

103^D CONGRESS
1ST SESSION

H. R. 2403

IN THE HOUSE OF REPRESENTATIVES

AUGUST 3, 1993

Ordered to be printed with the amendments of the Senate numbered

AN ACT

Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1994, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 Treasury Department, the United States Postal Service,
6 the Executive Office of the President, and certain Inde-
7 pendent Agencies, for the fiscal year ending September 30,
8 1994, and for other purposes, namely:

1 TITLE I
2 DEPARTMENT OF THE TREASURY
3 DEPARTMENTAL OFFICES
4 SALARIES AND EXPENSES
5 For necessary expenses of the Departmental Offices
6 including operation and maintenance of the Treasury
7 Building and Annex; hire of passenger motor vehicles;
8 maintenance, repairs, and improvements of, and purchase
9 of commercial insurance policies for, real properties leased
10 or owned overseas, when necessary for the performance
11 of official business; not to exceed \$2,900,000 for official
12 travel expenses; not to exceed \$100,000 for official recep-
13 tion and representation expenses, of which \$75,000 is for
14 such expenses of the international affairs function of the
15 Offices; ~~(1)~~*of which not less than \$6,902,000 and 90 full-*
16 *time equivalent positions shall be available for enforcement*
17 *activities, and of which no less than \$2,971,000 and 46 full-*
18 *time equivalent positions shall be available for the Office*
19 *of Foreign Assets Control*; not to exceed \$258,000 for un-
20 foreseen emergencies of a confidential nature, to be allo-
21 cated and expended under the direction of the Secretary
22 of the Treasury and to be accounted for solely on his cer-
23 tificate; not to exceed \$488,000, to remain available until
24 expended, for repairs and improvements to the Main

1 Treasury Building and Annex; ~~(2)~~\$104,597,000
2 \$105,700,000.

3 OFFICE OF INSPECTOR GENERAL

4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978, as amended, hire of passenger motor
8 vehicles; not to exceed \$2,000,000 for official travel ex-
9 penses; not to exceed \$100,000 for unforeseen emer-
10 gencies of a confidential nature, to be allocated and ex-
11 pended under the direction of the Inspector General of the
12 Treasury; \$28,897,000~~(3)~~,—of which \$300,000 shall re-
13 main available until expended for the Inspectors General
14 Auditor Training Institute.

15 FINANCIAL CRIMES ENFORCEMENT NETWORK

16 SALARIES AND EXPENSES

17 For necessary expenses of the Financial Crimes En-
18 forcement Network, including hire of passenger motor ve-
19 hicles; not to exceed \$4,000 for official reception and rep-
20 resentation expenses; \$18,280,000.

21 TREASURY FORFEITURE FUND

22 (LIMITATION OF AVAILABILITY OF DEPOSITS)

23 For necessary expenses of the Treasury Forfeiture
24 Fund, as authorized by Public Law 102–393, not to ex-

1 ceed ~~(4)\$14,770,000~~ \$50,000,000, to be derived from de-
2 posits in the Fund.

3 FEDERAL LAW ENFORCEMENT TRAINING CENTER

4 SALARIES AND EXPENSES

5 For necessary expenses of the Federal Law Enforce-
6 ment Training Center, as a bureau of the Department of
7 the Treasury, including purchase (not to exceed fifty-two
8 for police-type use) and hire of passenger motor vehicles;
9 for expenses for student athletic and related activities;
10 uniforms without regard to the general purchase price lim-
11 itation for the current fiscal year; the conducting of and
12 participating in firearms matches and presentation of
13 awards; for public awareness and enhancing community
14 support of law enforcement training; not to exceed \$7,000
15 for official reception and representation expenses; room
16 and board for student interns; and services as authorized
17 by 5 U.S.C. 3109: *Provided*, That the Center is authorized
18 to accept gifts: *Provided further*, That notwithstanding
19 any other provision of law, students attending training at
20 any Federal Law Enforcement Training Center site shall
21 reside in on-Center or Center-provided housing, insofar as
22 available and in accordance with Center policy: *Provided*
23 *further*, That funds appropriated in this account shall be
24 available for State and local government law enforcement
25 training on a space-available basis; training of foreign law

1 enforcement officials on a space-available basis with reim-
2 bursement of actual costs to this appropriation; training
3 of private sector security officials on a space available
4 basis with reimbursement of actual costs to this appropria-
5 tion; travel expenses of non-Federal personnel to attend
6 State and local course development meetings at the Cen-
7 ter: *Provided further*, That the Director of the Federal
8 Law Enforcement Training Center shall annually present
9 an award to be accompanied by a gift of intrinsic value
10 to the outstanding student who graduated from a basic
11 training program at the Center during the previous fiscal
12 year, to be funded by donations received through the Cen-
13 ter's gift authority(5): *Provided further*, That the Center
14 is authorized to obligate funds in anticipation of reimburse-
15 ments from agencies receiving training at the Federal Law
16 Enforcement Training Center. *Provided further*, That the
17 Federal Law Enforcement Training Center is authorized
18 to provide short term medical services for students under-
19 going training at the Center; (6)\$47,195,000
20 \$47,695,000.

21 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND
22 RELATED EXPENSES

23 For expansion of the Federal Law Enforcement
24 Training Center, for acquisition of necessary additional
25 real property and facilities, and for ongoing maintenance,

1 facility improvements, and related expenses,
2 ~~(7)\$7,712,000~~ *\$12,712,000*, to remain available until ex-
3 pended.

4 FINANCIAL MANAGEMENT SERVICE

5 SALARIES AND EXPENSES

6 For necessary expenses of the Financial Management
7 Service, \$209,877,000, of which not to exceed
8 ~~(8)\$9,748,000~~ *\$11,539,000*, shall remain available until
9 expended for systems modernization initiatives.

10 BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

11 SALARIES AND EXPENSES

12 For necessary expenses of the Bureau of Alcohol, To-
13 bacco and Firearms, including purchase of not to exceed
14 six hundred and fifty vehicles for police-type use for re-
15 placement only and hire of passenger motor vehicles; hire
16 of aircraft; and services of expert witnesses at such rates
17 as may be determined by the Director; for payment of per
18 diem and/or subsistence allowances to employees where an
19 assignment to the National Response Team during the in-
20 vestigation of a bombing or arson incident requires an em-
21 ployee to work 16 hours or more per day or to remain
22 overnight at his or her post of duty; not to exceed \$10,000
23 for official reception and representation expenses; for
24 training of State and local law enforcement agencies with
25 or without reimbursement; provision of laboratory assist-

1 ance to State and local agencies, with or without reim-
2 bursement; ~~(9)\$364,245,000~~ *\$368,046,000, not to exceed*
3 *\$100,000 shall be available for hosting or participating in*
4 *the Interagency Committee on Women in Federal Law En-*
5 *forcement Conference, the Law Enforcement Explorer*
6 *Scouts Conference, and the International Asian Organized*
7 *Crime Conference, of which \$22,000,000 shall be available*
8 *solely for the enforcement of the Federal Alcohol Adminis-*
9 *tration Act during fiscal year 1994 and, of which not to*
10 *exceed \$1,000,000 shall be available for the payment of*
11 *attorneys' fees as provided by 18 U.S.C. 924(d)(2); and*
12 *of which \$1,000,000 shall be available for the equipping*
13 *of any vessel, vehicle, equipment, or aircraft available for*
14 *official use by a State or local law enforcement agency*
15 *if the conveyance will be used in drug-related joint law*
16 *enforcement operations with the Bureau of Alcohol, To-*
17 *bacco and Firearms and for the payment of overtime sala-*
18 *ries, travel, fuel, training, equipment, and other similar*
19 *costs of State and local law enforcement officers that are*
20 *incurred in joint operations with the Bureau of Alcohol,*
21 *Tobacco and Firearms: *Provided, That* (10) ~~fees will be~~*
22 *collected by the Secretary of the Treasury or his delegate*
23 *pursuant to section 108 of this Act, of which not to exceed*
24 *\$5,000,000 shall be retained and used for the specific pur-*
25 *pose of offsetting costs of the Bureau's Compliance Alco-*

1 hol Program, notwithstanding 31 U.S.C. 3302(b), and any
2 fees collected in excess of \$5,000,000 shall be deposited
3 as miscellaneous receipts in the Treasury: *Provided fur-*
4 *ther*, That the sum herein appropriated shall be reduced
5 by not more than \$5,000,000 as fees are collected pursu-
6 ant to section 108 of this Act: *Provided further*, That none
7 of the funds appropriated herein shall be available to in-
8 vestigate or act upon applications for relief from Federal
9 firearms disabilities under 18 U.S.C. 925(c) **(11)**: *Pro-*
10 *vided further*, That such funds shall be available to inves-
11 tigate and act upon applications filed by corporations for
12 relief from Federal firearms disabilities under 18 U.S.C sec-
13 tion 925(c) **(12)**: *Provided further*, That funds made avail-
14 able under this Act shall be used to achieve a minimum
15 level of 4,261 full-time equivalent positions for fiscal year
16 1994, of which no fewer than 1,440 shall be allocated for
17 the Armed Career Criminal Apprehension Pro-
18 gram **(13)** *Provided further*, That no funds made available
19 by this or any other Act may be used to plan or implement
20 any reorganization of the Bureau of Alcohol, Tobacco and
21 Firearms or transfer of the Bureau's functions, missions,
22 or activities to other agencies or Departments in the fiscal
23 year ending on September 30, 1994: *Provided further*, That
24 no funds appropriated herein shall be available for salaries
25 or administrative expenses in connection with consolidat-

1 ing or centralizing, within the Department of the Treas-
2 ury, the records, or any portion thereof, of acquisition and
3 disposition of firearms maintained by Federal firearms li-
4 censees.

5 UNITED STATES CUSTOMS SERVICE

6 SALARIES AND EXPENSES

7 For necessary expenses of the United States Customs
8 Service, including purchase of up to 1,000 motor vehicles
9 of which 960 are for replacement only, including 990 for
10 police-type use and commercial operations; hire of motor
11 vehicles; not to exceed \$20,000 for official reception and
12 representation expenses; and awards of compensation to
13 informers, as authorized by any Act enforced by the
14 United States Customs Service; ~~(14)~~\$1,311,819,000
15 \$1,363,668,000, of which such sums as become available
16 in the Customs User Fee Account, except sums subject
17 to section 13031(f)(3) of the Consolidated Omnibus Rec-
18 onciliation Act of 1985, as amended (19 U.S.C. 58c(f)(3)),
19 shall be derived from that Account; of the total, not to
20 exceed \$150,000 shall be available for payment for rental
21 space in connection with preclearance operations, and not
22 to exceed \$4,000,000 shall be ~~(15)~~*available until ex-*
23 *pended* for research: *Provided*, That uniforms may be pur-
24 chased without regard to the general purchase price limi-
25 tation for the current fiscal year: *Provided further*, That

1 none of the funds made available by this Act shall be avail-
2 able for administrative expenses to pay any employee over-
3 time pay in an amount in excess of \$25,000: *Provided fur-*
4 *ther*, That the Commissioner or the Commissioner's des-
5 ignee may waive this limitation in individual cases in order
6 to prevent excessive costs or to meet emergency require-
7 ments of the Service: *Provided further*, That no funds ap-
8 propriated by this Act may be used to reduce to single
9 eight-hour shifts at airports and that all current services
10 as provided by the Customs Service shall continue through
11 September 30, 1994(16): *Provided further*, *That the Unit-*
12 *ed States Customs Service shall hire and maintain an aver-*
13 *age of not less than 17,941 full-time equivalent positions*
14 *in fiscal year 1994, of which a minimum level of 960 full-*
15 *time equivalent positions shall be allocated to air interdic-*
16 *tion activities of the United States Customs Service: Pro-*
17 *vided further*, That not less than \$750,000 shall be ex-
18 pended for additional part-time and temporary positions
19 in the Honolulu Customs District.

20 OPERATION AND MAINTENANCE, AIR AND MARINE

21 INTERDICTION PROGRAMS

22 For expenses, not otherwise provided for, necessary
23 for the operation and maintenance of marine vessels, air-
24 craft, and other related equipment of the Air and Marine
25 Programs, including operational training and mission-re-
26 lated travel, and rental payments for facilities occupied by

1 the air or marine interdiction ~~(17)~~ *and demand reduction*
 2 programs: *Provided*, That no aircraft or other related
 3 equipment shall be transferred to any other Federal agen-
 4 cy, Department, or office outside of the Department of
 5 the Treasury during fiscal year 1994 ~~(18)~~ \$46,063,000
 6 \$47,863,000.

7 OPERATIONS AND MAINTENANCE, CUSTOMS P-3 DRUG
 8 INTERDICTION PROGRAM

9 For necessary expenses of operations, maintenance,
 10 modifications to, spare parts and related equipment for
 11 Customs P-3 surveillance aircraft for carrying out
 12 ~~(19)~~ defense-related drug interdiction purposes;
 13 \$28,000,000.

14 AIR AND MARINE INTERDICTION PROGRAMS,
 15 PROCUREMENT

16 For the procurement, construction, and modification
 17 of aircraft and marine vessels, equipment, radar, spare
 18 parts, and accessories therefor of the air and marine inter-
 19 diction programs; \$21,093,000, to remain available until
 20 expended.

21 ~~(20)~~ *CUSTOMS FACILITIES, CONSTRUCTION, IMPROVEMENTS*
 22 *AND RELATED EXPENSES*

23 *For acquisition of necessary additional real property,*
 24 *facilities, construction, improvements, and related expenses*
 25 *of the United States Customs Service, \$10,000,000, to re-*
 26 *main available until expended.*

1 CUSTOMS SERVICES AT SMALL AIRPORTS
2 (TO BE DERIVED FROM FEES COLLECTED)

3 Such sums as may be necessary, not to exceed
4 \$1,406,000, for expenses for the provision of Customs
5 services at certain small airports or other facilities when
6 authorized by law and designated by the Secretary of the
7 Treasury, including expenditures for the salary and ex-
8 penses of individuals employed to provide such services,
9 to be derived from fees collected by the Secretary of the
10 Treasury pursuant to section 236 of Public Law 98-573
11 for each of these airports or other facilities when author-
12 ized by law and designated by the Secretary of the Treas-
13 ury, and to remain available until expended.

14 UNITED STATES MINT
15 SALARIES AND EXPENSES

16 For necessary expenses of the United States Mint;
17 \$54,770,000, including amounts for purchase and mainte-
18 nance of uniforms not to exceed \$285 multiplied by the
19 number of employees of the agency who are required by
20 regulation or statute to wear a prescribed uniform in the
21 performance of official duties; and of which \$1,517,000
22 shall remain available until expended for expansion and
23 improvements.

1 BUREAU OF THE PUBLIC DEBT

2 ADMINISTERING THE PUBLIC DEBT

3 For necessary expenses connected with any public-
4 debt issues of the United States; ~~(21)~~\$189,209,000
5 \$187,209,000.

6 PAYMENT OF GOVERNMENT LOSSES IN SHIPMENT

7 For necessary expenses for "Payment of Government
8 Losses in Shipment", \$500,000, to remain available until
9 expended.

10 INTERNAL REVENUE SERVICE

11 ADMINISTRATION AND MANAGEMENT

12 For necessary expenses of the Internal Revenue Serv-
13 ice, not otherwise provided for; executive direction, man-
14 agement services, and internal audit and security; includ-
15 ing purchase (not to exceed 125 for replacement only, for
16 police-type use) and hire of passenger motor vehicles (31
17 U.S.C. 1343(b)); and services as authorized by 5 U.S.C.
18 3109, at such rates as may be determined by the Commis-
19 sioner; \$167,822,000, of which not to exceed \$25,000 for
20 official reception and representation expenses ~~(22)~~; ~~and~~
21 ~~of which not to exceed \$500,000 shall be for research.~~

22 PROCESSING TAX RETURNS AND ASSISTANCE

23 For necessary expenses of the Internal Revenue Serv-
24 ice, not otherwise provided for; including processing tax
25 returns; revenue accounting; statistics of income; provid-
26 ing assistance to taxpayers; hire of passenger motor vehi-

1 cles (31 U.S.C. 1343(b)); and services as authorized by
2 5 U.S.C. 3109, at such rates as may be determined by
3 the Commissioner; \$1,696,853,000, of which \$3,700,000
4 shall be for the Tax Counseling for the Elderly Program,
5 no amount of which shall be available for IRS administra-
6 tive costs ~~(23); and of which not to exceed \$1,000,000~~
7 for research.

8 TAX LAW ENFORCEMENT

9 For necessary expenses of the Internal Revenue Serv-
10 ice for determining and establishing tax liabilities; tax and
11 enforcement litigation; technical rulings; examining em-
12 ployee plans and exempt organizations; investigation and
13 enforcement activities; securing unfiled tax returns; col-
14 lecting unpaid accounts; the purchase (for police-type use,
15 not to exceed 600, of which not to exceed 450 shall be
16 for replacement only), and hire of passenger motor vehi-
17 cles (31 U.S.C. 1343(b)); and services as authorized by
18 5 U.S.C. 3109, at such rates as may be determined by
19 the Commissioner: *Provided*, That additional amounts
20 above fiscal year 1993 levels for international tax enforce-
21 ment shall be used for the establishment and operation
22 of a task force comprised of senior Internal Revenue Serv-
23 ice Attorneys, accountants, and economists dedicated to
24 enforcement activities related to United States subsidi-
25 aries of foreign-controlled corporations that are in non-

1 compliance with the Internal Revenue Code: *Provided fur-*
2 *ther*, That additional amounts above fiscal year 1993 levels
3 for the information reporting program shall be used in-
4 stead for the examination of the tax returns of high-
5 income and high-asset taxpayers; ~~(24)\$4,007,962,000~~ of
6 ~~which not to exceed \$1,000,000~~ is for research
7 *\$4,043,281,000, of which not to exceed \$1,000,000 shall re-*
8 *main available until expended for research; and of which*
9 *not less than \$360,700,000 and 4,921 full-time equivalent*
10 *positions shall be available for tax fraud investigation ac-*
11 *tivities.*

12 INFORMATION SYSTEMS

13 For necessary expenses for data processing and tele-
14 communications support for Internal Revenue Service ac-
15 tivities, including: returns processing and services; compli-
16 ance and enforcement; program support; and tax systems
17 modernization; and for the hire of passenger motor vehi-
18 cles (31 U.S.C. 1343(b)); and services as authorized by
19 5 U.S.C. 3109, at such rates as may be determined by
20 the Commissioner: ~~(25)\$1,402,629,000~~ *\$1,487,722,000,*
21 of which not less than \$570,166,000 is for tax systems
22 modernization, and of which not to exceed \$60,000,000
23 shall remain available until expended for other systems de-
24 velopment projects: *Provided*, That of the amounts pro-
25 vided for tax systems modernization not to exceed

1 \$125,000,000 shall remain available until expended
2 ~~(26):—~~*Provided further,* That none of the funds appro-
3 priated for tax systems modernization may be obligated
4 until the Commissioner of the Internal Revenue Service
5 reports to the Committees on Appropriations of the House
6 and Senate on the implementation of Tax Systems Mod-
7 ernization.

8 ADMINISTRATIVE PROVISION—INTERNAL REVENUE
9 SERVICE

10 SECTION 1. Not to exceed 4 per centum of any appro-
11 priation made available to the Internal Revenue Service
12 for the current fiscal year by this Act may be transferred
13 to any other Internal Revenue Service appropriation upon
14 the approval of the House and Senate Committees on
15 Appropriations.

16 SEC. 2. The Internal Revenue Service shall institute
17 and maintain a training program to insure that Internal
18 Revenue Service employees are trained in taxpayers'
19 rights, in dealing courteously with the taxpayers, and in
20 cross-cultural relations.

21 UNITED STATES SECRET SERVICE

22 SALARIES AND EXPENSES

23 For necessary expenses of the United States Secret
24 Service, including purchase (not to exceed three hundred
25 and forty-three vehicles for police-type use for replacement

1 only) and hire of passenger motor vehicles; hire of aircraft;
2 training and assistance requested by State and local gov-
3 ernments, which may be provided without reimbursement;
4 services of expert witnesses at such rates as may be deter-
5 mined by the Director; rental of buildings in the District
6 of Columbia, and fencing, lighting, guard booths, and
7 other facilities on private or other property not in Govern-
8 ment ownership or control, as may be necessary to per-
9 form protective functions; for payment of per diem and/
10 or subsistence allowances to employees where a protective
11 assignment during the actual day or days of the visit of
12 a protectee require an employee to work 16 hours per day
13 or to remain overnight at his or her post of duty; the con-
14 ducting of and participating in firearms matches; presen-
15 tation of awards; and for travel of Secret Service employ-
16 ees on protective missions without regard to the limita-
17 tions on such expenditures in this or any other Act: *Pro-*
18 *vided*, That approval is obtained in advance from the
19 House and Senate Committees on Appropriations; for re-
20 pairs, alterations, and minor construction at the James
21 J. Rowley Secret Service Training Center; for research
22 and development; for making grants to conduct behavioral
23 research in support of protective research and operations;
24 not to exceed \$12,500 for official reception and represen-
25 tation expenses; not to exceed \$50,000 to provide technical

1 **(29)***SEC. 101. Any obligation or expenditure by the*
2 *Secretary in connection with law enforcement activities of*
3 *a Federal agency or of a Department of the Treasury law*
4 *enforcement organization in accordance with 31 U.S.C.*
5 *9703(g)(4)(B) for unobligated balances remaining in the*
6 *Fund on September 30, 1994, shall be made only upon ad-*
7 *vance approval of the House and Senate Committees on Ap-*
8 *propriations.*

9 **SEC. 102.** Appropriations to the Treasury Depart-
10 ment in this Act shall be available for uniforms or allow-
11 ances therefor, as authorized by law (5 U.S.C. 5901), in-
12 cluding maintenance, repairs, and cleaning; purchase of
13 insurance for official motor vehicles operated in foreign
14 countries; purchase of motor vehicles without regard to the
15 general purchase price limitation for vehicles purchased
16 and used overseas for the current fiscal year; entering into
17 contracts with the Department of State for the furnishing
18 of health and medical services to employees and their de-
19 pendants serving in foreign countries; and services author-
20 ized by 5 U.S.C. 3109.

21 **SEC. 103.** Not to exceed 2 per centum of any appro-
22 priations in this Act for the Department of the Treasury
23 may be transferred between such appropriations. Notwith-
24 standing any authority to transfer funds between appro-
25 priations contained in this or any other Act, no transfer

1 may increase or decrease any appropriation in this Act by
2 more than 2 per centum and any such proposed transfers
3 shall be approved in advance by the Committees on Appro-
4 priations of the House and Senate.

5 SEC. 104. None of the funds appropriated by this
6 title shall be used in connection with the collection of any
7 underpayment of any tax imposed by the Internal Revenue
8 Code of 1954 unless the conduct of officers and employees
9 of the Internal Revenue Service in connection with such
10 collection complies with subsection (a) of section 805 (re-
11 lating to communications in connection with debt collec-
12 tion), and section 806 (relating to harassment or abuse),
13 of the Fair Debt Collection Practices Act (15 U.S.C.
14 1692).

15 ~~(30)SEC. 105. The Bureau of Engraving and Print-~~
16 ~~ing will maintain and utilize the currency production ca-~~
17 ~~capacity of its Washington, DC facility at a level which at~~
18 ~~a minimum equals its current 5 day, 3 shift per day out-~~
19 ~~put of approximately 5.2 billion notes: *Provided*, That the~~
20 ~~Federal Reserve System requirements exceed that level by~~
21 ~~an amount which will enable the Bureau to also maintain~~
22 ~~and utilize an operating expansion and emergency back-~~
23 ~~up capacity at its Fort Worth, Texas facility. If production~~
24 ~~requirements fall below that level the Bureau may, upon~~
25 ~~advance notice to the House Appropriations Committee,~~

1 reallocate production between the two facilities in a way
2 which best utilizes the capacity of each and preserves the
3 employment security of the Bureau workforce.

4 **(31)**SEC. 106. If necessary to retain employees with
5 specialized skills who are serving on temporary appoint-
6 ments, the Bureau of Engraving and Printing may extend
7 such appointments on an annual basis beyond four years.

8 **(32)**SEC. 107. In the event of staffing reductions
9 due to a reduction in work requirements, the area of con-
10 sideration for any reduction-in-force to be effected shall
11 include the Washington, DC facility and the Ft. Worth,
12 Texas facility. Lists of competing employees at each facil-
13 ity shall be combined together, and bumping, retreat and
14 reassignment rights of employees at the same competitive
15 level shall be governed by this combined list. In order to
16 insure uniformity in administration, the Bureau shall
17 adopt this policy by a formal issuance. This policy shall
18 prevail with regard to all represented bargaining units un-
19 less one or more unions specifically and in writing agree
20 to another policy or arrangement on behalf of the employ-
21 ees that any such organization(s) represents.

22 **(33)**SEC. 108. *Notwithstanding any other provision*
23 *of law, the Secretary of the Treasury shall establish an office*
24 *of the undersecretary for enforcement within the Depart-*
25 *ment of the Treasury by no later than February 15, 1994.*

1 **(34)***SEC. 109. (a) Notwithstanding any other provi-*
2 *sion of law, hereafter, for purposes of complying with Exec-*
3 *utive Order No. 12839 and guidance issued thereunder, the*
4 *number of civilian personnel positions that the Department*
5 *of the Treasury may be required to eliminate in fiscal year*
6 *1994 and in fiscal year 1995 shall not exceed a number*
7 *determined for each year by multiplying a fiscal year 1993*
8 *base which excludes all exempt positions by the applicable*
9 *percentages in Executive Order No. 12839.*

10 *(b) For the purposes of this section, “exempt position”*
11 *means a personnel position in the Department of the Treas-*
12 *ury which the Secretary of the Treasury determines to be*
13 *primarily employed in drug control, law enforcement, trade*
14 *facilitation, or services to the public.*

15 **(35)***SEC. 110. The Internal Revenue Service shall in-*
16 *stitute policies and procedures which will safeguard the con-*
17 *fidentiality of taxpayer information. The Service shall re-*
18 *port to the Committees on Appropriations of the House and*
19 *Senate, the House Committee on Ways and Means, and the*
20 *Senate Committee on Finance, no later than December 31,*
21 *1993, the steps the Service has taken to minimize unauthor-*
22 *ized access to taxpayer data.*

23 This title may be cited as the “Treasury Department
24 Appropriations Act, 1994”.

1 TITLE II—POSTAL SERVICE

2 PAYMENT TO THE POSTAL SERVICE FUND

3 For payment to the Postal Service Fund for revenue
4 forgone on free and reduced rate mail, pursuant to sub-
5 section (c) of section 2401 of title 39, United States Code;
6 \$91,434,000: *Provided*, That mail for overseas voting and
7 mail for the blind shall continue to be free: *Provided fur-*
8 *ther*, That six-day delivery and rural delivery of mail shall
9 continue at not less than the 1983 level: *Provided further*,
10 That none of the funds made available to the Postal Serv-
11 ice by this Act shall be used to implement any rule, regula-
12 tion, or policy of charging any officer or employee of any
13 State or local child support enforcement agency, or any
14 individual participating in a State or local program of
15 child support enforcement, a fee for information requested
16 or provided concerning an address of a postal customer:
17 *Provided further*, That none of the funds provided in this
18 Act shall be used to consolidate or close small rural and
19 other small post offices in the fiscal year ending on Sep-
20 tember 30, 1994.

21 PAYMENT TO THE POSTAL SERVICE FUND FOR

22 NONFUNDED LIABILITIES

23 For payment to the Postal Service Fund for meeting
24 the liabilities of the former Post Office Department to the

1 Employees' Compensation Fund pursuant to 39 U.S.C.
2 2004, \$38,803,000.

3 This title may be cited as the "Postal Service Approp-
4 riations Act, 1994".

5 TITLE III
6 EXECUTIVE OFFICE OF THE PRESIDENT AND
7 FUNDS APPROPRIATED TO THE PRESIDENT
8 COMPENSATION OF THE PRESIDENT

9 For compensation of the President, including an ex-
10 pense allowance at the rate of \$50,000 per annum as au-
11 thorized by 3 U.S.C. 102; \$250,000: *Provided*, That none
12 of the funds made available for official expenses shall be
13 expended for any other purpose and any unused amount
14 shall revert to the Treasury pursuant to section 1552 of
15 title 31 of the United States Code: *Provided further*, That
16 none of the funds made available for official expenses shall
17 be considered as taxable to the President.

18 THE WHITE HOUSE OFFICE

19 SALARIES AND EXPENSES

20 For necessary expenses for the White House as au-
21 thorized by law, including not to exceed \$3,850,000 for
22 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;
23 including subsistence expenses as authorized by 3 U.S.C.
24 105, which shall be expended and accounted for as pro-
25 vided in that section; hire of passenger motor vehicles,

1 newspapers, periodicals, teletype news service, and travel
2 (not to exceed \$100,000 to be expended and accounted
3 for as provided by 3 U.S.C. 103); not to exceed \$19,000
4 for official entertainment expenses, to be available for allo-
5 cation within the Executive Office of the President;
6 ~~(36)\$38,914,000~~ \$38,754,000.

7 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

8 OPERATING EXPENSES

9 For the care, maintenance, repair and alteration, re-
10 furnishing, improvement, heating and lighting, including
11 electric power and fixtures, of the Executive Residence at
12 the White House and official entertainment expenses of
13 the President; \$7,925,000, to be expended and accounted
14 for as provided by 3 U.S.C. 105, 109–110, 112–114.

15 OFFICIAL RESIDENCE OF THE VICE PRESIDENT

16 OPERATING EXPENSES

17 For the care, operation, refurnishing, improvement,
18 heating and lighting, including electric power and fixtures,
19 of the official residence of the Vice President, the hire of
20 passenger motor vehicles, and not to exceed \$90,000 for
21 official entertainment expenses of the Vice President, to
22 be accounted for solely on his certificate; \$324,000: *Pro-*
23 *vided*, That advances or repayments or transfers from this
24 appropriation may be made to any department or agency
25 for expenses of carrying out such activities.

1 SPECIAL ASSISTANCE TO THE PRESIDENT

2 SALARIES AND EXPENSES

3 For necessary expenses to enable the Vice President
4 to provide assistance to the President in connection with
5 specially assigned functions, services as authorized by 5
6 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
7 penses as authorized by 3 U.S.C. 106, which shall be ex-
8 pended and accounted for as provided in that section; and
9 hire of passenger motor vehicles; \$3,270,000.

10 COUNCIL OF ECONOMIC ADVISERS

11 SALARIES AND EXPENSES

12 For necessary expenses of the Council in carrying out
13 its functions under the Employment Act of 1946 (15
14 U.S.C. 1021); \$3,420,000.

15 OFFICE OF POLICY DEVELOPMENT

16 SALARIES AND EXPENSES

17 For necessary expenses of the Office of Policy Devel-
18 opment, including services as authorized by 5 U.S.C.
19 3109, and 3 U.S.C. 107; \$5,122,000.

20 NATIONAL SECURITY COUNCIL

21 SALARIES AND EXPENSES

22 For necessary expenses of the National Security
23 Council, including services as authorized by 5 U.S.C.
24 3109; ~~(37) \$6,648,000~~ \$8,209,000.

1 OFFICE OF ADMINISTRATION

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Administra-
4 tion; \$24,850,000, including services as authorized by 5
5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger
6 motor vehicles.

7 OFFICE OF MANAGEMENT AND BUDGET

8 SALARIES AND EXPENSES

9 For necessary expenses of the Office of Management
10 and Budget, including hire of passenger motor vehicles,
11 services as authorized by 5 U.S.C. 3109;
12 ~~(38)\$56,539,000~~ \$53,481,000, of which not to exceed
13 \$5,000,000, shall be available to carry out the provisions
14 of 44 U.S.C. chapter 35: *Provided*, That, as provided in
15 31 U.S.C. 1301(a), appropriations shall be applied only
16 to the objects for which appropriations were made except
17 as otherwise provided by law: *Provided further*, That none
18 of the funds appropriated in this Act for the Office of
19 Management and Budget may be used for the purpose of
20 reviewing any agricultural marketing orders or any activi-
21 ties or regulations under the provisions of the Agricultural
22 Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.):
23 *Provided further*, That none of the funds made available
24 for the Office of Management and Budget by this Act may
25 be expended for the altering of the transcript of actual

1 testimony of witnesses, except for testimony of officials of
2 the Office of Management and Budget, before the Com-
3 mittee on Appropriations or the Committee on Veterans'
4 Affairs or their subcommittees: *Provided further*, That this
5 proviso shall not apply to printed hearings released by the
6 Committee on Appropriations or the Committee on Veter-
7 ans' Affairs.

8 **(39)** *OFFICE OF FEDERAL PROCUREMENT POLICY*

9 *SALARIES AND EXPENSES*

10 *For expenses of the Office of Federal Procurement Pol-*
11 *icy, including services as authorized by 5 U.S.C. 3109;*
12 *\$3,058,000.*

13 *OFFICE OF NATIONAL DRUG CONTROL POLICY*

14 *SALARIES AND EXPENSES*

15 For necessary expenses of the Office of National
16 Drug Control Policy; for research activities pursuant to
17 title I of Public Law 100-690; not to exceed \$8,000 for
18 official reception and representation expenses; for partici-
19 pation in joint projects or in the provision of services on
20 matters of mutual interest with nonprofit, research, or
21 public organizations or agencies, with or without reim-
22 bursement; **(40)** *\$5,800,000: Provided, That none of the*
23 *funds may be obligated or expended until the Director of*
24 *the Office of National Drug Control Policy submits to the*
25 *Committee on Appropriations of the House, a justification*

1 for planned expenditures \$11,687,000, of which not less
 2 than \$900,000 and four full-time equivalent positions shall
 3 be available for the Counter-Drug Technology Assessment
 4 Center: Provided, That the Office of National Drug Control
 5 Policy shall hire and maintain not less than 60 full-time
 6 equivalent positions in fiscal year 1994: Provided further,
 7 That the Office is authorized to accept, hold, administer,
 8 and utilize gifts, both real and personal, for the purpose
 9 of aiding or facilitating the work of the Office.

10 UNANTICIPATED NEEDS

11 For expenses necessary to enable the President to
 12 meet unanticipated needs, in furtherance of the national
 13 interest, security, or defense which may arise at home or
 14 abroad during the current fiscal year; \$1,000,000.

15 FEDERAL DRUG CONTROL PROGRAMS

16 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses of the Office of National
 19 Drug Control Policy's High Intensity Drug Trafficking
 20 Areas Program, \$86,000,000 for drug control
 21 activities(41):~~Provided~~, That the Office of National
 22 Drug Control Policy is authorized to transfer not less than
 23 \$50,000,000 to the following High Intensity Drug Traf-
 24 ficking Areas in the following amounts: New York,
 25 \$7,000,000, Miami, \$7,000,000, Houston \$7,000,000,
 26 Los Angeles, \$7,000,000, and the Southwest Border,

1 ~~\$22,000,000: *Provided further,*~~ That the Office of National
 2 Drug Control Policy is authorized to transfer not less than
 3 ~~\$36,000,000~~ to State and local drug control entities for
 4 drug control activities which are consistent with the ap-
 5 proved strategy for each of the High Intensity Drug Traf-
 6 ficking Areas, of which no less than \$43,000,000 shall be
 7 transferred to State and local entities for drug control ac-
 8 tivities; and of which up to \$43,000,000 may be transferred
 9 to Federal agencies and departments at a rate to be deter-
 10 mined by the Director: *Provided, That the funds made*
 11 *available under this head shall be obligated within 90 days*
 12 *of enactment of this Act.*

13 SPECIAL FORFEITURE FUND

14 (INCLUDING TRANSFER OF FUNDS)

15 ~~(42)~~For activities authorized by Public Law 100-
 16 690, ~~\$28,000,000,~~ to be derived from deposits in the Spe-
 17 cial Forfeiture Fund; of which \$5,000,000, shall be trans-
 18 ferred to the United States Customs Service; of which
 19 \$6,000,000 shall be transferred to the Internal Revenue
 20 Service, Tax Law Enforcement for criminal investigations;
 21 of which \$4,000,000 shall be transferred to the Drug En-
 22 forcement Agency for the enhancement of the El Paso In-
 23 telligence Center; or which \$5,000,000, shall be trans-
 24 ferred to the Counter-Drug Technology Assessment Cen-
 25 ter; and of which \$1,000,000 shall be transferred to the
 26 Bureau of Alcohol, Tobacco and Firearms, and

1 \$7,000,000 to be transferred to Federal agencies and de-
2 partments to support high priority drug control activities
3 consistent with the National Drug Control Strategy in
4 amounts to be determined by the Director.

5 *For activities authorized by Public Law 100-690,*
6 *\$75,000,000, of which \$28,000,000 shall be derived from de-*
7 *posits in the Special Forfeiture Fund; of which \$35,000,000*
8 *shall be transferred to the Substance Abuse and Mental*
9 *Health Services Administration, and of which \$10,000,000*
10 *shall be available to the Center for Substance Abuse Preven-*
11 *tion for community partnership grants, and of which*
12 *\$5,000,000 shall be available to the Center for Substance*
13 *Abuse Prevention for the residential women/children pro-*
14 *gram, and of which \$10,000,000 shall be available for the*
15 *Substance Abuse Prevention and Treatment Block Grant to*
16 *the States, and of which \$10,000,000 shall be available for*
17 *capacity expansion treatment programs; of which*
18 *\$15,000,000, to remain available until expended, shall be*
19 *transferred to the Counter-Drug Technology Assessment*
20 *Center for counternarcotics research and development*
21 *projects and shall be available for transfer to other Federal*
22 *departments or agencies; of which \$5,000,000 shall be trans-*
23 *ferred to the Bureau of Alcohol, Tobacco and Firearms for*
24 *gang resistance education and training programs; and of*
25 *which \$20,000,000 shall be transferred to drug control agen-*

1 *cies in amounts to be determined by the Director, upon the*
2 *advance approval of the House and Senate Committees on*
3 *Appropriations.*

4 This title may be cited as the “Executive Office
5 Appropriations Act, 1994”.

6 TITLE IV

7 INDEPENDENT AGENCIES

8 **(43)** *ADMINISTRATIVE CONFERENCE OF THE UNITED* 9 *STATES*

10 *SALARIES AND EXPENSES*

11 *For necessary expenses of the Administrative Con-*
12 *ference of the United States, established by the Administra-*
13 *tive Conference Act, as amended (5 U.S.C. 571 et seq.), in-*
14 *cluding not to exceed \$1,000 for official reception and rep-*
15 *resentation expenses, \$1,800,000.*

16 *SEC. 400. Notwithstanding any other provision of this*
17 *Act, each amount of budget authority for fiscal year 1994*
18 *provided in this Act for payments not required by law is*
19 *reduced by 1.478 percent. Such reductions shall be applied*
20 *ratably to each account, program, activity, and project pro-*
21 *vided for in this Act.*

22 *Notwithstanding any provision of this or any Act, sec-*
23 *tion 6962j of 42 U.S.C. is amended as follows, by striking*
24 *paragraphs (a) through (e) and inserting in lieu thereof:*

1 location expenses) in connection with the assignment, allo-
 2 cation and transfer of space; contractual services incident
 3 to cleaning or servicing buildings, and moving; repair and
 4 alteration of federally owned buildings including grounds,
 5 approaches and appurtenances; care and safeguarding of
 6 sites; maintenance, preservation, demolition, and equip-
 7 ment; acquisition of buildings and sites by purchase, con-
 8 demnation, or as otherwise authorized by law; acquisition
 9 of options to purchase buildings and sites; conversion and
 10 extension of federally owned buildings; preliminary plan-
 11 ning and design of projects by contract or otherwise; con-
 12 struction of new buildings (including equipment for such
 13 buildings); and payment of principal, interest, taxes, and
 14 any other obligations for public buildings acquired by in-
 15 stallment purchase and purchase contract, in the aggre-
 16 gate amount of ~~(48)~~\$5,185,611,000, including
 17 \$295,294,000 of unobligated balances in the fund
 18 \$5,253,877,000, of which (1) not to exceed
 19 ~~(49)~~\$820,476,000 *\$933,787,000* shall remain available
 20 until expended for construction of additional projects at
 21 locations and at maximum construction improvement costs
 22 (including funds for sites and expenses) as follows:

23 New Construction:

24 ~~(50)~~Alabama:

1 Montgomery, U.S. Courthouse Annex,

2 \$5,091,000

3 Arkansas:

4 Little Rock, Old Law School Building Expan-
5 sion/Alteration, \$13,816,040

6 California:

7 Sacramento, Federal Building and U.S. Court-
8 house, \$143,082,450

9 San Jose, Federal Office Building, claim,
10 \$1,828,680

11 Santa Ana, Federal Building and U.S. Court-
12 house, \$148,176,000

13 District of Columbia:

14 U.S. Army Corps of Engineers Headquarters
15 Building, \$50,000,000

16 Florida:

17 Jacksonville, U.S. Courthouse, site acquisition
18 and design, \$6,070,120

19 Tampa, U.S. Courthouse, \$66,696,840

20 Indiana:

21 Hammond, U.S. Courthouse, \$49,980,000

22 Iowa:

23 Burlington, Federal Parking Facility, design
24 and construction, \$2,400,000

25 Maryland:

1 Beltsville, Department of Agriculture Federal
2 Building, \$20,000,000

3 Bowie, Bureau of the Census, Computer Cen-
4 ter, \$27,915,000

5 Montgomery and Prince George's Counties,
6 Food and Drug Administration, consolidation, site
7 acquisition, planning and design, construction,
8 \$73,921,000

9 Massachusetts:

10 Boston, Federal Building and U.S. Courthouse,
11 \$18,620,000

12 Missouri:

13 Cape Girardeau, Federal Office Building and
14 U.S. Courthouse, \$3,822,000

15 Kansas City, U.S. Courthouse, \$9,800,000

16 St. Louis, U.S. Courthouse, \$9,800,000

17 Nebraska:

18 Omaha, Federal Building and U.S. Courthouse,
19 \$9,361,940

20 New Jersey:

21 Newark, Martin Luther King, Jr. Federal
22 Building and U.S. Courthouse, escalation,
23 \$4,293,576

24 New York:

25 Brooklyn, U.S. Courthouse, \$29,400,000

1 North Carolina:

2 Federal Research Park, Environmental Protec-
3 tion Agency Facility, \$8,800,000

4 North Dakota:

5 Pembina, Border Station, \$96,000

6 Ohio:

7 Youngstown, Federal Building and U.S. Court-
8 house, site acquisition and design, \$4,630,500

9 Oregon:

10 Portland, U.S. Courthouse, \$85,015,980

11 Pennsylvania:

12 Scranton, Federal Building and U.S. Court-
13 house Annex, site acquisition and design,
14 \$12,093,200

15 Texas:

16 Laredo, Federal Building and U.S. Courthouse,
17 \$2,986,060

18 Vermont:

19 Highgate Springs, Border Station, \$6,851,000

20 Washington:

21 Lynden, Federal Building, claim, \$357,000

22 Nonprospective construction projects, \$5,525,300:

23 *Alabama:*

24 *Montgomery, U.S. Courthouse Annex, \$5,195,000*

25 *Arkansas:*

1 *Little Rock, Old Law School Building, Expan-*
2 *sion/Alteration, \$14,098,000*

3 *Arizona:*

4 *Phoenix, U.S. Courthouse, \$180,000,000*

5 *Safford, Forest Service Administrative Offices*
6 *and Cultural Center, \$6,000,000*

7 *Sierra Vista, U.S. Magistrates Office, \$1,000,000*

8 *California:*

9 *Sacramento, U.S. Courthouse and Federal*
10 *Building, \$162,225,000*

11 *San Jose, Federal Office building, claim,*
12 *\$1,866,000*

13 *Santa Ana, Federal Building and U.S. Court-*
14 *house, \$103,000,000*

15 *Florida:*

16 *Tampa, U.S. Courthouse, \$68,058,000*

17 *Georgia:*

18 *Atlanta, Centers for Disease Control, Laboratory*
19 *and office building, \$15,000,000*

20 *Augusta, U.S. Courthouse, \$1,000,000*

21 *Maryland:*

22 *Bowie, Bureau of the Census, Computer Center,*
23 *\$27,915,000*

1 *Montgomery and Prince George's Counties, Food*
2 *and Drug Administration, consolidation, site acquisi-*
3 *tion, planning, design, and construction, \$73,921,000*

4 *Massachusetts:*

5 *Boston, Federal Building and U.S. Courthouse,*
6 *\$19,000,000*

7 *Missouri:*

8 *Cape Girardeau, Federal Office Building and*
9 *U.S. Courthouse, \$3,822,000*

10 *Kansas City, U.S. Courthouse, \$20,000,000*

11 *St. Louis, U.S. Courthouse, \$30,000,000*

12 *Nebraska:*

13 *Omaha, Federal Building and U.S. Courthouse,*
14 *\$9,553,000*

15 *New Jersey:*

16 *Newark, Martin Luther King, Jr. Federal Build-*
17 *ing and U.S. Courthouse, escalation, \$4,868,000*

18 *New York:*

19 *Brooklyn, U.S. Courthouse, \$30,000,000*

20 *North Dakota:*

21 *Pembina, Border Station, \$96,000*

22 *Oregon:*

23 *Portland, U.S. Courthouse, \$96,390,000*

24 *Texas:*

1 *Laredo, Federal Building-U.S. Courthouse,*
2 *\$3,047,000*

3 *Vermont:*

4 *Highgate Springs, Border Station, \$6,851,000*

5 *Washington:*

6 *Lynden, Federal Building, claim, \$357,000*

7 *West Virginia:*

8 *Wheeling, Federal Building-U.S. Courthouse,*
9 *\$45,000,000*

10 *Nonprospectus construction projects, \$5,525,000*

11 ~~(51) Provided, That of the funds provided for~~
12 ~~nonprospectus construction projects, funds shall remain~~
13 ~~available until expended for the acquisition, lease, con-~~
14 ~~struction, and equipping of three flexiplace work~~
15 ~~telecommuting centers, one of which shall be in southern~~
16 ~~Maryland, and one of which shall be in northwestern Vir-~~
17 ~~ginia:—Provided further: Provided, That each of the imme-~~
18 ~~diately foregoing limits of costs on new construction~~
19 ~~projects may be exceeded to the extent that savings are~~
20 ~~effected in other such projects, but by not to exceed 10~~
21 ~~per centum: Provided further, That all funds for direct~~
22 ~~construction projects shall expire on September 30, 1995,~~
23 ~~and remain in the Federal Buildings Fund except funds~~
24 ~~for projects as to which funds for design or other funds~~
25 ~~have been obligated in whole or in part prior to such date:~~

1 *Provided further, That of the amount made available*
2 *under this heading for the Northern Virginia Naval*
3 *Systems Commands, in Public Law 101-509,*
4 ~~(52)\$107,781,000~~ *\$185,344,000, is hereby rescinded*
5 ~~(53):~~ *Provided further, That the amount made available*
6 *under the heading "New Construction" in Public Law 102-*
7 *393, for Hilo, Hawaii, shall be available for payment to*
8 *a public entity in the State of Hawaii for the construction*
9 *of facilities to house governmental agencies; the govern-*
10 *mental agencies to be housed shall be designated by the Ad-*
11 *ministrator of General Services and such agencies shall be*
12 *housed rent free, exclusive of operating expenses. Provided*
13 *further, That claims against the Government of less than*
14 *\$100,000 arising from direct construction projects, acqui-*
15 *sitions of buildings and purchase contract projects pursu-*
16 *ant to Public Law 92-313, be liquidated with prior notifi-*
17 *cation to the Committees on Appropriations of the House*
18 *and Senate to the extent savings are effected in other such*
19 *projects; (2) not to exceed (54)\$546,682,000*
20 *\$516,782,000, which shall remain available until expended,*
21 *for repairs and alterations: Provided further, That funds*
22 *in the Federal Buildings Fund for Repairs and Alterations*
23 *shall, for prospectus projects, be limited to the amount*
24 *by project as follows, except each project may be increased*
25 *by an amount not to exceed 10 per centum unless advance*

1 approval is obtained from the Committees on Appropria-
2 tions of the House and Senate of a greater amount:

3 Repairs and Alterations:

4 Alaska:

5 Juneau, U.S. Post Office and Courthouse, esca-
6 lation, \$4,082,000

7 California:

8 Richmond, SSA Service Center, \$3,742,000

9 San Diego, Federal Building and U.S. Court-
10 house, \$11,023,000

11 District of Columbia:

12 Central and West Heating Plants, \$11,141,000

13 Federal Office Building 6, \$56,500,000

14 Georgia:

15 Atlanta, Martin Luther King Jr., Federal
16 Building, \$10,063,000

17 Illinois:

18 Chicago, Federal Records Center, \$3,379,000

19 Chicago, John C. Kluczynski Jr., Federal
20 Building, \$13,414,000

21 Indiana:

22 Jeffersonville, Federal Center, \$13,522,000

23 Maryland:

24 Baltimore, George H. Fallon Federal Building,
25 escalation, \$4,645,000

1 Woodlawn, SSA Operations Building,

2 \$14,892,000

3 Massachusetts:

4 Boston, John F. Kennedy Federal Building

5 (phase 3), \$19,200,000

6 New Jersey:

7 Newark, Federal Building, 20 Washington

8 Place, \$14,000,000

9 New York:

10 New York, Federal Building, 201 Varick St.,

11 \$8,886,000

12 New York, Jacob K. Javits Federal Building

13 (phase 2), \$14,171,000

14 Nationwide:

15 Elevators, \$27,022,000

16 ~~(55)Energy Retrofit Projects, \$36,700,000~~

17 Facade Alterations, \$10,000,000~~(56):~~

18 ~~Provided, That of the funds appropriated for Energy Ret-~~

19 ~~rofit Projects, \$6,000,000, may be used to procure and~~

20 ~~install phosphoric acid fuel cells in GSA installations.~~

21 ~~(57)Capital Improvements of United States-Mexico,~~

22 ~~border facilities, \$6,800,000 as follows:~~

23 ~~Arizona:~~

24 ~~Lukeville, commercial lot expansion, \$3,050,000~~

25 ~~San Luis, commercial office space, \$209,000~~

1 *San Luis, primary lane expansion and adminis-*
2 *trative office space, \$3,541,000.*

3 Minor Repairs and Alterations, \$270,300,000: *Pro-*
4 *vided*, That additional projects for which prospectuses
5 have been fully approved may be funded under this cat-
6 egory only if advance approval is obtained from the Com-
7 mittees on Appropriations of the House and Senate: *Pro-*
8 *vided further*, That the difference between the funds ap-
9 propriated and expended on any projects in this or any
10 prior Act, under the heading “Repairs and Alterations”,
11 may be transferred to Minor Repairs and Alterations or
12 used to fund authorized increases in prospectus projects:
13 *Provided further*, That all funds for repairs and alterations
14 prospectus projects shall expire on September 30, 1995,
15 and remain in the Federal Buildings Fund except funds
16 for projects as to which funds for design or other funds
17 have been obligated in whole or in part prior to such date:
18 *Provided further*, That the amount provided in this or any
19 prior Act for Minor Repairs and Alterations may be used
20 to pay claims against the Government arising from any
21 projects under the heading “Repairs and Alterations” or
22 used to fund authorized increases in prospectus projects;
23 (3) not to exceed ~~(58)\$118,108,000~~ \$119,108,000 for in-
24 stallment acquisition payments including payments on
25 purchase contracts; (4) not to exceed ~~(59)\$2,124,373,000~~

1 \$2,117,421,000 for rental of space; (5) not to exceed
2 ~~(60)\$1,231,085,000~~ \$1,226,085,000 for real property op-
3 erations; (6) not to exceed \$156,613,000 for program di-
4 rection and centralized services; and (7) not to exceed
5 ~~(61)\$188,274,000~~ \$184,081,000 for design and construc-
6 tion services which shall remain available until
7 expended ~~(62):—Provided further, That of the funds avail-~~
8 able to the General Services Administration for the Jack-
9 sonville, Florida, U.S. Courthouse; Burlington, Iowa, Fed-
10 eral Parking Facility; Beltsville, Maryland, Federal Build-
11 ing; Kansas City, Missouri, U.S. Courthouse; Federal Re-
12 search Park, North Carolina EPA Facility; Youngstown,
13 Ohio, Federal Building and U.S. Courthouse; and Scrant-
14 ton, Pennsylvania, Federal Building and U.S. Courthouse,
15 shall not be available for expenses in connection with any
16 construction, repair, alteration, and acquisition project for
17 which a prospectus, if required by the Public Buildings
18 Act of 1959, as amended, has not been approved, except
19 that necessary funds may be expended for each project
20 for required expenses in connection with the development
21 of a proposed prospectus ~~(63):—Provided further, That~~
22 with regard to the Federal Building in Beltsville, Mary-
23 land, upon repayment of the Federal Buildings Fund for
24 the cost of construction, title to said property shall be vest-
25 ed in the United States Department of Agriculture: *Pro-*

1 *vided further*, That for the purposes of this authorization,
2 buildings constructed pursuant to the purchase contract
3 authority of the Public Buildings Amendments of 1972
4 (40 U.S.C. 602a), buildings occupied pursuant to install-
5 ment purchase contracts, and buildings under the control
6 of another department or agency where alterations of such
7 buildings are required in connection with the moving of
8 such other department or agency from buildings then, or
9 thereafter to be, under the control of the General Services
10 Administration shall be considered to be federally owned
11 buildings: *Provided further*, That none of the funds avail-
12 able to the General Services Administration, except for the
13 line-item construction and repairs and alterations projects
14 in this Act shall be available for expenses in connection
15 with any construction, repair, alteration, and acquisition
16 project for which a prospectus, if required by the Public
17 Buildings Act of 1959, as amended, has not been ap-
18 proved, except that necessary funds may be expended for
19 each project for required expenses in connection with the
20 development of a proposed prospectus(64): *Provided fur-*
21 *ther, That no funds shall be made available for leases, line-*
22 *item construction, repairs, or alterations projects in this*
23 *Act that are subject to section 7(a) of the Public Buildings*
24 *Act of 1959 (40 U.S.C. 606(a)) prior to February 1, 1994,*
25 *unless the projects are approved by the Committee on Envi-*

1 *Environment and Public Works of the Senate: Provided further,*
2 *That in no case shall funds be made available for any lease,*
3 *line-item construction, repair, or alterations project re-*
4 *ferred to in the preceding proviso if prior to February 1,*
5 *1994, the lease, line-item construction, repair, or alterations*
6 *project has been disapproved by either the Committee on*
7 *Environment and Public Works of the Senate: Provided fur-*
8 *ther, That the Administrator of General Services shall sub-*
9 *mit detailed information on each lease, line-item construc-*
10 *tion, repair, and alterations project in this Act that is sub-*
11 *ject to section 7(a) of the Public Buildings Act of 1959 (40*
12 *U.S.C. 606(a)) to the Committee on Environment and Pub-*
13 *lic Works of the Senate not later than 30 days after the*
14 *date of enactment of this Act. Provided further, That funds*
15 *available in the Federal Buildings Fund may be expended*
16 *for emergency repairs when advance approval is obtained*
17 *from the Committees on Appropriations of the House and*
18 *Senate: Provided further, That amounts necessary to pro-*
19 *vide reimbursable special services to other agencies under*
20 *section 210(f)(6) of the Federal Property and Administra-*
21 *tive Services Act of 1949, as amended (40 U.S.C.*
22 *490(f)(6)) and amounts to provide such reimbursable*
23 *fencing, lighting, guard booths, and other facilities on pri-*
24 *vate or other property not in Government ownership or*
25 *control as may be appropriate to enable the United States*

1 Secret Service to perform its protective functions pursuant
 2 to 18 U.S.C. 3056, as amended, shall be available from
 3 such revenues and collections: *Provided further*, That reve-
 4 nues and collections and any other sums accruing to this
 5 Fund during fiscal year 1994, excluding reimbursements
 6 under section 210(f)(6) of the Federal Property and Ad-
 7 ministrative Services Act of 1949 (40 U.S.C. 490(f)(6))
 8 in excess of ~~(65)\$5,185,611,000~~ *\$5,253,877,000* shall re-
 9 main in the Fund and shall not be available for expendi-
 10 ture except as authorized in appropriations Acts.

11 FEDERAL SUPPLY SERVICE

12 OPERATING EXPENSES

13 For expenses authorized by law, not otherwise pro-
 14 vided for, necessary for property management activities,
 15 utilization of excess and disposal of surplus personal prop-
 16 erty, rehabilitation of personal property, transportation
 17 management activities, transportation audits by in-house
 18 personnel, procurement, and other related supply manage-
 19 ment activities, including services as authorized by 5
 20 U.S.C. 3109; ~~(66)\$55,804,000~~ *\$43,420,000*.

21 INFORMATION RESOURCES MANAGEMENT SERVICE

22 OPERATING EXPENSES

23 For expenses authorized by law, not otherwise pro-
 24 vided for, necessary for carrying out Governmentwide and
 25 internal responsibilities relating to automated data man-

1 agement, telecommunications, information resources man-
2 agement, and related activities, including services as au-
3 thorized by 5 U.S.C. 3109; ~~(67)\$45,675,000: *Provided,*~~
4 ~~That none of the funds may be used to pay the operating~~
5 ~~costs of the Information Security Oversight Office or any~~
6 ~~successor organization~~ \$44,730,000.

7 FEDERAL PROPERTY RESOURCES SERVICE

8 OPERATING EXPENSES

9 For expenses, not otherwise provided for, necessary
10 for carrying out the functions of the Administrator with
11 respect to utilization of excess real property; the disposal
12 of surplus real property, the utilization survey, deed com-
13 pliance inspection, appraisal, environmental and cultural
14 analysis, and land use planning functions pertaining to ex-
15 cess and surplus real property, including services as au-
16 thorized by 5 U.S.C. 3109; \$15,756,000.

17 GENERAL MANAGEMENT AND ADMINISTRATION

18 SALARIES AND EXPENSES

19 For necessary expenses, not otherwise provided, for
20 Policy Direction, Board of Contract Appeals, and account-
21 ing, records management, and other support services inci-
22 dent to adjudication of Indian Tribal Claims by the United
23 States Court of Claims, and services authorized by 5
24 U.S.C. 3109, \$31,435,000: *Provided,* That this appropria-
25 tion shall be available for general administrative and staff

1 support services, subject to reimbursement by the applica-
2 ble organization or agencies pursuant to subsections (a)
3 and (b) of section 1535 of title 31, United States Code:
4 *Provided further*, That not less than \$825,000 shall be
5 available for personnel and associated costs in support of
6 Congressional District and Senate State offices without
7 reimbursement from these offices: *Provided further*, That
8 not to exceed \$5,000 shall be available for official recep-
9 tion and representation expenses.

10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector
12 General and services authorized by 5 U.S.C. 3109,
13 \$34,925,000: *Provided*, That not to exceed \$10,000 shall
14 be available for payment for information and detection of
15 fraud against the Government, including payment for re-
16 covery of stolen Government property: *Provided further*,
17 That not to exceed \$2,500 shall be available for awards
18 to employees of other Federal agencies and private citizens
19 in recognition of efforts and initiatives resulting in en-
20 hanced Office of Inspector General effectiveness.

21 ALLOWANCES AND OFFICE STAFF FOR FORMER

22 PRESIDENTS

23 For carrying out the provisions of the Act of August
24 25, 1958, as amended (3 U.S.C. 102 note), and Public
25 Law 95-138; \$2,833,000: *Provided*, That the Adminis-

1 trator of General Services shall transfer to the Secretary
2 of the Treasury such sums as may be necessary to carry
3 out the provisions of such Acts.

4 GENERAL PROVISIONS—GENERAL SERVICES

5 ADMINISTRATION

6 SECTION. 1. The appropriate appropriation or fund
7 available to the General Services Administration shall be
8 credited with the cost of operation, protection, mainte-
9 nance, upkeep, repair, and improvement, included as part
10 of rentals received from Government corporations pursu-
11 ant to law (40 U.S.C. 129).

12 SEC. 2. Funds available to the General Services Ad-
13 ministration shall be available for the hire of passenger
14 motor vehicles.

15 SEC. 3. Not to exceed 2 per centum of funds made
16 available in appropriations for operating expenses and sal-
17 aries and expenses, during the current fiscal year, may
18 be transferred between such appropriations for mandatory
19 program requirements. Any proposed transfers shall be
20 approved in advance by the Committees on Appropriations
21 of the House and Senate.

22 SEC. 4. Funds in the Federal Buildings Fund made
23 available for fiscal year 1994 for Federal Buildings Fund
24 activities may be transferred between such activities only
25 to the extent necessary to meet program requirements.

1 Any proposed transfers shall be approved in advance by
2 the Committees on Appropriations of the House and
3 Senate.

4 **(68)**SEC. 5. The Administrator of General Services
5 shall immediately cease construction and archaeological
6 excavation on the pavilion portion of the Foley Square
7 Federal Building until such time as a plan is submitted
8 to the House and Senate Committees on Appropriations
9 for prior approval. Such plan shall not result in the contin-
10 ued exhumation of skeletal remains from the “Negro Bur-
11 ial Ground” and shall be accompanied by a
12 reprogramming of sufficient funds but not more than
13 \$3,000,000 to modify the pavilion foundation of the Foley
14 Square Federal Building in New York, New York, prevent
15 further deterioration of the “Negro Burial Ground”, and
16 contain appropriate measures to memorialize the burial
17 site. The Administrator of General Services shall submit
18 the plan to the House and Senate Committees on Appro-
19 priations within 60 days of the enactment of this Act.
20 Nothing in this section shall prohibit the continued con-
21 struction on the tower portion of the Foley Square Federal
22 Building project.

23 **(69)**SEC. 5. *For fiscal year 1993 and thereafter, at*
24 *no later than the end of the fifth fiscal year after the fiscal*
25 *year for which funds are appropriated or otherwise made*

1 *available, unobligated balances of operating expenses and*
2 *salaries and expenses appropriations available to GSA dur-*
3 *ing such fiscal year may be transferred and merged into*
4 *the “Major equipment acquisitions and development activ-*
5 *ity” of the Salaries and Expenses, General Management*
6 *and Administration appropriation account for agency-wide*
7 *acquisition of capital equipment, automated data process-*
8 *ing systems, and for financial management and manage-*
9 *ment information systems needed to implement the Chief*
10 *Financial Officers Act, Public Law 101–576, and any other*
11 *laws or regulations. The unobligated balances transferred*
12 *shall remain available until expended: Provided, That any*
13 *proposed use of these transferred funds in fiscal year 1993*
14 *and thereafter shall only be made after advance approval*
15 *by the Committees on Appropriations of the House and*
16 *Senate.*

17 SEC. 6. (a) The Act entitled “An Act to provide re-
18 tirement, clerical assistants, and free mailing privileges to
19 former Presidents of the United States, and for other pur-
20 poses”, approved August 25, 1958 (3 U.S.C. 102 note),
21 is amended by adding at the end the following new section:

22 “SEC. 2. The entitlements of a former President
23 under subsections (b) and (c) of the first section shall be
24 available—

1 “(1) in the case of an individual who is a
2 former President on the effective date of this sec-
3 tion, for 5 years, commencing on such effective date;
4 and

5 “(2) in the case of an individual who becomes
6 a former President after such effective date, for 4
7 years and 6 months, commencing at the expiration
8 of the period for which services and facilities are au-
9 thorized to be provided under section 4 of the Presi-
10 dential Transition Act of 1963 (3 U.S.C. 102
11 note).”.

12 (b) Section 3214 of title 39, United States Code, is
13 amended—

14 (1) by striking “A former President” and in-
15 sserting “(a) Subject to subsection (b), a former
16 President”; and

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

19 “(b) Subsection (a) shall cease to apply—

20 “(1) 5 years after the effective date of this sub-
21 section, in the case of any individual who, on such
22 effective date—

23 “(A) is a former President (including any
24 individual who might become entitled to the

1 mailing privilege under subsection (a) as the
2 surviving spouse of such a former President); or

3 “(B) is the surviving spouse of a former
4 President; and

5 “(2) 4 years and 6 months after the expiration
6 of the period for which services and facilities are au-
7 thORIZED to be provided under section 4 of the Presi-
8 dential Transition Act of 1963 (3 U.S.C. 102 note),
9 in the case of an individual who becomes a former
10 President after such effective date (including any
11 surviving spouse of such individual, as described in
12 the parenthetical matter in paragraph (1)(A)).”.

13 (c) The amendments made by subsections (a) and (b)
14 shall take effect on October 1, 1993.

15 **(70)** *SEC. 7. Section 204 of the Federal Property and*
16 *Administrative Services Act of 1949 is amended by adding*
17 *a subsection (i) to provide that the Administrator may re-*
18 *tain from the proceeds of sales of personal property con-*
19 *ducted by the General Services Administration amounts*
20 *necessary to recover, to the extent practicable, costs incurred*
21 *by the General Services Administration (or its agent) in*
22 *conducting such sales. The Administrator shall deposit*
23 *amounts retained into the General Supply Fund established*
24 *under section 109(a) of the Federal Property and Adminis-*
25 *trative Services Act of 1949 and may use such portion of*

1 amounts so deposited as is necessary to pay (1) direct costs
2 incurred by the General Services Administration in con-
3 ducting sales of personal property, and (2) indirect costs
4 incurred by the General Services Administration that are
5 reasonably related to those sales. Amounts retained that are
6 not needed to pay the direct and indirect costs incurred
7 shall periodically, but not less than annually, be transferred
8 from the General Supply Fund to the general fund or an-
9 other appropriate account in the Treasury.

10 **(71)**SEC. 8. Notwithstanding any other provision of
11 law, the Administrator of General Services is hereby au-
12 thorized to acquire a site suitable to the General Services
13 Administration of approximately 4 acres of land in the
14 City of Tucson, Arizona for a Federal courthouse; this is
15 to be accomplished through an exchange with the City of
16 Tucson for Federal real property in that city under the ju-
17 risdiction of the General Services Administration.

18 **(72)**SEC. 9. None of the funds appropriated by this
19 Act may be obligated or expended in any way for the pur-
20 pose of the sale, excessing, surplusing, or disposal of lands
21 in the vicinity of Norfolk Lake, Arkansas, administered by
22 the Corps of Engineers, Department of the Army, without
23 the specific approval of the Congress.

24 **(73)**SEC. 10. None of the funds appropriated by this
25 Act may be obligated or expended in any way for the pur-

1 *pose of the sale, excessing, surplusing, or disposal of lands*
2 *in the vicinity of Bull Shoals Lake, Arkansas, administered*
3 *by the Corps of Engineers, Department of the Army, with-*
4 *out the specific approval of the Congress.*

5 **(74)** *SEC. 11. The General Services Administration is*
6 *directed, through a sole-source procurement process, to uti-*
7 *lize lease space in an office complex to be located on the*
8 *Victory Optical site, One Victory Plaza, in the City of New-*
9 *ark, County of Essex, State of New Jersey, for future long*
10 *term office space needs in the City of Newark and surround-*
11 *ing area of up to 400,000 square feet of space pursuant*
12 *to the availability of Federal tenants: Provided, That such*
13 *lease shall be authorized only if it meets the criteria of an*
14 *“operating lease” as defined under the Budget Enforcement*
15 *Act of 1990, Public Law 101–508. The lease rate for such*
16 *office space shall not exceed comparable rates for equivalent*
17 *space in the surrounding area or comparable rates in the*
18 *office complex.*

19 OFFICE OF PERSONNEL MANAGEMENT

20 SALARIES AND EXPENSES

21 (INCLUDING TRANSFER OF TRUST FUNDS)

22 For necessary expenses to carry out functions of the
23 Office of Personnel Management pursuant to Reorganiza-
24 tion Plan Numbered 2 of 1978 and the Civil Service Re-
25 form Act of 1978, including services as authorized by 5
26 U.S.C. 3109, medical examinations performed for veterans

1 by private physicians on a fee basis, rental of conference
2 rooms in the District of Columbia and elsewhere, hire of
3 passenger motor vehicles, not to exceed \$2,500 for official
4 reception and representation expenses, and advances for
5 reimbursements to applicable funds of the Office of Per-
6 sonnel Management and the Federal Bureau of Investiga-
7 tion for expenses incurred under Executive Order 10422
8 of January 9, 1953, as amended: *Provided*, That notwith-
9 standing 31 U.S.C. 3302, the Director is hereby author-
10 ized to accept gifts of goods and services, which shall be
11 available only for hosting National Civil Service Apprecia-
12 tion Conferences. Goods and services provided in connec-
13 tion with the conference may include, but are not limited
14 to, food and refreshments; rental of seminar rooms, ban-
15 quet rooms, and facilities; and use of communications,
16 printing and other equipment. Awards of minimal intrinsic
17 value will be allowed. Gifts provided by an individual donor
18 shall not exceed 50 percent of the total value of the gifts
19 provided at each location; \$118,533,000, of which not to
20 exceed \$1,000,000 shall be made available for the estab-
21 lishment of health promotion and disease prevention pro-
22 grams for Federal employees; and in addition \$88,519,000
23 for administrative expenses, to be transferred from the ap-
24 propriate trust funds of the Office of Personnel Manage-
25 ment without regard to other statutes, including direct

1 procurement of health benefits printing, for the retirement
2 and insurance programs, of which \$5,981,000 shall be
3 transferred at such times as the Office of Personnel Man-
4 agement deems appropriate, and shall remain available
5 until expended for the costs of automating the retirement
6 recordkeeping systems, together with remaining amounts
7 authorized in previous Acts for the recordkeeping systems:
8 *Provided further,* That the provisions of this appropriation
9 shall not affect the authority to use applicable trust funds
10 as provided by section 8348(a)(1)(B) of title 5, United
11 States Code: *Provided further,* That, except as may be con-
12 sistent with regulations of the Office of Personnel Man-
13 agement prescribed pursuant to 5 U.S.C. 8902a(f)(1) and
14 (i), no payment may be made from the Employees Health
15 Benefits Fund to any physician, hospital, or other provider
16 of health care services or supplies who is, at the time such
17 services or supplies are provided to an individual covered
18 under chapter 89 of title 5, United States Code, excluded,
19 pursuant to section 1128 or 1128A of the Social Security
20 Act (42 U.S.C. 1320a-7-1320a-7a), from participation in
21 any program under title XVIII of the Social Security Act
22 (42 U.S.C. 1395 et seq.): *Provided further,* That no part
23 of this appropriation shall be available for salaries and ex-
24 penses of the Legal Examining Unit of the Office of Per-
25 sonnel Management established pursuant to Executive

1 Order 9358 of July 1, 1943, or any successor unit of like
2 purpose: *Provided further*, That the President's Commis-
3 sion on White House Fellows, established by Executive
4 Order 11183 of October 3, 1964, may, during the fiscal
5 year ending September 30, 1994, accept donations of
6 money, property, and personal services in connection with
7 the development of a publicity brochure to provide infor-
8 mation about the White House Fellows, except that no
9 such donations shall be accepted for travel or reimburse-
10 ment of travel expenses, or for the salaries of employees
11 of such Commission(75):~~*Provided further*, That the Di-~~
12 ~~rector of the Office of Personnel Management may trans-~~
13 ~~fer from this appropriation an amount to be determined,~~
14 ~~but not exceed \$300,000 to the National Advisory Council~~
15 ~~on the Public Service as established by Public Law 101-~~
16 ~~363.~~

17 OFFICE OF INSPECTOR GENERAL

18 SALARIES AND EXPENSES

19 (INCLUDING TRANSFER OF TRUST FUNDS)

20 For necessary expenses of the Office of Inspector
21 General in carrying out the provisions of the Inspector
22 General Act, as amended, including services as authorized
23 by 5 U.S.C. 3109, hire of passenger motor vehicles:
24 \$4,253,000, and in addition, not to exceed \$6,514,000 for
25 administrative expenses to audit the Office of Personnel
26 Management's retirement and insurance programs, to be

1 transferred from the appropriate trust funds of the Office
2 of Personnel Management, as determined by the Inspector
3 General: *Provided*, That the Inspector General is author-
4 ized to rent conference rooms in the District of Columbia
5 and elsewhere.

6 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES
7 HEALTH BENEFITS

8 For payment of Government contributions with re-
9 spect to retired employees, as authorized by chapter 89
10 of title 5, United States Code, and the Retired Federal
11 Employees Health Benefits Act (74 Stat. 849), as amend-
12 ed, ~~(76) \$4,146,480,000~~ \$3,458,480,000, to remain avail-
13 able until expended.

14 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE
15 LIFE INSURANCE

16 For payment of Government contributions with re-
17 spect to employees retiring after December 31, 1989, as
18 required by chapter 87 of title 5, United States Code,
19 \$1,607,000 to remain available until expended.

20 PAYMENT TO CIVIL SERVICE RETIREMENT AND
21 DISABILITY FUND

22 For financing the unfunded liability of new and in-
23 creased annuity benefits becoming effective on or after Oc-
24 tober 20, 1969, as authorized by 5 U.S.C. 8348, and an-
25 nualities under special Acts to be credited to the Civil Serv-

1 ice Retirement and Disability Fund, such sums as may
2 be necessary: *Provided*, That annuities authorized by the
3 Act of May 29, 1944, as amended and the Act of August
4 19, 1950, as amended (33 U.S.C. 771–75), may hereafter
5 be paid out of the Civil Service Retirement and Disability
6 Fund.

7 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE
8 BLIND OR SEVERELY DISABLED
9 SALARIES AND EXPENSES

10 For necessary expenses of the Committee for Pur-
11 chase From People Who Are Blind or Severely Disabled
12 established by the Act of June 23, 1971, Public Law 92–
13 28; \$1,689,000.

14 FEDERAL ELECTION COMMISSION
15 SALARIES AND EXPENSES

16 For necessary expenses to carry out the provisions
17 of the Federal Election Campaign Act of 1971, as amend-
18 ed; \$23,564,000, of which not to exceed \$5,000 shall be
19 available for reception and representation expenses.

20 FEDERAL LABOR RELATIONS AUTHORITY
21 SALARIES AND EXPENSES

22 For necessary expenses to carry out functions of the
23 Federal Labor Relations Authority, pursuant to Reorga-
24 nization Plan Numbered 2 of 1978, and the Civil Service
25 Reform Act of 1978, including services as authorized by

1 5 U.S.C. 3109, including hire of experts and consultants,
2 hire of passenger motor vehicles, rental of conference
3 rooms in the District of Columbia and elsewhere;
4 \$21,341,000: *Provided*, That public members of the Fed-
5 eral Service Impasses Panel may be paid travel expenses
6 and per diem in lieu of subsistence as authorized by law
7 (5 U.S.C. 5703) for persons employed intermittently in
8 the Government service, and compensation as authorized
9 by 5 U.S.C. 3109.

10 MERIT SYSTEMS PROTECTION BOARD

11 SALARIES AND EXPENSES

12 (INCLUDING TRANSFER OF FUNDS)

13 For necessary expenses to carry out functions of the
14 Merit Systems Protection Board pursuant to Reorganiza-
15 tion Plan Numbered 2 of 1978 and the Civil Service Re-
16 form Act of 1978, including services as authorized by 5
17 U.S.C. 3109, rental of conference rooms in the District
18 of Columbia and elsewhere, hire of passenger motor vehi-
19 cles, and direct procurement of survey printing,
20 \$24,674,000, together with not to exceed \$1,989,000 for
21 administrative expenses to adjudicate retirement appeals
22 to be transferred from the Civil Service Retirement and
23 Disability Fund in amounts determined by the Merit Sys-
24 tems Protection Board.

1 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
2 OPERATING EXPENSES

3 For necessary expenses in connection with National
4 Archives and Records Administration and related activi-
5 ties, as provided by law, and for expenses necessary for
6 the review and declassification of documents, and for the
7 hire of passenger motor vehicles, ~~(77)\$193,182,000~~
8 ~~\$196,482,000~~, of which ~~(78)\$4,000,000~~ \$6,000,000 for al-
9 locations and grants for historical publications and records
10 as authorized by 44 U.S.C. 2504, as amended, shall re-
11 main available until expended: *Provided*, That the Archi-
12 vist of the United States is authorized to use any excess
13 funds available from the amount borrowed for construc-
14 tion of the National Archives facility, for expenses nec-
15 essary to move into the facility.

16 OFFICE OF GOVERNMENT ETHICS
17 SALARIES AND EXPENSES

18 For necessary expenses to carry out functions of the
19 Office of Government Ethics pursuant to the Ethics in
20 Government Act of 1978, as amended by Public Law 100-
21 598, and the Ethics Reform Act of 1989, Public Law 101-
22 194, including services as authorized by 5 U.S.C. 3109,
23 rental of conference rooms in the District of Columbia and
24 elsewhere, hire of passenger motor vehicles, and not to ex-
25 ceed \$1,500 for official reception and representation ex-

1 penses; \$8,313,000: *Provided*, That notwithstanding 31
2 U.S.C. 3302, funds received from fees charged to non-
3 Federal participants to attend an International Con-
4 ference on Ethics shall be credited to and merged with
5 this account, to be available for carrying out the Con-
6 ference without further appropriation.

7 OFFICE OF SPECIAL COUNSEL

8 SALARIES AND EXPENSES

9 For necessary expenses to carry out functions of the
10 Office of Special Counsel pursuant to Reorganization Plan
11 Numbered 2 of 1978, the Civil Service Reform Act of
12 1978 (Public Law 95-454), and the Whistleblower Protec-
13 tion Act of 1989 (Public Law 101-12), including services
14 as authorized by 5 U.S.C. 3109, payment of fees and ex-
15 penses for witnesses, rental of conference rooms in the
16 District of Columbia and elsewhere, and hire of passenger
17 motor vehicles; \$7,992,000.

18 UNITED STATES TAX COURT

19 SALARIES AND EXPENSES

20 For necessary expenses, including contract reporting
21 and other services as authorized by 5 U.S.C. 3109;
22 ~~(79)\$33,650,000~~ \$35,350,000: *Provided*, That travel ex-
23 penses of the judges shall be paid upon the written certifi-
24 cate of the judge.

1 This title may be cited as the “Independent Agencies
2 Appropriations Act, 1994”.

3 TITLE V—GENERAL PROVISIONS

4 THIS ACT

5 SECTION 501. No part of any appropriation made
6 available in this Act shall be used for the purchase or sale
7 of real estate or for the purpose of establishing new offices
8 inside or outside the District of Columbia: *Provided*, That
9 this limitation shall not apply to programs which have
10 been approved by the Congress and appropriations made
11 therefor.

12 SEC. 502. No part of any appropriation contained in
13 this Act shall remain available for obligation beyond the
14 current fiscal year unless expressly so provided herein.

15 SEC. 503. The expenditure of any appropriation
16 under this Act for any consulting service through procure-
17 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
18 to those contracts where such expenditures are a matter
19 of public record and available for public inspection, except
20 where otherwise provided under existing law, or under ex-
21 isting Executive order issued pursuant to existing law.

22 SEC. 504. No part of any appropriation contained in
23 this Act shall be available for the procurement of, or for
24 the payment of, the salary of any person engaged in the
25 procurement of any hand or measuring tool(s) not pro-

1 duced in the United States or its possessions except to
2 the extent that the Administrator of General Services or
3 his designee shall determine that a satisfactory quality and
4 sufficient quantity of hand or measuring tools produced
5 in the United States or its possessions cannot be procured
6 as and when needed from sources in the United States
7 and its possessions, or except in accordance with proce-
8 dures prescribed by section 6-104.4(b) of Armed Services
9 Procurement Regulation dated January 1, 1969, as such
10 regulation existed on June 15, 1970: *Provided*, That a fac-
11 tor of 75 per centum in lieu of 50 per centum shall be
12 used for evaluating foreign source end products against
13 a domestic source end product. This section shall be appli-
14 cable to all solicitations for bids opened after its enact-
15 ment.

16 SEC. 505. None of the funds made available to the
17 General Services Administration pursuant to section
18 210(f) of the Federal Property and Administrative Serv-
19 ices Act of 1949 shall be obligated or expended after the
20 date of enactment of this Act for the procurement by con-
21 tract of any service which, before such date, was per-
22 formed by individuals in their capacity as employees of
23 the General Services Administration in any position of
24 guards, elevator operators, messengers, and custodians, at
25 said date, would be terminated as a result of the procure-

1 ment of such services, except that such funds may be obli-
2 gated or expended for the procurement by contract of the
3 covered services with sheltered workshops employing the
4 severely handicapped under Public Law 92-28.

5 ~~(80)SEC. 506. None of the funds appropriated in~~
6 ~~this Act may be used for administrative expenses to close~~
7 ~~the Federal Information Center of the General Services~~
8 ~~Administration located in Sacramento, California.~~

9 SEC. 507. None of the funds made available by this
10 Act for the Department of the Treasury may be used for
11 the purpose of eliminating any existing requirement for
12 sureties on customs bonds.

13 SEC. 508. None of the funds made available by this
14 Act shall be available for any activity or for paying the
15 salary of any Government employee where funding an ac-
16 tivity or paying a salary to a Government employee would
17 result in a decision, determination, rule, regulation, or pol-
18 icy that would prohibit the enforcement of section 307 of
19 the 1930 Tariff Act.

20 SEC. 509. None of the funds made available by this
21 Act shall be available for the purpose of transferring con-
22 trol over the Federal Law Enforcement Training Center
23 located at Glynco, Georgia, Tucson, Arizona, and Artesia,
24 New Mexico, out of the Treasury Department.

1 SEC. 510. No part of any appropriation contained in
2 this Act shall be used for publicity or propaganda purposes
3 within the United States not heretofore authorized by the
4 Congress.

5 SEC. 511. No part of any appropriation contained in
6 this Act shall be available for the payment of the salary
7 of any officer or employee of the United States Postal
8 Service, who—

9 (1) prohibits or prevents, or attempts or threat-
10 ens to prohibit or prevent, any officer or employee
11 of the United States Postal Service from having any
12 direct oral or written communication or contact with
13 any Member or committee of Congress in connection
14 with any matter pertaining to the employment of
15 such officer or employee or pertaining to the United
16 States Postal Service in any way, irrespective of
17 whether such communication or contact is at the ini-
18 tiative of such officer or employee or in response to
19 the request or inquiry of such Member or committee;
20 or

21 (2) removes, suspends from duty without pay,
22 demotes, reduces in rank, seniority, status, pay, or
23 performance of efficiency rating, denies promotion
24 to, relocates, reassigns, transfers, disciplines, or dis-
25 criminate in regard to any employment right, enti-

1 tlement, or benefit, or any term or condition of em-
2 ployment of, any officer or employee of the United
3 States Postal Service, or attempts or threatens to
4 commit any of the foregoing actions with respect to
5 such officer or employee, by reason of any commu-
6 nication or contact of such officer or employee with
7 any Member or committee of Congress as described
8 in paragraph (1) of this subsection.

9 SEC. 512. Funds under this Act shall be available as
10 authorized by sections 4501–4506 of title 5, United States
11 Code, when the achievement involved is certified, or when
12 an award for such achievement is otherwise payable, in
13 accordance with such sections. Such funds may not be
14 used for any purpose with respect to which the preceding
15 sentence relates beyond fiscal year 1994.

16 SEC. 513. None of the funds appropriated or other-
17 wise made available to the Department of the Treasury
18 by this or any other Act shall be obligated or expended
19 to contract out positions in, or downgrade the position
20 classifications of, members of the United States Mint Po-
21 lice Force and the Bureau of Engraving and Printing Po-
22 lice Force, or for studying the feasibility of contracting
23 out such positions.

24 SEC. 514. The Office of Personnel Management may,
25 during the fiscal year ending September 30, 1994, accept

1 donations of supplies, services, and equipment for the Fed-
2 eral Executive Institute, the Federal Quality Institute,
3 and Executive Seminar Centers for the enhancement of
4 the morale and educational experience of attendees.

5 SEC. 515. No part of any appropriation contained in
6 this Act shall be available for the procurement of, or for
7 the payment of, the salary of any person engaged in the
8 procurement of stainless steel flatware not produced in the
9 United States or its possessions, except to the extent that
10 the Administrator of General Services or his designee shall
11 determine that a satisfactory quality and sufficient quan-
12 tity of stainless steel flatware produced in the United
13 States or its possessions, cannot be procured as and when
14 needed from sources in the United States or its posses-
15 sions or except in accordance with procedures provided by
16 section 6-104.4(b) of Armed Services Procurement Regu-
17 lations, dated January 1, 1969. This section shall be appli-
18 cable to all solicitations for bids issued after its enactment.

19 SEC. 516. The United States Secret Service may,
20 during the fiscal year ending September 30, 1994, accept
21 donations of money to off-set costs incurred while protect-
22 ing former Presidents and spouses of former Presidents
23 when the former President or spouse travels for the pur-
24 pose of making an appearance or speech for a payment
25 of money or any thing of value.

1 ~~(81)SEC. 517. None of the funds made available by~~
2 ~~this Act may be used to withdraw the designation of the~~
3 ~~Virginia Inland Port at Front Royal, Virginia, as a United~~
4 ~~States Customs Service port of entry.~~

5 ~~(82)SEC. 517. Such sums as may be necessary for fis-~~
6 ~~cal year 1994 pay raises for programs funded by this Act~~
7 ~~shall be absorbed within the levels appropriated by this Act.~~

8 SEC. 518. None of the funds made available to the
9 Postal Service by this Act shall be used to transfer mail
10 processing capabilities from the Las Cruces, New Mexico
11 postal facility, and that every effort will be made by the
12 Postal Service to recognize the rapid rate of population
13 growth in Las Cruces and to automate the Las Cruces,
14 New Mexico postal facility in order that mail processing
15 can be expedited and handled in Las Cruces.

16 SEC. 519. None of the funds in this Act may be used
17 to reduce the rank or rate of pay of a career appointee
18 in the SES upon reassignment or transfer.

19 SEC. 520. No part of any appropriation contained in
20 this Act shall be available to pay the salary for any person
21 filling a position, other than a temporary position, for-
22 merly held by an employee who has left to enter the Armed
23 Forces of the United States and has satisfactorily com-
24 pleted his period of active military or naval service and
25 has within ninety days after his release from such service

1 or from hospitalization continuing after discharge for a
2 period of not more than one year made application for res-
3 toration to his former position and has been certified by
4 the Office of Personnel Management as still qualified to
5 perform the duties of his former position and has not been
6 restored thereto.

7 SEC. 521. None of the funds made available to the
8 United States Customs Service may be used to collect or
9 impose any land border processing fee at ports of entry
10 along the United States-Mexico border.

11 ~~(83)SEC. 522. None of the funds made available by~~
12 ~~this Act shall be used to plan, administer, or otherwise~~
13 ~~carry out a move of the Internal Revenue Service's Auto-~~
14 ~~mated Collection Unit from the borough of Manhattan,~~
15 ~~New York City, New York, without prior approval of the~~
16 ~~House and Senate Appropriations Committees.~~

17 SEC. 523. (a) None of the funds appropriated by this
18 Act may, with respect to an individual employed by the
19 Bureau of the Public Debt in the Washington Metropoli-
20 tan Region on April 10, 1991, be used to separate, reduce
21 the grade or pay of, or carry out any other adverse person-
22 nel action against such individual for declining to accept
23 a directed reassignment to a position outside such region,
24 pursuant to a transfer of any such Bureau's operations
25 or functions to Parkersburg, West Virginia.

1 (b) Subsection (a) shall not apply with respect to any
2 individual who, on or after the date of enactment of this
3 Act, declines an offer of another position in the Depart-
4 ment of the Treasury which is of at least equal pay and
5 which is within the Washington Metropolitan Region.

6 ~~(84)SEC. 524. In consideration of the Washington~~
7 ~~Metropolitan Area Transit Authority (WMATA) modify-~~
8 ~~ing its requirement for acquisition of General Services Ad-~~
9 ~~ministration (GSA) property at the Suitland Federal Cen-~~
10 ~~ter in Suitland, Maryland, GSA shall transfer to WMATA,~~
11 ~~at no cost, approximately sixteen (16) acres of GSA prop-~~
12 ~~erty to allow WMATA to construct its proposed Suitland~~
13 ~~Metrorail Station and related surface facilities. GSA will~~
14 ~~bear no additional costs, as a result of this transaction.~~
15 ~~The property to be transferred is located at the northeast~~
16 ~~quadrant of the intersection of Suitland Parkway at Silver~~
17 ~~Hill Road and is the southeastern most portion of the~~
18 ~~Suitland Federal Center Complex. It is bounded by Silver~~
19 ~~Hill Road on the southeast, Suitland Parkway property~~
20 ~~owned by the National Park Service on the southwest, the~~
21 ~~existing stream valley between Suitland Parkway and the~~
22 ~~historic Suitland House on the northwest and on the~~
23 ~~northeast a line just south of and parallel to a line from~~
24 ~~the Suitland House to the existing Federal Office Building~~
25 ~~along Silver Hill Road at Randall Road.~~

1 **(85)**SEC. 524. (a) *The Secretary of the Treasury shall*
2 *implement the plan announced by the Bureau of the Public*
3 *Debt on March 19, 1991, to consolidate such Bureau's oper-*
4 *ations in Parkersburg, West Virginia.*

5 (b) *The consolidation referred to in subsection (a) shall*
6 *be completed by December 31, 1995, in accordance with the*
7 *plan of the Bureau of the Public Debt.*

8 **(86)**SEC. 525. (a) ~~IN GENERAL.—Notwithstanding~~
9 ~~any other provision of law, including any other law which~~
10 ~~requires that property of the United States be used for~~
11 ~~a particular purpose, the Administrator of General Serv-~~
12 ~~ices shall convey the property described in subsection (c)~~
13 ~~to the State of Maryland.~~

14 (b) ~~TERMS.—A conveyance of property under this~~
15 ~~section shall be—~~

16 (1) ~~by quitclaim deed;~~

17 (2) ~~without monetary consideration; and~~

18 (3) ~~subject to such other terms and conditions~~
19 ~~as the Administrator determines to be appropriate.~~

20 (c) ~~PROPERTY DESCRIBED.—The property referred~~
21 ~~to in subsection (a) known as the “Chesapeake Bay Study~~
22 ~~Site” is property located in the State of Maryland, Queen~~
23 ~~Annes County, which—~~

24 (1) ~~is part of the same land which, by quitclaim~~
25 ~~deed dated August 25, 1970, and recorded among~~

1 the land records of Queen Annes County, Maryland,
2 at Liber 53, Folio 200, was granted and conveyed
3 by the State of Maryland, Maryland State Roads
4 Commission, to the United States of America; and

5 (2) contains 55 acres more or less according to
6 a survey prepared by McCrone, Inc., in July 1968
7 and amended on May 26, 1992.

8 ~~(87)SEC. 526.~~ None of the funds made available in
9 this Act may be used to provide any non-public informa-
10 tion such as mailing or telephone lists to any person or
11 any organization outside of the Federal Government with-
12 out the approval of the House and Senate Committees on
13 Appropriations.

14 ~~(88)SEC. 527.~~ The Administrator of the General
15 Services Administration, shall enter into an agreement to
16 transfer at no cost, to the City of Waltham, Massachu-
17 setts, title to a parcel of land located at 424 Trapele Road
18 for the purpose of establishing the New England Center
19 for Environmental Education by a nonprofit institution
20 adjacent to the site: *Provided*, That the Administrator and
21 the city of Waltham, shall mutually agree to the amount
22 of land to be transferred to the city for this purpose.

23 ~~(89)SEC. 528. COMPLIANCE WITH BUY AMERICAN~~
24 ~~ACT.~~

1 No funds appropriated pursuant to this Act may be
2 expended by an entity unless the entity agrees that in ex-
3 pending the assistance the entity will comply with sections
4 2 through 4 of the Act of March 3, 1993 (41 U.S.C. 10a-
5 10c, popularly known as the “Buy American Act”).

6 **(90)SEC. 529. SENSE OF CONGRESS; REQUIREMENT**
7 **REGARDING NOTICE.**

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

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

20 **(91)SEC. 530. PROHIBITION OF CONTRACTS.**

21 If it has been finally determined by a court or Federal
22 agency that any person intentionally affixed a label bear-
23 ing a “Made in America” inscription, or any inscription
24 with the same meaning, to any product sold in or shipped
25 to the United States that is not made in the United

1 States, such person shall be ineligible to receive any con-
2 tract or subcontract made with funds provided pursuant
3 to this Act, pursuant to the debarment, suspension, and
4 ineligibility procedures described in section 9.400 through
5 9.409 of title 48, Code of Federal Regulations.

6 **(92)**SEC. 531. (a) Notwithstanding any other provi-
7 sion of law, including any law which requires that property
8 of the United States be used for a particular purpose, the
9 Administrator of General Services shall transfer to the Sec-
10 retary of the Interior jurisdiction over the 1.9592 acres of
11 land, and any related structures, located at the southwest
12 corner of 12th and Indian School Road, N.W., Albuquerque,
13 New Mexico, and described as follows:

14 A tract of land being within the original Old Indian
15 School Boundary and situated within the east half (E^{1/2}),
16 Section 7, T. sec. 10 N., R. 3E, New Mexico Principal Me-
17 ridian, Bernalillo County, New Mexico, being more particu-
18 larly described by metes and bounds as follows:

19 Beginning at the southwest corner of said tract being
20 a point intersecting the easterly right-of-way of 12th Street
21 and the southerly line of the original 1905 Indian School
22 property, being a brass cap marked "R/W 12th St. & Tr.
23 A, cor. 1", "KEENE 8489"; Whence from said point of be-
24 ginning, the New Mexico State Highway Triangulation
25 Station I-40-15, having an established coordinate of

1 $Y=1,494,103.76$ and $X=378,204.72$, central zone on the
2 New Mexico coordinate system, being a brass cap, bears S.
3 $12^{\circ}19'44''$ E., and is a distance of 927.86 feet; Thence N.
4 $08^{\circ}26'59''$ E. 79.89 feet along the said easterly right-of-way
5 to a rebar/cap "KEENE 8489"; Thence S. $68^{\circ}50'15''$ E.,
6 a distance of 98.29 feet to a rebar; Thence N. $21^{\circ}43'45''$
7 E., 133.44 feet to a rebar; Thence S. $64^{\circ}46'15''$ E., 154.00
8 feet to a rebar; Thence N. $22^{\circ}47'56''$ E., 12.94 feet to a
9 rebar; Thence S. $67^{\circ}47'51''$ E., 79.53 feet to a rebar; Thence
10 S. $20^{\circ}06'41''$ W., 40.33 feet to a rebar; Thence S. $67^{\circ}16'45''$
11 E., 105.98 feet to a nail in concrete; Thence S. $22^{\circ}19'15''$
12 W., 224.22 feet to a nail in pavement; Thence N. $74^{\circ}56'54''$
13 W., 1.33 feet to an angle point being a brass cap marked
14 "Tr. A, cor. 13 & Tr. B, cor. 4", "KEENE 8489"; Thence
15 N. $61^{\circ}14'00''$ W., 125.73 feet to an angle point being a brass
16 cap marked "Tr. A, cor. 14 & Tr. 1, cor. 2/ Tr. B, cor.
17 3", "KEENE 8489"; Thence N. $61^{\circ}14'00''$ W., 294.33 feet
18 to the point and place of beginning. Said tract contains
19 an area of 1.9592 acres.

20 (b) Lands and related structures described in sub-
21 section (a) shall, on and after the transfer of jurisdiction
22 required under subsection (a), be held by the United States
23 in trust for the benefit and use of the Nineteen Indian Pueb-
24 lo Tribes of New Mexico comprising the All Indian Pueblo
25 Council as tenants in common.

1 (c) *The transfer of the property described in subsection*
2 *(a) shall be without monetary consideration.*

3 (d) *Lands and related structures held in trust for the*
4 *benefit and use of the Nineteen Indian Pueblo Tribes of New*
5 *Mexico under subsection (b) shall have the same tax-exempt*
6 *status as that of other lands and structures held in trust*
7 *by the United States for the benefit and use of an Indian*
8 *tribe, including exemption from taxes imposed by any*
9 *State, county, city or other local governmental entity, and*
10 *shall be exempt from any associated land use regulation im-*
11 *posed by any such governmental entity.*

12 (e) *Nothing in this section shall prohibit the use by*
13 *the Nineteen Indian Pueblo Tribes of New Mexico of the*
14 *land and related structures described in subsection (a) in*
15 *conjunction with their existing plans for the economic devel-*
16 *opment of the former Albuquerque Indian School property*
17 *conveyed as trust lands on January 15, 1993.*

18 (f) *As used in this section, the term “Nineteen Indian*
19 *Pueblo Tribes of New Mexico” means the following:*

- 20 1. *Pueblo of Acoma.*
- 21 2. *Pueblo of Isleta.*
- 22 3. *Pueblo of Laguna.*
- 23 4. *Pueblo of Picuris.*
- 24 5. *Pueblo of San Felipe.*
- 25 6. *Pueblo of San Ildefonso.*

- 1 7. *Pueblo of San Juan.*
- 2 8. *Pueblo of Santo Domingo.*
- 3 9. *Pueblo of Tesuque.*
- 4 10. *Pueblo of Zuni.*
- 5 11. *Pueblo of Cochiti.*
- 6 12. *Pueblo of Jemez.*
- 7 13. *Pueblo of Nambe.*
- 8 14. *Pueblo of Pojoaque.*
- 9 15. *Pueblo of Sandia.*
- 10 16. *Pueblo of Santa Ana.*
- 11 17. *Pueblo of Santa Clara.*
- 12 18. *Pueblo of Taos.*
- 13 19. *Pueblo of Zia.*

14 **(93)** *SEC. 532. (a) IN GENERAL.—Notwithstanding*
15 *any other provision of law, including any other law which*
16 *requires that property of the United States be used for a*
17 *particular purpose, the real property described in sub-*
18 *section (c) shall be conveyed to the United States Park Serv-*
19 *ice, Department of the Interior, by the Administrator of*
20 *General Services at such time as the property is reported*
21 *to the General Services Administration for disposal as ex-*
22 *cess to the needs of the Air Force.*

23 *(b) TERMS.—A conveyance of property under this sec-*
24 *tion shall be without monetary consideration, and subject*

1 *to such other terms and conditions as the Administrator*
2 *determines to be appropriate.*

3 (c) *PROPERTY DESCRIBED.*—*The real property re-*
4 *ferred to in subsection (a) is that part of the Holbrook*
5 *Radar Bomb Scoring Site, including housing units, situ-*
6 *ated in the W¹/₂ of the SE¹/₄ of Section 36, Township 18*
7 *North, Range 20 East, G&SRM, Navajo County, Arizona,*
8 *and more particularly described as:*

9 *Lots 1, 2, and 3 and Tract A of Cholla*
10 *Townhomes Subdivision, a subdivision recorded in*
11 *Book 14 of Plats at Page 19 in the official records of*
12 *Navajo County, Arizona; Except an undivided one-*
13 *half interest in all oil, gas, coal, and other hydro-car-*
14 *bon substances and minerals as reserved in instru-*
15 *ment recorded in Docket 68 at Page 171 in said offi-*
16 *cial records;*

17 *Containing 8.00 acres, more or less.*

18 *Together with Units 2A, 3A, 4B, 5B, 6A, 7A, 8B, 9B,*
19 *10A, 11A, and 12B of the Cholla Townhomes Condomin-*
20 *ium, a subdivision recorded in Book 14 of Plats at Page*
21 *20 in the official records of Navajo County, Arizona, and*
22 *any other buildings and improvements thereon and all*
23 *rights, hereditaments, easements, and appurtenances there-*
24 *unto belonging or in anywise appertaining.*

1 *Subject, however, to existing easements for public roads*
2 *and highways, public utilities, railroads, and pipelines,*
3 *and subject to the following outstanding exceptions and*
4 *rights:*

5 *An undivided one-half interest in all oil, gas,*
6 *coal or other hydro-carbon substances and minerals*
7 *in, upon, or under said land, and the right to the use*
8 *of such portions of the surface of said land as may*
9 *be necessary for the proper exploration, mining or*
10 *otherwise extracting and removing said oil, gas, coal*
11 *or other hydro-carbon substances and minerals as re-*
12 *served in instrument recorded in Docket 68 at Page*
13 *171, official records of Navajo County, Arizona.*

14 *Easements as shown on the plat of Cholla*
15 *Townhomes subdivision recorded in Book 14 of Plats*
16 *at Page 19 in the official records of Navajo County,*
17 *Arizona.*

18 *Easements and right incident thereto for sewer*
19 *purposes as set forth in instrument recorded in Dock-*
20 *et 601 at Page 924 of the official records of Navajo*
21 *County, Arizona.*

22 *Easements created by and the effect of the Dec-*
23 *laration of Horizontal Property Regime recorded in*
24 *Docket 679 at Page 773 in the official records of Nav-*
25 *ajo County, Arizona, and Certificate of Correction re-*

1 *corded in Docket 678 at Page 815 in said official*
2 *records.*

3 *Easement and rights incident thereto for electric*
4 *lines as set forth in instrument recorded in Docket*
5 *883 at Page 213 of the official records of Navajo*
6 *County, Arizona.*

7 *Liabilities and obligations imposed upon said*
8 *land by reason of its inclusion within the Navajo*
9 *County Flood Control District.*

10 **TITLE VI—GOVERNMENTWIDE GENERAL**

11 **PROVISIONS**

12 **DEPARTMENTS, AGENCIES, AND CORPORATIONS**

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

17 **SEC. 602.** No department, agency, or instrumentality
18 of the United States receiving appropriated funds under
19 this or any other Act for fiscal year 1994 shall obligate
20 or expend any such funds, unless such department, agen-
21 cy, or instrumentality has in place, and will continue to
22 administer in good faith, a written policy designed to en-
23 sure that all of its workplaces are free from the illegal
24 use, possession, or distribution of controlled substances
25 (as defined in the Controlled Substances Act) by the offi-

1 cers and employees of such department, agency, or instru-
2 mentality.

3 SEC. 603. Notwithstanding the provisions of the Act
4 of September 13, 1982 (Public Law 97-258, 31 U.S.C.
5 1345), any agency, department or instrumentality of the
6 United States which provides or proposes to provide child
7 care services for Federal employees may reimburse any
8 Federal employee or any person employed to provide such
9 services for travel, transportation, and subsistence ex-
10 penses incurred for training classes, conferences or other
11 meetings in connection with the provision of such services:
12 *Provided*, That any per diem allowance made pursuant to
13 this section shall not exceed the rate specified in regula-
14 tions prescribed pursuant to section 5707 of title 5,
15 United States Code.

16 SEC. 604. Unless otherwise specifically provided, the
17 maximum amount allowable during the current fiscal year
18 in accordance with section 16 of the Act of August 2, 1946
19 (60 Stat. 810), for the purchase of any passenger motor
20 vehicle (exclusive of buses, ambulances, law enforcement,
21 and undercover surveillance vehicles), is hereby fixed at
22 \$7,100 except station wagons for which the maximum
23 shall be \$8,100: *Provided*, That these limits may be ex-
24 ceeded by not to exceed \$3,700 for police-type vehicles,
25 and by not to exceed \$4,000 for special heavy-duty vehi-

1 cles: *Provided further*, That the limits set forth in this sec-
2 tion may not be exceeded by more than five percent for
3 electric or hybrid vehicles purchased for demonstration
4 under the provisions of the Electric and Hybrid Vehicle
5 Research, Development, and Demonstration Act of 1976:
6 *Provided further*, That the limits set forth in this section
7 may be exceeded by the incremental cost of clean alter-
8 native fuels vehicles acquired pursuant to Public Law
9 101-549 over the cost of comparable conventionally fueled
10 vehicles.

11 SEC. 605. Appropriations of the executive depart-
12 ments and independent establishments for the current fis-
13 cal year available for expenses of travel or for the expenses
14 of the activity concerned, are hereby made available for
15 quarters allowances and cost-of-living allowances, in ac-
16 cordance with 5 U.S.C. 5992-24.

17 SEC. 606. Unless otherwise specified during the cur-
18 rent fiscal year no part of any appropriation contained in
19 this or any other Act shall be used to pay the compensa-
20 tion of any officer or employee of the Government of the
21 United States (including any agency the majority of the
22 stock of which is owned by the Government of the United
23 States) whose post of duty is in the continental United
24 States unless such person (1) is a citizen of the United
25 States, (2) is a person in the service of the United States

1 on the date of enactment of this Act who, being eligible
2 for citizenship, has filed a declaration of intention to be-
3 come a citizen of the United States prior to such date and
4 is actually residing in the United States, (3) is a person
5 who owes allegiance to the United States, (4) is an alien
6 from Cuba, Poland, South Vietnam, or the Baltic coun-
7 tries lawfully admitted to the United States for permanent
8 residence, or (5) South Vietnamese, Cambodian, and Lao-
9 tian refugees paroled in the United States after January
10 1, 1975, or (6) nationals of the People's Republic of China
11 protected by Executive Order Number 12711 of April 11,
12 1990: *Provided*, That for the purpose of this section, an
13 affidavit signed by any such person shall be considered
14 prima facie evidence that the requirements of this section
15 with respect to his or her status have been complied with:
16 *Provided further*, That any person making a false affidavit
17 shall be guilty of a felony, and, upon conviction, shall be
18 fined no more than \$4,000 or imprisoned for not more
19 than one year, or both: *Provided further*, That the above
20 penal clause shall be in addition to, and not in substitution
21 for any other provisions of existing law: *Provided further*,
22 That any payment made to any officer or employee con-
23 trary to the provisions of this section shall be recoverable
24 in action by the Federal Government. This section shall
25 not apply to citizens of Ireland, Israel, the Republic of

1 the Philippines or to nationals of those countries allied
2 with the United States in the current defense effort, or
3 to international broadcasters employed by the U.S. Infor-
4 mation Agency, or to temporary employment of trans-
5 lators, or to temporary employment in the field service
6 (not to exceed sixty days) as a result of emergencies.

7 SEC. 607. Appropriations available to any depart-
8 ment or agency during the current fiscal year for nec-
9 essary expenses, including maintenance or operating ex-
10 penses, shall also be available for payment to the General
11 Services Administration for charges for space and services
12 and those expenses of renovation and alteration of build-
13 ings and facilities which constitute public improvements
14 performed in accordance with the Public Buildings Act of
15 1959 (73 Stat. 749), the Public Buildings Amendments
16 of 1972 (87 Stat. 216), or other applicable law.

17 SEC. 608. Funds made available by this or any other
18 Act for administrative expenses in the current fiscal year
19 of the corporations and agencies subject to chapter 91 of
20 title 31, United States Code, shall be available, in addition
21 to objects for which such funds are otherwise available,
22 for rent in the District of Columbia; services in accordance
23 with 5 U.S.C. 3109; and the objects specified under this
24 head, all the provisions of which shall be applicable to the
25 expenditure of such funds unless otherwise specified in the

1 Act by which they are made available: *Provided*, That in
2 the event any functions budgeted as administrative ex-
3 penses are subsequently transferred to or paid from other
4 funds, the limitations on administrative expenses shall be
5 correspondingly reduced.

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

11 SEC. 610. Pursuant to section 1415 of the Act of
12 July 15, 1952 (66 Stat. 662), foreign credits (including
13 currencies) owed to or owned by the United States may
14 be used by Federal agencies for any purpose for which
15 appropriations are made for the current fiscal year (in-
16 cluding the carrying out of Acts requiring or authorizing
17 the use of such credits), only when reimbursement therefor
18 is made to the Treasury from applicable appropriations
19 of the agency concerned: *Provided*, That such credits re-
20 ceived as exchanged allowances or proceeds of sales of per-
21 sonal property may be used in whole or part payment for
22 acquisition of similar items, to the extent and in the
23 manner authorized by law, without reimbursement to the
24 Treasury.

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

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

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

7 SEC. 614. No part of any appropriation contained in,
8 or funds made available by, this or any other Act, shall
9 be available for any agency to pay to the Administrator
10 of the General Services Administration a higher rate per
11 square foot for rental of space and services (established
12 pursuant to section 210(j) of the Federal Property and
13 Administrative Services Act of 1949, as amended) than
14 the rate per square foot established for the space and serv-
15 ices by the General Services Administration for the fiscal
16 year for which appropriations were granted.

17 SEC. 615. (a)(1) Notwithstanding any other provision
18 of law, no part of any of the funds appropriated for the
19 fiscal year ending on September 30, 1994, by this or any
20 other Act, may be used to pay any prevailing rate em-
21 ployee described in section 5342(a)(2)(A) of title 5, United
22 States Code~~(94)~~—

23 ~~(A) during the period from the date of expira-~~
24 ~~tion of the limitation imposed by section 616 of the~~
25 ~~Treasury, Postal Service, and General Government~~

1 Appropriations Act, 1993, until the first day of the
2 first applicable pay period that begins on or after
3 July 1, 1994, in an amount that exceeds the rate
4 payable for the applicable grade and step of the ap-
5 plicable wage schedule in accordance with such sec-
6 tion 616; and

7 (B) during the period consisting of the remain-
8 der of fiscal year 1994, in an amount that exceeds,
9 as a result of a wage survey adjustment, the rate
10 payable under paragraph (1) by more than the per-
11 centage adjustment taking effect in fiscal year 1994
12 under section 5304 of title 5, United States Code (if
13 any) with respect to General Schedule positions lo-
14 cated within the boundaries of the wage area (or
15 local wage area, as applicable) of such prevailing
16 rate employee.

17 (2) If the application of paragraph (1)(B) with re-
18 spect to a particular wage area (or local wage area) would
19 cause more than 1 percentage limitation being applicable
20 with respect to such area, rates for prevailing rate employ-
21 ees (as described in paragraph (1)) within such area shall
22 be subject to such limitation or limitations as shall apply
23 under regulations prescribed by the Office of Personnel
24 Management, in an amount that exceeds the rate payable
25 for the applicable grade and step of the applicable wage

1 *schedule in accordance with section 616 of the Treasury,*
2 *Postal Service, and General Government Appropriations*
3 *Act, 1993, on the last day of the limitation imposed by such*
4 *section 616, except as provided under paragraph (2).*

5 *(2)(A) If, during the fiscal year ending on September*
6 *30, 1994, employees under the General Schedule receive a*
7 *pay adjustment under section 5303 of title 5, United States*
8 *Code, or locality-based comparability payments under sec-*
9 *tion 5304 of such title 5, the Office of Personnel Manage-*
10 *ment shall, in accordance with the provisions of this para-*
11 *graph, provide for adjustments for wage schedules and rates*
12 *for employees described in section 5342(a)(2)(A) of such*
13 *title 5 that are equitable in timing and amount in relation*
14 *to the adjustment and payments under sections 5303 and*
15 *5304.*

16 *(B) In determining what adjustments would be equi-*
17 *table under this paragraph, the Office shall compare the re-*
18 *duction in the average pay disparity (as that term is de-*
19 *finied in section 5302(6) of title 5) resulting from the adjust-*
20 *ment and payments under sections 5303 and 5304 with the*
21 *disparity in each wage area between the rates payable*
22 *under section 616 of the Treasury, Postal Service, and Gen-*
23 *eral Government Appropriations Act, 1993, and the pre-*
24 *vailing wage rates in such wage area as determined under*

1 *the provisions of subchapter IV of chapter 53 of title 5, as*
2 *in effect on the date of enactment of this Act.*

3 *(C) The Office shall discuss with and consider the*
4 *views of the Federal Prevailing Rate Advisory Committee*
5 *in carrying out the Office's responsibilities under this para-*
6 *graph.*

7 *(D) Not later than January 1, 1994, the Office shall*
8 *submit a report to the Senate and House Committees on*
9 *Appropriations setting forth the Office's plan for providing*
10 *adjustments under this paragraph. Such report shall in-*
11 *clude the views of the Federal Prevailing Rate Advisory*
12 *Committee, and the individual views of any member of such*
13 *Advisory Committee*

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

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

1 tember 30, 1993, shall be determined under regulations
2 prescribed by the Office of Personnel Management.

3 (d) Notwithstanding any other provision of law, rates
4 of premium pay for employees subject to this section may
5 not be changed from the rates in effect on September 30,
6 1993, except to the extent determined by the Office of
7 Personnel Management to be consistent with the purpose
8 of this section.

9 (e) The provisions of this section shall apply with re-
10 spect to pay for services performed by any affected em-
11 ployee on or after October 1, 1993.

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

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

1 (h) The Office of Personnel Management may pre-
2 scribe any regulations which may be necessary to carry
3 out this section.

4 SEC. 616. During the period in which the head of
5 any department or agency, or any other officer or civilian
6 employee of the Government appointed by the President
7 of the United States, holds office, no funds may be obli-
8 gated or expended in excess of \$5,000 to furnish or re-
9 decorate the office of such department head, agency head,
10 officer or employee, or to purchase furniture or make im-
11 provements for any such office, unless advance notice of
12 such furnishing or redecoration is expressly approved by
13 the Committees on Appropriations of the House and Sen-
14 ate. For the purposes of this section the word "office"
15 shall include the entire suite of offices assigned to the indi-
16 vidual, as well as any other space used primarily by the
17 individual or the use of which is directly controlled by the
18 individual.

19 SEC. 617. (a) Notwithstanding the provisions of sec-
20 tions 112 and 113 of title 3, United States Code, each
21 Executive agency detailing any personnel shall submit a
22 report on an annual basis in each fiscal year to the Senate
23 and House Committees on Appropriations on all employ-
24 ees or members of the armed services detailed to Executive
25 agencies, listing the grade, position, and offices of each

1 person detailed and the agency to which each such person
2 is detailed.

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

6 (1) the Central Intelligence Agency;

7 (2) the National Security Agency;

8 (3) the Defense Intelligence Agency;

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

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

14 (6) any agency, office, or unit of the Army,
15 Navy, Air Force, and Marine Corps, the Federal Bu-
16 reau of Investigation and the Drug Enforcement Ad-
17 ministration of the Department of Justice, the De-
18 partment of the Treasury, ~~(95)the Department of~~
19 ~~Transportation~~, and the Department of Energy per-
20 forming intelligence functions; and

21 (7) the Director of Central Intelligence.

22 (c) The exemptions in part (b) of this section are not
23 intended to apply to information on the use of personnel
24 detailed to or from the intelligence agencies which is cur-
25 rently being supplied to the Senate and House Intelligence

1 and Appropriations Committees by the executive branch
2 through budget justification materials and other reports.

3 (d) For the purposes of this section, the term “Exec-
4 utive agency” has the same meaning as defined under sec-
5 tion 105 of title 5, United States Code (except that the
6 provisions of section 104(2) of title 5, United States Code,
7 shall not apply) and includes the White House Office, the
8 Executive Residence, and any office, council, or organiza-
9 tional unit of the Executive Office of the President.

10 SEC. 618. No funds appropriated in this or any other
11 Act for fiscal year 1994 may be used to implement or en-
12 force the agreements in Standard Forms 312 and 4355
13 of the Government or any other nondisclosure policy, form
14 or agreement if such policy, form or agreement does not
15 contain the following provisions:

16 “These restrictions are consistent with and do not su-
17 perse conflict with or otherwise alter the employee obli-
18 gations, rights or liabilities created by Executive Order
19 12356; section 7211 of title 5, United States Code (gov-
20 erning disclosures to Congress); section 1034 of title 10,
21 United States Code, as amended by the Military Whistle-
22 blower Protection Act (governing disclosure to Congress
23 by members of the military); section 2302(b)(8) of title
24 5, United States Code, as amended by the Whistleblower
25 Protection Act (governing disclosures of illegality, waste,

1 fraud, abuse or public health or safety threats); the Intel-
2 ligence Identities Protection Act of 1982 (50 U.S.C. 421
3 et seq.) (governing disclosures that could expose confiden-
4 tial Government agents), and the statutes which protect
5 against disclosure that may compromise the national secu-
6 rity, including sections 641, 793, 794, 798, and 952 of
7 title 18, United States Code, and section 4(b) of the Sub-
8 versive Activities Act of 1950 (50 U.S.C. section 783(b)).
9 The definitions, requirements, obligations, rights, sanc-
10 tions and liabilities created by said Executive Order and
11 listed statutes are incorporated into this Agreement and
12 are controlling.”.

13 SEC. 619. Notwithstanding any other provision of
14 law, no executive branch agency shall purchase, construct,
15 and/or lease any additional facilities, except within or con-
16 tiguous to existing locations, to be used for the purpose
17 of conducting Federal law enforcement training without
18 the advance approval of the House and Senate Committees
19 on Appropriations.

20 ~~(96)~~SEC. 620. (a) None of the funds appropriated
21 by this or any other Act may be expended by any Federal
22 agency to procure any product or service that is subject
23 to the provisions of Public Law 89-306 and that will be
24 available under the procurement by the Administrator of
25 General Services known as “FTS2000” unless—

1 (1) such product or service is procured by the
2 Administrator of General Services as part of the
3 procurement known as “FTS2000”; or

4 (2) that agency establishes to the satisfaction of
5 the Administrator of General Services that—

6 (A) the agency’s requirements for such
7 procurement are unique and cannot be satisfied
8 by property and service procured by the Admin-
9 istrator of General Services as part of the pro-
10 curement known as “FTS2000”; and

11 (B) the agency procurement, pursuant to
12 such delegation, would be cost-effective and
13 would not adversely affect the cost-effectiveness
14 of the FTS2000 procurement.

15 (b) After July 31, 1994, subsection (a) shall apply
16 only if the Administrator of General Services has reported
17 that the FTS2000 procurement is producing prices that
18 allow the Government to satisfy its requirements for such
19 procurement in the most cost-effective manner.

20 **(97)** *SEC. 620. Subsections (c) and (d) of section 3726*
21 *of title 31 U.S.C. are amended to read as follows:*

22 *“(c) Expenses of transportation audit postpayment*
23 *contracts and contract administration, and the expenses of*
24 *all other transportation audit and audit-related functions*
25 *conferred upon the Administrator of General Services, shall*

1 *be financed from overpayments collected from carriers on*
2 *transportation bills paid by the Government and other*
3 *similar type refunds, not to exceed collections. Payment to*
4 *any contractor for audit services shall not exceed 50 percent*
5 *of the overpayment identified by contract audit.*

6 “(d) *At least annually, and as determined by the Ad-*
7 *ministrators, after making adequate provision for expense*
8 *of refunds to carriers, transportation audit postpayment*
9 *contracts, contract administration, and other expenses au-*
10 *thorized in subsection (c), overpayments collected by the*
11 *General Services Administration shall be transferred to*
12 *miscellaneous receipts of the Treasury. A report of receipts,*
13 *disbursements, and transfers (to miscellaneous receipts)*
14 *pursuant to this section shall be made annually in connec-*
15 *tion with the budget estimates to the Director of the Office*
16 *of Management and Budget and to the Congress.”.*

17 SEC. 621. (a) No amount of any grant made by a
18 Federal agency shall be used to finance the acquisition of
19 goods or services (including construction services) unless
20 the recipient of the grant agrees, as a condition for the
21 receipt of such grant, to—

22 (1) specify in any announcement of the award-
23 ing of the contract for the procurement of the goods
24 and services involved (including construction serv-

1 ices) the amount of Federal funds that will be used
2 to finance the acquisition; and

3 (2) express the amount announced pursuant to
4 paragraph (1) as a percentage of the total costs of
5 the planned acquisition.

6 (b) The requirements of subsection (a) shall not apply
7 to a procurement for goods or services (including construc-
8 tion services) that has an aggregate value of less than
9 \$500,000.

10 SEC. 622. Notwithstanding section 1346 of title 31,
11 United States Code, or section 611 of this Act, funds
12 made available for fiscal year 1994 by this or any other
13 Act shall be available for the interagency funding of na-
14 tional security and emergency preparedness telecommuni-
15 cations initiatives which benefit multiple Federal depart-
16 ments, agencies, or entities, as provided by Executive
17 Order Numbered 12472 (April 3, 1984).

18 SEC. 623. Notwithstanding any provisions of this or
19 any other Act, during the fiscal year ending September
20 30, 1994, any department, division, bureau, or office may
21 use funds appropriated by this or any other Act to install
22 telephone lines, necessary equipment, and to pay monthly
23 charges, in any private residence or private apartment of
24 an employee who has been authorized to work at home
25 in accordance with guidelines issued by the Office of Per-

1 sonnel Management: *Provided*, That the head of the de-
2 partment, division, bureau, or office certifies that ade-
3 quate safeguards against private misuse exist, and that
4 the service is necessary for direct support of the agency's
5 mission.

6 SEC. 624. (a) None of the funds appropriated by this
7 or any other Act may be obligated or expended by any
8 Federal department, agency, or other instrumentality for
9 the salaries or expenses of any employee appointed to a
10 position of a confidential or policy-determining character
11 excepted from the competitive service pursuant to section
12 3302 of title 5, United States Code, without a certification
13 to the Office of Personnel Management from the head of
14 the Federal department, agency, or other instrumentality
15 employing the Schedule C appointee that the Schedule C
16 position was not created solely or primarily in order to
17 detail the employee to the White House.

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

- 21 (1) the Central Intelligence Agency;
22 (2) the National Security Agency;
23 (3) the Defense Intelligence Agency;

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

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

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

12 (7) the Director of Central Intelligence.

13 SEC. 625. None of the funds appropriated by this or
14 any other Act may be used to relocate the Department
15 of Justice Immigration Judges from offices located in
16 Phoenix, Arizona to new quarters in Florence, Arizona
17 without the prior approval of the House and Senate Com-
18 mittees on Appropriations.

19 SEC. 626. None of the funds made available in this
20 Act for “Allowances and Office Staff for Former Presi-
21 dents” may be used for partisan political activities.

22 **(98)** *SEC. 627. Section 635 of the Public Law 102-*
23 *393 is amended in paragraph (c)(2) by striking “1993” and*
24 *inserting “1994”.*

1 **(99)** *SEC. 628. Section 404 of the Federal Employees*
2 *Pay Comparability Act of 1990 is amended by striking*
3 *“Washington, DC–MD–VA Metropolitan Statistical Area”*
4 *and inserting in its place, “Washington-Baltimore DC–*
5 *MD–VA–WV Consolidated Metropolitan Statistical Area”.*

6 **(100)** *SEC. 629. Paragraphs (c), (d), and (e) of section*
7 *6962j of U.S.C. 42, are amended to read as follows:*

8 *“(c) For purposes of this section, ‘recycled cartridge’*
9 *means a laser printer, photocopier, facsimile machine, or*
10 *microphotographic toner cartridge which has been remanu-*
11 *factured in the United States.*

12 *“(d) Not less than 50 percent of cartridge procurement*
13 *requirements shall be achieved by a set-aside for small busi-*
14 *ness concerns, the remainder shall be acquired through the*
15 *use of unrestricted full and open competition. The provision*
16 *of this paragraph shall not affect current law with respect*
17 *to Federal Prison Industries, Inc. (UNICOR) or Organiza-*
18 *tions for the Blind or Other Severely Handicapped (NIB/*
19 *NISH).*

20 *“(e) For the purpose of this section ‘small business con-*
21 *cern’ has the meaning given such term in the Small Busi-*
22 *ness Act (U.S.C. 632(a)).”.*

23 **(101)** *SEC. 630. No department, agency, or instrumen-*
24 *tality of the United States receiving appropriated funds*
25 *under this or any other Act for fiscal year 1994 shall obli-*

1 *gate or expend any such funds, unless such department,*
 2 *agency or instrumentality has in place by July 1, 1994,*
 3 *and will continue to administer in good faith, a written*
 4 *policy designed to ensure that all of its workplaces are free*
 5 *from discrimination and sexual harassment and that all*
 6 *of its workplaces are not in violation of title VII of the Civil*
 7 *Rights Act of 1964, as amended, the Age Discrimination*
 8 *in Employment Act of 1967, and the Rehabilitation Act of*
 9 *1973.*

10 **(102)** *TITLE VII—REVENUE FORGONE REFORM*

11 *SHORT TITLE; TABLE OF CONTENTS*

12 *SEC. 701. (a) SHORT TITLE.—This title may be cited*
 13 *as the “Revenue Forgone Reform Act”.*

14 *(b) TABLE OF CONTENTS.—The table of contents for*
 15 *this title is as follows:*

Sec. 701. Short title; table of contents.

Sec. 702. References.

Sec. 703. Repeal of authorization of appropriations for mail sent at reduced rates of postage.

Sec. 704. Establishing reduced rates of postage.

Sec. 705. Eligibility of certain mailings for reduced rates of postage.

Sec. 706. Provisions relating to rates for books and certain other materials.

Sec. 707. Sense of Congress.

Sec. 708. Technical corrections.

16 *REFERENCES*

17 *SEC. 702. Except as otherwise expressly provided,*
 18 *whenever in this title an amendment or repeal is expressed*
 19 *in terms of an amendment to, or a repeal of, a section or*
 20 *other provision, the reference shall be considered to be made*

1 *to a section or other provision of title 39, United States*
 2 *Code.*

3 *REPEAL OF AUTHORIZATION OF APPROPRIATIONS FOR*
 4 *MAIL SENT AT REDUCED RATES OF POSTAGE*

5 *SEC. 703. (a) IN GENERAL.—Section 2401(c) is*
 6 *amended—*

7 *(1) in the first sentence—*

8 *(A) by striking “if sections” through “had*
 9 *not been enacted” and inserting “if sections*
 10 *3217, 3403 through 3406, and 3629 had not been*
 11 *enacted”; and*

12 *(B) by striking “such sections and Acts.”*
 13 *and inserting “such sections.”; and*

14 *(2) in the second sentence—*

15 *(A) by striking “(i)”;* and

16 *(B) by striking “volume;” through “sched-*
 17 *ules.” and inserting “volume.”.*

18 *(b) APPLICABILITY.—The amendments made by sub-*
 19 *section (a) shall apply with respect to appropriations for*
 20 *fiscal years beginning after September 30, 1993.*

21 *ESTABLISHING REDUCED RATES OF POSTAGE*

22 *SEC. 704. (a) RATES.—*

23 *(1) IN GENERAL.—Section 3626(a) is amended*
 24 *to read as follows:*

25 *“(a)(1) Except as otherwise provided in this section,*
 26 *rates of postage for a class of mail or kind of mailer under*

1 *former section 4358, 4452(b), 4452(c), 4454(b), or 4454(c)*
2 *of this title shall be established in accordance with the ap-*
3 *plicable provisions of this chapter.*

4 *“(2) For the purpose of this subsection—*

5 *“(A) the term ‘costs attributable’, as used with*
6 *respect to a class of mail or kind of mailer, means the*
7 *direct and indirect postal costs attributable to such*
8 *class of mail or kind of mailer (excluding any other*
9 *costs of the Postal Service): Provided, That with re-*
10 *spect to mail under former section 4452(b) and*
11 *4452(c) of this title, such attributable costs shall be*
12 *allocated between letter-shaped mail and non-letter-*
13 *shaped mail, as such types of mail are defined in the*
14 *associated classification and rate schedules, in a man-*
15 *ner that will at a minimum preserve the difference*
16 *between the basic rate for non-letter-shaped mail and*
17 *the basic price rate for letter-shaped mail established*
18 *under title II of Public Law No. 102–141, the Postal*
19 *Service Appropriations Act, 1992;*

20 *“(B) the term ‘regular-rate category’ means any*
21 *class of mail or kind of mailer, other than a class or*
22 *kind referred to in paragraph (2)(A) or section*
23 *2401(c); and*

24 *“(C) the term ‘institutional-costs contribution’,*
25 *as used with respect to a class of mail or kind of*

1 *mailer, means that portion of the estimated revenues*
2 *to the Postal Service from such class of mail or kind*
3 *of mailer which remains after subtracting an amount*
4 *equal to the estimated costs attributable to such class*
5 *of mail or kind of mailer.*

6 “(3)(A) *Except as provided in paragraph (4) or (5),*
7 *rates of postage for a class of mail or kind of mailer under*
8 *former section 4358, 4452(b), 4452(c), 4554(b), or 4554(c)*
9 *of this title shall be established in a manner such that the*
10 *estimated revenues to be received by the Postal Service from*
11 *such class of mail or kind of mailer shall be equal to the*
12 *sum of—*

13 “(i) *the estimated costs attributable to such class*
14 *of mail or kind of mailer; and*

15 “(ii) *the product derived by multiplying the esti-*
16 *mated costs referred to in clause (i) by the applicable*
17 *percentage under subparagraph (B).*

18 “(B) *The applicable percentage for any class of mail*
19 *or kind of mailer referred to in subparagraph (A) shall be*
20 *the product derived by multiplying—*

21 “(i) *the percentage which, for the most closely*
22 *corresponding regular-rate category, the institutional-*
23 *costs contribution for such category represents relative*
24 *to the estimated costs attributable to such category of*
25 *mail, times*

1 “(ii)(I) one-twelfth, for fiscal year 1994;

2 “(II) one-sixth, for fiscal year 1995;

3 “(III) one-fourth, for fiscal year 1996;

4 “(IV) one-third, for fiscal year 1997;

5 “(V) five-twelfths, for fiscal year 1998; and

6 “(VI) one-half, for any fiscal year after fiscal
7 year 1998.

8 “(C) Temporary special authority to permit the timely
9 implementation of the preceding provisions of this para-
10 graph is provided under section 3642.

11 “(D) For purposes of establishing rates of postage
12 under this subchapter for any of the classes of mail or kinds
13 of mailers referred to in subparagraph (A), subclauses (I)
14 through (V) of subparagraph (B)(ii) shall be deemed
15 amended by striking the fraction specified in each such
16 subclause and inserting ‘one-half’.

17 “(4) The rates for the advertising portion of any mail
18 matter under former section 4358(d) or 4358(e) of this title
19 shall be equal to the rates for the advertising portion of the
20 most closely corresponding regular-rate category of mail, ex-
21 cept that if the advertising portion does not exceed 10 per-
22 cent of the issue of the publication involved, the advertising
23 portion shall be subject to the same rates as apply to the
24 nonadvertising portion.

1 “(5) The rates for any advertising under former sec-
2 tion 4358(f) of this title shall be equal to 75 percent of the
3 rates for advertising contained in the most closely cor-
4 responding regular-rate category of mail.”.

5 (2) *SPECIAL AUTHORITY.*—Subchapter III of
6 chapter 36 is amended by adding at the end the fol-
7 lowing:

8 **“§ 3642. Special authority relating to reduced-rate**
9 **categories of mail**

10 “(a) In order to permit the timely implementation of
11 section 3626(a)(2), the Postal Service may establish tem-
12 porary rates of postage for any class of mail or kind of
13 mailer referred to in section 3626(a)(3)(A).

14 “(b) Any exercise of authority under this section shall
15 be in conformance with the requirements of section 3626(a),
16 subject to the following:

17 “(1) All attributable costs and institutional-costs
18 contributions assumed shall be the same as those
19 which were assumed for purposes of the then most re-
20 cent proceedings under subchapter II pursuant to
21 which rates of postage for the class of mail or kind
22 of mailer involved were last adjusted.

23 “(2) Any temporary rate established under this
24 section shall take effect upon such date as the Postal
25 Service may determine, except that—

1 “(A) such a rate may take effect only after
2 10 days’ notice in the Federal Register; and

3 “(B) no such rate may take effect after Sep-
4 tember 30, 1998.

5 “(3) A temporary rate under this section may
6 remain in effect no longer than the last day of the fis-
7 cal year in which it first takes effect.

8 “(4) Authority under this section may not be ex-
9 ercised in a manner that would result in more than
10 1 change taking effect under this section, during the
11 same fiscal year, in the rates of postage for a particu-
12 lar class of mail or kind of mailer, except as provided
13 in paragraph (5).

14 “(5) Nothing in paragraph (4) shall prevent an
15 adjustment under this section in rates for a class of
16 mail or kind of mailer with respect to which any
17 rates took effect under this section earlier in the same
18 fiscal year if—

19 “(A) the rates established for such class of
20 mail or kind of mailer by the earlier adjustment
21 are superseded by new rates established under
22 subchapter II; and

23 “(B) authority under this paragraph has
24 not previously been exercised with respect to such

1 *class of mail or kind of mailer based on the new*
2 *rates referred to in subparagraph (A).*

3 “(c) *The Postal Service may prescribe any regulations*
4 *which may be necessary to carry out this section, including*
5 *provisions governing the coordination of adjustments under*
6 *this section with any other adjustments under this title.*”.

7 (3) *TECHNICAL AND CONFORMING AMEND-*
8 *MENTS.—*

9 (A) *SECTION 3626.—Section 3626(i) is re-*
10 *pealed.*

11 (B) *SECTION 3627.—Section 3627 is amend-*
12 *ed by striking “sent at a free or reduced rate*
13 *under section 3217, 3403 through 3406, 3626, or*
14 *3629 of this title,” and inserting “sent free of*
15 *postage under section 3217 or 3403 through 3406*
16 *or at a reduced rate under section 3629”.*

17 (C) *TABLE OF CONTENTS.—The table of*
18 *contents for chapter 36 is amended by inserting*
19 *after the item relating to section 3641 the follow-*
20 *ing:*

“3642. Special authority relating to reduced-rate categories of mail.”.

21 (b) *AUTHORIZATION.—*

22 (1) *IN GENERAL.—Section 2401 is amended—*

23 (A) *by striking subsections (d) through (f);*

24 (B) *by redesignating subsections (g) through*

25 (i) *as subsections (e) through (g), respectively;*

1 (C) in subsection (f) (as so redesignated by
2 subparagraph (B)) by striking the second sen-
3 tence;

4 (D) in subsection (g) (as so redesignated by
5 subparagraph (B)) by striking “subsections (b)
6 and (d) of this section” and inserting “sub-
7 section (b)”; and

8 (E) by inserting after subsection (c) the fol-
9 lowing:

10 “(d) As reimbursement to the Postal Service for losses
11 which it incurred as a result of insufficient amounts appro-
12 priated under section 2401(c) for fiscal years 1991 through
13 1993, and to compensate for the additional revenues it is
14 estimated the Postal Service would have received under the
15 provisions of section 3626(a), for the period beginning on
16 October 1, 1993, and ending on September 30, 1998,
17 if the fraction specified in subclause (VI) of section
18 3626(a)(3)(B)(ii) were applied with respect to such period
19 (instead of the respective fractions specified in subclauses
20 (I) through (V) thereof), there are authorized to be appro-
21 priated to the Postal Service \$29,000,000 for each of fiscal
22 years 1994 through 2035.”.

23 (2) RATEMAKING LIMITATIONS.—

24 (A) IN GENERAL.—Except as provided in
25 subparagraph (B), rates of postage may not be

1 *established, under subchapter II of chapter 36 of*
2 *title 39, United States Code, in a manner de-*
3 *signed to allow the United States Postal Service*
4 *to receive through revenues any portion of the*
5 *additional revenues (referred to in section*
6 *2401(d) of such title, as amended by paragraph*
7 *(1)(E)) for which amounts are authorized to be*
8 *appropriated under such section 2401(d).*

9 *(B) EXCEPTION.—If Congress fails to ap-*
10 *propriate an amount authorized under section*
11 *2401(d) of title 39, United States Code (as*
12 *amended by paragraph (1)(E)), rates for the var-*
13 *ious classes of mail may be adjusted in accord-*
14 *ance with the provisions of subchapter II of*
15 *chapter 36 of such title (excluding section 3627*
16 *thereof) such that the resulting increase in reve-*
17 *nuces will equal the amount that Congress so*
18 *failed to appropriate.*

19 *(c) APPLICABILITY.—*

20 *(1) RATES.—The amendments made by sub-*
21 *section (a) shall apply with respect to rates for mail*
22 *sent after September 30, 1993.*

23 *(2) AUTHORIZATION.—The amendments made by*
24 *subsection (b) shall apply with respect to appropria-*

1 *for mail under former section 4452(b) or 4452(c)*
2 *of this title;*

3 *except that—*

4 “(I) any determination under clause (i)
5 *that a product or service is not substantially re-*
6 *lated to a particular purpose shall be made*
7 *under regulations which shall be prescribed by*
8 *the Postal Service and which shall be consistent*
9 *with standards established by the Internal Reve-*
10 *nue Service and the courts under subsections (a)*
11 *and (c) of section 513 of the Internal Revenue*
12 *Code of 1986; and*

13 “(II) clause (i) shall not apply if the prod-
14 *uct involved is a periodical publication described*
15 *in subsection (m)(2) (including a subscription to*
16 *receive any such publication).”.*

17 (b) *PRODUCTS.—Section 3626 is amended by adding*
18 *at the end the following:*

19 “(m)(1) *In the administration of this section, the rates*
20 *for mail under former section 4452(b) or 4452(c) of this*
21 *title shall not apply to mail consisting of products, unless*
22 *such products—*

23 “(A) *were received by the organization as gifts or*
24 *contributions; or*

1 “(1) constitute materials specified in former sec-
2 tion 4554(b)(2) of this title; and

3 “(2) are sent between—

4 “(A) an institution, organization, or asso-
5 ciation listed in subparagraph (A) or (B) of such
6 former section 4554(b)(1) and any other such in-
7 stitution, organization, or association;

8 “(B) an institution, organization, or asso-
9 ciation referred to in subparagraph (A) and any
10 individual (other than an individual having a
11 financial interest in the sale, promotion, or dis-
12 tribution of the materials involved); or

13 “(C) an institution, organization, or asso-
14 ciation referred to in subparagraph (A) and a
15 qualified nonprofit organization (as defined in
16 former section 4452(d) of this title) that is not
17 such an institution, organization, or associa-
18 tion.”.

19 (b) *APPLICABILITY.*—The amendment made by sub-
20 section (a) shall apply with respect to mail sent after Sep-
21 tember 30, 1993.

22 *SENSE OF CONGRESS*

23 *SEC. 707. It is the sense of the Congress that any legis-*
24 *lation, enacted after September 30, 1994, which would have*
25 *the effect of expanding the classes of mail or kinds of mailers*
26 *eligible for reduced rates of postage should provide for suffi-*

1 *cient funding to ensure that neither any losses to the United*
2 *States Postal Service nor any increase in the rates of post-*
3 *age for any of the other classes of mail or kinds of mailers*
4 *will result.*

5 *TECHNICAL CORRECTIONS*

6 *SEC. 708. (a) SECTION 410.—Section 410(b) is*
7 *amended—*

8 *(1) in paragraph (8) by striking “and” after the*
9 *semicolon;*

10 *(2) in the first paragraph (9) by striking “Chap-*
11 *ter” and inserting “chapter”, and by striking the pe-*
12 *riod and inserting “; and”; and*

13 *(3) by designating the second paragraph (9) as*
14 *paragraph (10).*

15 *(b) SECTION 3202.—Section 3202(a) is amended—*

16 *(1) in paragraph (3) by adding “and” after the*
17 *semicolon; and*

18 *(2) in paragraph (4) by striking “; and” and*
19 *inserting a period.*

20 *(c) SECTION 3601.—Section 3601(a) is amended by*
21 *striking “concent” and inserting “consent”.*

22 *(d) SECTION 3625.—Section 3625(d) is amended by*
23 *striking “section 3268” and inserting “section 3628”.*

24 *(e) SECTION 3626.—Section 3626 is amended by redес-*
25 *ignating the second subsection (k) as subsection (l).*

1 **(103)** *SEC. 709. REDUCED RATES FOR VOTER REG-*
2 *ISTRATION MAIL.—Section 3629 of title 39, United States*
3 *Code, as enacted by section 8(h) of Public Law 103–31, the*
4 *National Voter Registration Act of 1993, is amended by*
5 *striking “the rate for any class of mail that is available*
6 *to a qualified nonprofit organization under section 3626”*
7 *and inserting in lieu thereof “a rate which is one-half the*
8 *applicable rate for First-Class Mail, as provided in the rel-*
9 *evant classification and rate schedules,”.*

10 **(104)** *TITLE VIII—NONSMOKING POLICY*

11 **SEC. 801. SHORT TITLE.**

12 *This title may be cited as the “Preventing Our Federal*
13 *Building Workers and Visitors From Exposure to Deadly*
14 *Smoke (PRO–FEDS) Act of 1993”.*

15 **SEC. 802. FINDINGS.**

16 *Congress finds that—*

17 *(1) environmental tobacco smoke comes from sec-*
18 *ondhand smoke exhaled by smokers and sidestream*
19 *smoke emitted from the burning of cigarettes, cigars,*
20 *and pipes;*

21 *(2) since citizens of the United States spend up*
22 *to 90 percent of a day indoors, there is a significant*
23 *potential for exposure to environmental tobacco smoke*
24 *from indoor air;*

1 (3) *exposure to environmental tobacco smoke oc-*
2 *curs in schools, public buildings, and other indoor fa-*
3 *cilities;*

4 (4) *recent scientific studies have concluded that*
5 *exposure to environmental tobacco smoke is a cause of*
6 *lung cancer in healthy nonsmokers and is responsible*
7 *for acute and chronic respiratory problems and other*
8 *health impacts in sensitive populations (including*
9 *children);*

10 (5) *the health risks posed by environmental to-*
11 *bacco smoke exceed the risks posed by many environ-*
12 *mental pollutants regulated by the Environmental*
13 *Protection Agency; and*

14 (6) *according to information released by the En-*
15 *vironmental Protection Agency, environmental to-*
16 *bacco smoke results in a loss to the economy of over*
17 *\$3,000,000,000 per year.*

18 **SEC. 803. DEFINITIONS.**

19 *As used in this title:*

20 (1) *ADMINISTRATOR.*—*The term “Adminis-*
21 *trator” means the Administrator of the Environ-*
22 *mental Protection Agency.*

23 (2) *EXECUTIVE AGENCY.*—*The term “Executive*
24 *agency” has the meaning provided in section 105 of*
25 *title 5, United States Code.*

1 (3) *FEDERAL AGENCY.*—The term “Federal agen-
2 cy” includes any Executive agency, the Executive Of-
3 fice of the President, any military department, any
4 court of the United States, the Administrative Office
5 of the United States Courts, the Library of Congress,
6 the Botanic Garden, the Government Printing Office,
7 the Congressional Budget Office, the United States
8 Postal Service, the Postal Rate Commission, the Office
9 of the Architect of the Capitol, the Office of Tech-
10 nology Assessment, and any other agency of the execu-
11 tive, legislative, and judicial branches.

12 (4) *FEDERAL BUILDING.*—The term “Federal
13 building” means any building or other structure
14 owned or leased for use by a Federal agency, except
15 that the term shall not include any area of a building
16 that is used primarily as living quarters.

17 (5) *SECRETARY.*—The term “Secretary” means
18 the Secretary of Health and Human Services.

19 **SEC. 804. NONSMOKING POLICY FOR FEDERAL BUILDINGS.**

20 (a) *IN GENERAL.*—

21 (1) *ISSUANCE OF GUIDELINES.*—Not later than
22 180 days after the date of enactment of this Act, the
23 Administrator shall issue guidelines for instituting
24 and enforcing a nonsmoking policy at each Federal
25 agency.

1 (2) *CONTENTS OF GUIDELINES.*—A nonsmoking
2 policy that meets the requirements of the guidelines
3 shall, at a minimum, prohibit smoking in each in-
4 door portion of a Federal building that is not venti-
5 lated separately (as defined by the Administrator)
6 from other portions of the facility.

7 (b) *ADOPTION OF GUIDELINES.*—

8 (1) *IN GENERAL.*—As soon as is practicable after
9 the date of issuance of the guidelines referred to in
10 subsection (a), the head of each Executive agency, and
11 the Director of the Administrative Office of the Unit-
12 ed States Courts shall adopt a nonsmoking policy ap-
13 plicable to the Federal agency under the jurisdiction
14 of the individual that meets the requirements of the
15 guidelines referred to in subsection (a), and take such
16 action as is necessary to ensure that the policy is car-
17 ried out in the manner specified in the guidelines.

18 (2) *LEGISLATIVE BRANCH.*—As soon as is prac-
19 ticable after the date of issuance of the guidelines re-
20 ferred to in subsection (a), the following entities and
21 individuals shall adopt a nonsmoking policy that
22 meets the requirements of the guidelines referred to in
23 subsection (a), and take such action as is necessary
24 to ensure that the policy is carried out in the manner
25 specified in the guidelines:

1 (A) *With respect to the House of Represent-*
2 *atives (including any office space or buildings of*
3 *the House of Representatives), the House Office*
4 *Building Commission.*

5 (B) *With respect to the Senate (including*
6 *any office space or buildings of the Senate), the*
7 *Committee on Rules and Administration of the*
8 *Senate.*

9 (C) *With respect to any other area occupied*
10 *or used by a Federal agency of the legislative*
11 *branch, the Architect of the Capitol.*

12 (3) *CERTIFICATION FOR EXECUTIVE AGENCIES.—*
13 *The Administrator of General Services, in consulta-*
14 *tion with the Administrator, shall review each non-*
15 *smoking policy adopted by the head of an Executive*
16 *agency and shall certify those policies that meet the*
17 *requirements of the guidelines referred to in sub-*
18 *section (a). In carrying out the certification, the Ad-*
19 *ministrator of General Services shall use a procedure*
20 *and apply criteria that the Administrator shall estab-*
21 *lish. Except as provided in subsection (c), if a policy*
22 *does not meet the requirements of the guidelines, the*
23 *Administrator of General Services shall—*

24 (A) *in a written communication, advise the*
25 *head of the Executive agency concerning modi-*

1 *fications of the policy to meet the requirements;*
2 *and*

3 *(B) publish the communication in the Fed-*
4 *eral Register.*

5 *(c) WAIVERS.—*

6 *(1) EXECUTIVE AGENCIES.—The head of an Ex-*
7 *ecutive agency may publicly petition the Adminis-*
8 *trator of General Services for a waiver from institut-*
9 *ing or enforcing a nonsmoking policy (or policy re-*
10 *quirement) under the guidelines issued pursuant to*
11 *subsection (a). The Administrator of General Services*
12 *may waive the requirement if, after consultation with*
13 *the Administrator, the Administrator of General*
14 *Services determines that—*

15 *(A) unusual extenuating circumstances pre-*
16 *vent the head of the Federal agency from enforc-*
17 *ing the policy (or a requirement under the pol-*
18 *icy) (including a case in which the Federal agen-*
19 *cy shares space in an indoor facility with a non-*
20 *Federal entity and cannot obtain an agreement*
21 *with the other entity to abide by the nonsmoking*
22 *policy requirement) and the head of the Execu-*
23 *tive agency will establish and make a good-faith*
24 *effort to enforce an alternative nonsmoking pol-*
25 *icy (or alternative requirement under the policy)*

1 *that will protect individuals from exposure to*
2 *environmental tobacco smoke to the maximum*
3 *extent possible; or*

4 *(B) the head of the Executive agency will*
5 *enforce an alternative nonsmoking policy (or al-*
6 *ternative requirement under the policy) that will*
7 *protect individuals from exposure to environ-*
8 *mental tobacco smoke to the same degree as the*
9 *requirement under the guidelines issued pursu-*
10 *ant to subsection (a).*

11 *(2) AGENCIES OF THE JUDICIAL BRANCH.—After*
12 *consultation with the Administrator, and after pro-*
13 *viding public notice and reasonable opportunity for*
14 *public review and comment, the Director of the Ad-*
15 *ministrative Office of the United States Courts may,*
16 *on the basis of the criteria for a waiver referred to in*
17 *paragraph (1), make such modifications to the non-*
18 *smoking policy required to be carried out pursuant to*
19 *subsection (b) as the Director determines to be nec-*
20 *essary. The Director may not make any modification*
21 *that violates the criteria for a waiver under para-*
22 *graph (1).*

23 *(3) AGENCIES OF THE LEGISLATIVE BRANCH.—*
24 *After consultation with the Administrator, and after*
25 *providing public notice and reasonable opportunity*

1 for public review and comment, the appropriate en-
2 tity or individual referred to in subparagraphs (A)
3 through (C) of subsection (b)(2) may, on the basis of
4 the criteria for a waiver referred to in paragraph (1),
5 make such modifications to the nonsmoking policy re-
6 quired to be carried out pursuant to subsection (b) as
7 the entity or individual determines to be necessary.
8 The entity or individual may not make any modifica-
9 tion that violates the criteria for a waiver under
10 paragraph (1).

11 (d) *COLLECTIVE BARGAINING AGREEMENTS.*—

12 (1) *IN GENERAL.*—In a Federal agency in which
13 a labor organization has been accorded recognition as
14 a bargaining unit pursuant to chapter 71 of title 5,
15 United States Code, the Federal agency shall engage
16 in collective bargaining pursuant to section 7114 of
17 title 5, United States Code, to ensure the implementa-
18 tion of the requirements of this section that affect
19 work areas predominately occupied by the employees
20 represented by the labor organization by the date of
21 the adoption, pursuant to this section, of a non-
22 smoking policy applicable to the Federal agency.

23 (2) *EXEMPTION.*—

24 (A) *IN GENERAL.*—If, on the date of enact-
25 ment of this Act—

1 (i) a bargaining unit referred to in
2 paragraph (1) has in effect a collective bar-
3 gaining agreement with respect to which a
4 Federal agency is a party; and

5 (ii) the collective bargaining agreement
6 referred to in clause (i) includes provisions
7 relating to smoking privileges that are in
8 violation of the requirements of this section,
9 the head of the Federal agency may exempt work
10 areas predominately occupied by the employees
11 subject to the collective bargaining agreement
12 from the nonsmoking policy that the Federal
13 agency is required to be carried out under sub-
14 section (b).

15 (B) TERMINATION OF EXEMPTION.—

16 (i) IN GENERAL.—An exemption re-
17 ferred to in subparagraph (A) shall termi-
18 nate on the earlier of—

19 (I) the first expiration date (after
20 the date of enactment of this Act) of the
21 collective bargaining agreement con-
22 taining the provisions relating to
23 smoking privileges; or

24 (II) the date that is 1 year after
25 the date of issuance of the guidelines.

1 (ii) *IMPLEMENTATION OF NONSMOKING*
2 *POLICY AFTER TERMINATION DATE.*— By
3 *the applicable date specified in clause*
4 *(i)(II), the head of each Federal agency*
5 *shall be required to enforce a nonsmoking*
6 *policy that meets the requirements of the*
7 *guidelines issued under subsection (a) in*
8 *each work area under the jurisdiction of the*
9 *head of the Federal agency, notwithstanding*
10 *any collective bargaining agreement that*
11 *contains provisions that are less restrictive*
12 *than the nonsmoking policy.*

13 ***SEC. 805. TECHNICAL ASSISTANCE AND OUTREACH ACTIVI-***
14 ***TIES.***

15 (a) *TECHNICAL ASSISTANCE.*—*The Administrator and*
16 *the Secretary shall provide technical assistance to the heads*
17 *of Federal agencies and other persons who request technical*
18 *assistance. The technical assistance shall include informa-*
19 *tion—*

20 (1) *on smoking cessation programs for employ-*
21 *ees; and*

22 (2) *to assist in compliance with the requirements*
23 *of this title.*

24 (b) *OUTREACH ACTIVITIES.*—*The Administrator, in*
25 *consultation with the Secretary, shall establish an outreach*

1 *program to inform the public concerning the dangers of en-*
2 *vironmental tobacco smoke. As part of the outreach pro-*
3 *gram, the Administrator and the Secretary shall make*
4 *available to the general public brochures and other edu-*
5 *cational materials. In establishing the programs under this*
6 *paragraph, the Administrator and the Secretary shall co-*
7 *operate to maximize the sharing of information and re-*
8 *sources.*

9 **SEC. 806. REPORT BY THE ADMINISTRATOR.**

10 *Not later than 2 years after the date of enactment of*
11 *this Act, the Administrator shall submit a report to Con-*
12 *gress that includes—*

13 *(1) information concerning the degree of compli-*
14 *ance with this title; and*

15 *(2) an assessment of the legal status of smoking*
16 *in public places.*

17 **SEC. 807. PREEMPTION.**

18 *Nothing in this title is intended to preempt any provi-*
19 *sion of law of a State or political subdivision of a State*
20 *that is more restrictive than a provision of this title.*

21 **SEC. 808. EXEMPTION.**

22 *No provision in this title shall be construed to affect*
23 *or otherwise impair the authority of the Secretary of Veter-*
24 *ans Affairs, under section 526 of the Veterans Health Care*
25 *Act of 1992 (38 U.S.C. 1715 note).*

1 **(105)** *TITLE IX—CIGARETTE SALES TO MINORS*2 **SEC. 901. FINDINGS.**3 *The Congress finds that—*4 *(1) cigarette smoking and the use of smokeless to-*
5 *bacco products continue to represent major health*
6 *hazards to the Nation, causing approximately*
7 *434,000 deaths each year;*8 *(2) cigarette smoking continues to be the single*
9 *most preventable cause of death and disability in the*
10 *United States;*11 *(3) tobacco products contain hazardous addi-*
12 *tives, gases, and other chemical constituents dan-*
13 *gerous to health;*14 *(4) the use of tobacco products costs the United*
15 *States more than \$60,000,000,000 in lost productivity*
16 *and health care costs;*17 *(5) tobacco products contain nicotine, a poison-*
18 *ous, addictive drug;*19 *(6) despite the known adverse health effects asso-*
20 *ciated with tobacco, it remains one of the least regu-*
21 *lated consumer products and is readily available to*
22 *children and adolescents throughout the United*
23 *States;*

1 (7) 90 percent of adult smokers start smoking in
2 adolescence or childhood and continue to smoke
3 throughout their adult lives;

4 (8) each day, more than 3,000 children and ado-
5 lescents start smoking and collectively consume nearly
6 one billion packs of cigarettes per year;

7 (9) reliable studies indicate that tobacco is a
8 gateway to other, increasingly more harmful drugs,
9 and that tobacco use continues after use of other drugs
10 begins; and

11 (10) the Congress of the United States has a
12 major policy setting role in ensuring that the use of
13 tobacco products among minors is discouraged to the
14 maximum extent possible.

15 **SEC. 902. DEFINITIONS.**

16 *As used in this title—*

17 (1) the term “Federal agency” means—

18 (A) an Executive agency as defined in sec-
19 tion 105 of title 5, United States Code; and

20 (B) each entity specified in paragraphs (B)
21 through (H) of section 5721(1) of title 5, United
22 States Code;

23 (2) the term “Federal building” means—

24 (A) any building or other structure owned
25 in whole or in part by the United States or any

1 *Federal agency, including any such structure oc-*
2 *cupied by a Federal agency under a lease agree-*
3 *ment, except that the term shall not include any*
4 *area or portion of a building not leased by the*
5 *Federal Government; and*

6 *(B) includes the real property on which*
7 *such building is located;*

8 *(3) the term “minor” means an individual*
9 *under the age of 18 years; and*

10 *(4) the term “tobacco product” means cigarettes,*
11 *cigars, little cigars, pipe tobacco, smokeless tobacco,*
12 *snuff, and chewing tobacco.*

13 ***SEC. 903. TOBACCO PRODUCTS VENDING MACHINE AND***
14 ***FREE SAMPLE BAN IN FEDERAL BUILDINGS.***

15 *(a) IN GENERAL.—No later than 45 days after the date*
16 *of the enactment of this Act, the Administrator of General*
17 *Services and the head of each Federal agency shall promul-*
18 *gate regulations that prohibit the sale of tobacco products*
19 *in vending machines located in or around any Federal*
20 *building under the jurisdiction of the Administrator or such*
21 *agency head.*

22 *(b) EXCEPTION.—The Administrator of General Serv-*
23 *ices or the head of an agency, as appropriate, may des-*
24 *ignate areas not subject to the provisions of subsection (a),*
25 *if such area also prohibits the presence of minors.*

1 (c) *JURISDICTION OF FEDERAL BUILDINGS AND AD-*
2 *MINISTRATION.*—*The provisions of this section shall be car-*
3 *ried out—*

4 (1) *by the Administrator of General Services for*
5 *any Federal building which is maintained, leased, or*
6 *has title of ownership vested in the General Services*
7 *Administration; or*

8 (2) *by the head of a Federal agency for any Fed-*
9 *eral building which is maintained, leased, or has title*
10 *of ownership vested in such agency.*

11 **SEC. 904. COMPLIANCE REPORT.**

12 *No later than 90 days after the date of enactment of*
13 *this Act, the Administrator of General Services and each*
14 *head of an agency shall prepare and submit, to the appro-*
15 *priate committees of Congress, a report that shall contain—*

16 (1) *verification that the Administrator or such*
17 *head of an agency is in compliance with this Act; and*

18 (2) *a detailed list of the location of all tobacco*
19 *product vending machines located in Federal build-*
20 *ings under the administration of the Administrator*
21 *or such head of an agency.*

22 **SEC. 905. APPLICATION TO THE UNITED STATES CAPITOL**
23 **AND GROUNDS.**

24 (a) *IN GENERAL.*—*No later than 45 days after the date*
25 *of the enactment of this Act, the Senate Committee on Rules*

1 *and Administration and the House of Representatives Com-*
2 *mittee on House Administration, after consultation with*
3 *the Architect of the Capitol, shall promulgate regulations*
4 *under the House and Senate rulemaking authority that pro-*
5 *hibit the sale of tobacco products in vending machines in*
6 *the Capitol Buildings.*

7 (b) *EXCEPTION.—Such committees may designate*
8 *areas where such prohibition shall not apply, if such area*
9 *also prohibits the presence of minors.*

10 (c) *DEFINITION.—For the purpose of this section the*
11 *term “Capitol Buildings” shall have the same meaning as*
12 *such term is defined under section 16(a)(1) of the Act enti-*
13 *tled “An Act to define the area of the United States Capitol*
14 *Grounds, to regulate the use thereof, and for other pur-*
15 *poses”, approved July 31, 1946 (40 U.S.C. 193m(1)).*

16 **SEC. 906. RULE OF CONSTRUCTION.**

17 *Nothing in this Act shall be construed as restricting*
18 *the authority of the Administrator of General Services or*
19 *the head of an agency to limit tobacco product use in or*
20 *around any Federal building, except as provided under sec-*
21 *tion 903(a).*

1 This Act may be cited as the “Treasury, Postal Serv-
2 ice, and General Government Appropriations Act, 1994”.

 Passed the Senate August 3 (legislative day, June
30), 1993.

Attest:

WALTER J. STEWART,

Secretary.

HR 2403 PP—2

HR 2403 PP—3

HR 2403 PP—4

HR 2403 PP—5

HR 2403 PP—6

HR 2403 PP—7

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