. 102 note) is amended—

(1) in the matter preceding paragraph (1) by striking ''including—'' and inserting ''including the following:'';

(2) in each of paragraphs (1) through (6) by striking the semicolon at the end and inserting a period; and

(3) by adding at the end the following:

''(8)(A) Payment of expenses during the transition for briefings, workshops, or other activities to acquaint key prospective Presidential appointees with the types of problems and challenges that most typically confront new political appointees when they make the transition from campaign and other prior activities to assuming the responsibility for governance after inauguration, including interchange with individuals who held similar leadership roles in prior administrations, agency or department experts from the Office of Management and Budget or an Office of Inspector General of an agency or department, and relevant staff from the General Accounting Office.

''(B) Activities funded under this paragraph shall be conducted primarily for individuals the President-elect intends to nominate as department heads or appoint to key positions in the Executive Office of the President.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

California (Mr. HORN) and the gentleman from Texas (Mr. TURNER) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. HORN).

GENERAL LEAVE

Mr. HORN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3137.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HORN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, over the years, there have been many examples of missteps and outright mistakes, regardless of party, that have been made by newly appointed officials in the executive branch of the Government and the White House. Sometimes the errors tumble out in misstatements of ill-advised recommendations; at other times they have resulted in ethical lapses by appointees who were unaware of the requirements of Federal law in their specific Cabinet position or independent office.

Many of these mistakes are made by well-meaning individuals and might have been avoided if the appointees had received a timely orientation on the scope of their new responsibilities and the environment in which they were entering. The Presidential Transition Act Amendment of 1999, which is being considered today, would help ensure that these orientations take place early in a new administration.

The Presidential Transition Act of 1963 was designed to assist both incoming and outgoing administrations bridge the transition period from the election, to holding the office and from leaving the office. The act provides Federal funding to help incoming Presidents and Vice Presidents establish their new administrations, and it assists departing Presidents and Vice Presidents in their return to private life.

In 1976 Congress amended the Presidential Transition Act to increase transition funding. In 1988 Congress passed the Presidential Transitions Effectiveness Act, which again increased funding and included a provision allowing for annual adjustments for inflation.

H.R. 3137 would amend the Presidential Transition Act to authorize the use of these transition funds to set up a formal orientation process for incoming senior appointees of the newly elected President and Vice President. Incoming administrations may only use transition funds from the day after the elections until 30 days after the inauguration. By establishing a formal orientation process for senior appointees within that time frame, it is anticipated that a greater number of lower level appointees might also receive orientations early in the new administration.

On October 13, 1999, the Subcommittee on Government Management, Information, and Technology, which I chair, held a legislative hearing on H.R. 3137, the Presidential Transition Act Amendment of 1999. The subcommittee heard from a number of distinguished witnesses, each of whom supported this legislation. For example, the Honorable Elliott Richardson, former Attorney General to President Nixon, holder of at least five cabinet positions; and the Honorable Lee White, former Assistant Counsel to President Kennedy and counsel to President Johnson, both testified that a formal orientation process would have been beneficial to them and their executive branch colleagues.

Their position was supported by three other witnesses who have spent years observing presidential transitions. Mr. Dwight Ink, former acting director of the Office of Management and Budget; Mr. Paul Light, director of the Center for Public Service at The Brookings Institution; Mr. Norman J. Ornstein, the resident scholar at the American Enterprise Institute for Public Policy Research.

Additional written testimony was provided by General Andrew Goodpastor, when, as a young officer in the Army, he was appointed by President Eisenhower as Staff Secretary in the Executive Office of the President; the Honorable Pendleton James, former director of Presidential Personnel to President Reagan; and one of America's most distinguished gentleman; the Honorable John Gardner, who had been Secretary of Health, Education and Welfare during the Johnson administration.

Each of these former White House appointees, presidential appointees, stated that establishing a timely orientation process would ensure a smooth executive branch transition.

On October 26, 1999, the subcommittee held a business meeting to mark up H.R. 3137, the Presidential Transition Act Amendment of 1999. The subcommittee unanimously approved by voice vote H.R. 3137, as amended, and reported the bill to the full Committee on Government Reform.

On October 28, 1999, the full committee held a business meeting to mark up H.R. 3137. The committee unanimously approved H.R. 3137 by voice vote and reported the bill to the full House of Representatives.

This bill is an important step toward providing well-informed advisers for a President and Vice President-elect. I urge my colleagues to support this bipartisan measure, which will permit these appointees to be briefed by members of the Executive Office of the President, by inspectors general, by long-serving experts in the General Accounting Office, and by members of the outgoing administration and other administrations. I urge my colleagues to support this bipartisan measure.

The letter from Dr. John W. Gardner is attached.

STANFORD UNIVERSITY,
SCHOOL OF EDUCATION,
Stanford, CA, October 18, 1999.

HON. STEVEN HORN,
Chairman, Subcommittee on Government Management, Information and Technology, Washington, DC.

DEAR STEVE: I'm extremely sorry that I could not accept your invitation to testify on the Presidential Transition bill. I am very heavily burdened at this time.

But I want you to know that I strongly support the legislation. I have closely observed nine presidential transitions, and five of them involved a really major influx of new people.

I supported the Presidential Transition Act of 1963, but it clearly needs the improvement that the new legislation would provide.

Sorry I couldn't be with you in person.

Sincerely,

JOHN W. GARDNER.

Mr. Speaker, I reserve the balance of my time.

Mr. TURNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 3137 and urge its passage today. I want to commend the gentleman from California (Chairman HORN) and the ranking member, the gentleman from California (Mr. WAXMAN), for their efforts and their focus on this particular issue.

The time between election day of a new President and the inauguration of that President is a very short period of time, and the transition from campaigning for the office and preparing then to govern in office is oftentimes a difficult one, and it certainly is a short one.

This bill is designed to strengthen the Presidential Transition Act to amend that law which was originally passed in 1963 by authorizing the use of transition funds for the purpose of providing orientations for individuals that the President-elect plans to nominate to top White House positions, including Cabinet posts.

The bill would likely affect the top 20, 30, or 40 appointments by the White House; and the bill would give greater assurance that the orientation process, which would take place before or shortly after the incoming administration assumes office, actually does occur.

This orientation process provides an opportunity for a smoother transition for the new administration and would eliminate many of the mistakes that we often observe that occur because of the transition that many people who serve in an administration have to make into public life.

Crafting an explicit provision on the propriety of spending funds for an appointee orientation is important for two reasons. First, the proposed language will reassure the transition team members that such spending is legal; second, the inclusion of such language into law will encourage transition teams to explore further orientation for political appointees. I believe it is important to provide these new appointees with a sense of the new job they will be undertaking.

Other branches of our government currently undergo a similar process. I

remember as an incoming freshman Member of this House in 1997, along with other Members of that freshman class, attending an orientation program for new Members of Congress at the Kennedy School of Government at Harvard University. I personally found the program very helpful as I transitioned in to serving as a Member of this body. Even though I had been a Member of the Texas legislature for 10 years, I recognized very quickly that Congress is a different place, has a unique set of characteristics, and a range of issues that almost all new Members will be experiencing for the first time.

Members of Congress are not alone. In the judicial branch, Federal judges attend an orientation program put on by the Federal Judicial Conference. As the gentleman from California (Mr. HORN) mentioned, at our hearing on October 13, our subcommittee heard from a long list of distinguished witnesses who spoke in favor of this legislation. This bill passed out of our committee on October 28 with bipartisan support. It is noncontroversial; and I have full confidence that if we can pass this bill, it will help the new incoming administration be better prepared to govern.

I urge the House to pass this law, and I commend again the gentleman from California (Mr. HORN) and the gentleman from California (Mr. WAXMAN) for their leadership on this issue.

Mr. Speaker, I yield back the balance of my time.

Mr. HORN. Mr. Speaker, I urge adoption of this measure, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HORN) that the House suspend the rules and pass the bill, H.R. 3137.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FEDERAL FINANCIAL ASSISTANCE MANAGEMENT IMPROVEMENT ACT OF 1999

Mr. HORN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 468) to improve the effectiveness and performance of Federal financial assistance programs, simplify Federal financial assistance application and reporting requirements, and improve the delivery of services to the public, as amended.

The Clerk read as follows:

S. 468

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal Financial Assistance Management Improvement Act of 1999''.

SEC. 2. FINDINGS.

Congress finds that—

(1) there are over 600 different Federal financial assistance programs to implement domestic policy;

(2) while the assistance described in paragraph (1) has been directed at critical problems, some Federal administrative requirements may be duplicative, burdensome or conflicting, thus impeding cost-effective delivery of services at the local level;

(3) the Nation's State, local, and tribal governments and private, nonprofit organizations are dealing with increasingly complex problems which require the delivery and coordination of many kinds of services; and

(4) streamlining and simplification of Federal financial assistance administrative procedures and reporting requirements will improve the delivery of services to the public.

SEC. 3. PURPOSES.

The purposes of this Act are to—

(1) improve the effectiveness and performance of Federal financial assistance programs;

(2) simplify Federal financial assistance application and reporting requirements;

(3) improve the delivery of services to the public; and

(4) facilitate greater coordination among those responsible for delivering such services.

SEC. 4. DEFINITIONS.

In this Act:

(1) DIRECTOR.—The term ''Director'' means the Director of the Office of Management and Budget.

(2) FEDERAL AGENCY.—The term ''Federal agency'' means any agency as defined under section 551(1) of title 5, United States Code.

(3) FEDERAL FINANCIAL ASSISTANCE.—The term ''Federal financial assistance'' has the same meaning as defined in section 7501(a)(5) of title 31, United States Code, under which Federal financial assistance is provided, directly or indirectly, to a non-Federal entity.

(4) LOCAL GOVERNMENT.—The term ''local government'' means a political subdivision of a State that is a unit of general local government (as defined under section 7501(a)(11) of title 31, United States Code).

(5) NON-FEDERAL ENTITY.—The term ''non-Federal entity'' means a State, local government, or nonprofit organization.

(6) NONPROFIT ORGANIZATION.—The term ''nonprofit organization'' means any corporation, trust, association, cooperative, or other organization that—

(A) is operated primarily for scientific, educational, service, charitable, or similar purposes in the public interest;

(B) is not organized primarily for profit; and

(C) uses net proceeds to maintain, improve, or expand the operations of the organization.

(7) STATE.—The term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands, and any instrumentality thereof, any multi-State, regional, or interstate entity which has governmental functions, and any Indian Tribal Government.

(8) TRIBAL GOVERNMENT.—The term ''tribal government'' means an Indian tribe, as that term is defined in section 7501(a)(9) of title 31, United States Code.

(9) UNIFORM ADMINISTRATIVE RULE.—The term ''uniform administrative rule'' means a Government-wide uniform rule for any generally applicable requirement established to achieve national policy objectives that applies to multiple Federal financial assistance programs across Federal agencies.

SEC. 5. DUTIES OF FEDERAL AGENCIES.

(a) IN GENERAL.—Except as provided under subsection (b), not later than 18 months after the date of enactment of this Act, each Federal agency shall develop and implement a plan that—

(1) streamlines and simplifies the application, administrative, and reporting procedures for Federal financial assistance programs administered by the agency;

(2) demonstrates active participation in the interagency process under section 6(a)(2);

(3) demonstrates appropriate agency use, or plans for use, of the common application and reporting system developed under section 6(a)(1);

(4) designates a lead agency official for carrying out the responsibilities of the agency under this Act;

(5) allows applicants to electronically apply for, and report on the use of, funds from the Federal financial assistance program administered by the agency;

(6) ensures recipients of Federal financial assistance provide timely, complete, and high quality information in response to Federal reporting requirements; and

(7) in cooperation with recipients of Federal financial assistance, establishes specific annual goals and objectives to further the purposes of this Act and measure annual performance in achieving those goals and objectives, which may be done as part of the agency's annual planning responsibilities under the Government Performance and Results Act of 1993 (Public Law 103–62; 107 Stat. 285).

(b) EXTENSION.—If a Federal agency is unable to comply with subsection (a), the Director may extend for up to 12 months the period for the agency to develop and implement a plan in accordance with subsection (a).

(c) COMMENT AND CONSULTATION ON AGENCY PLANS.—

(1) COMMENT.—Each agency shall publish the plan developed under subsection (a) in the Federal Register and shall receive public comment of the plan through the Federal Register and other means (including electronic means). To the maximum extent practicable, each Federal agency shall hold public forums on the plan.

(2) CONSULTATION.—The lead official designated under subsection (a)(4) shall consult with representatives of non-Federal entities during development and implementation of the plan. Consultation with representatives of State, local, and tribal governments shall be in accordance with section 204 of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1534).

(d) SUBMISSION OF PLAN.—Each Federal agency shall submit the plan developed under subsection (a) to the Director and Congress and report annually thereafter on the implementation of the plan and performance of the agency in meeting the goals and objectives specified under subsection (a)(7). Such report may be included as part of any of the general management reports required under law.

SEC. 6. DUTIES OF THE DIRECTOR.

(a) IN GENERAL.—The Director, in consultation with agency heads and representatives of non-Federal entities, shall direct, coordinate, and assist Federal agencies in establishing—

(1) a common application and reporting system, including—

(A) a common application or set of common applications, wherein a non-Federal entity can apply for Federal financial assistance from multiple Federal financial assistance programs that serve similar purposes and are administered by different Federal agencies;

(B) a common system, including electronic processes, wherein a non-Federal entity can apply for, manage, and report on the use of