

Calendar No. 510

104<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 3756**

[Report No. 104-330]

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## **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, 1997, and for other purposes.

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JULY 23, 1996

Reported with amendments

## Calendar No. 510

104<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**H. R. 3756****[Report No. 104-330]**

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IN THE SENATE OF THE UNITED STATES

JULY 18, 1996

Received; read twice and referred to the Committee on Appropriations

JULY 23, 1996

Reported by Mr. SHELBY, with amendments

[Omit the part struck through and insert the part printed in italic]

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**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, 1997, 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-

1 pendent Agencies, for the fiscal year ending September 30,  
2 1997, and for other purposes, namely:

3 TITLE I—DEPARTMENT OF THE TREASURY

4 DEPARTMENTAL OFFICES

5 SALARIES AND EXPENSES

6 For necessary expenses of the Departmental Offices  
7 including operation and maintenance of the Treasury  
8 Building and Annex; hire of passenger motor vehicles;  
9 maintenance, repairs, and improvements of, and purchase  
10 of commercial insurance policies for, real properties leased  
11 or owned overseas, when necessary for the performance  
12 of official business; not to exceed \$2,900,000 for official  
13 travel expenses; not to exceed \$150,000 for official recep-  
14 tion and representation expenses; not to exceed \$258,000  
15 for unforeseen emergencies of a confidential nature, to be  
16 allocated and expended under the direction of the Sec-  
17 retary of the Treasury and to be accounted for solely on  
18 his certificate; ~~\$108,447,000~~ \$111,348,000: *Provided*, That  
19 up to \$500,000 shall be made available to implement sec-  
20 tion 528 of this Act.

21 AUTOMATION ENHANCEMENT

22 INCLUDING TRANSFER OF FUNDS

23 For the development and acquisition of automatic  
24 data processing equipment, software, and services for the  
25 Department of the Treasury, \$27,100,000, of which

1 \$15,000,000 shall be available to the United States Cus-  
2 toms Service for the Automated Commercial Environment  
3 project, and of which \$5,600,000 shall be available to the  
4 ~~United States Customs Service~~ *Departmental offices* for  
5 the International Trade Data System: *Provided, That*  
6 these funds shall remain available until September 30,  
7 1999: *Provided further, That* these funds shall be trans-  
8 ferred to accounts and in amounts as necessary to satisfy  
9 the requirements of the Department's offices, bureaus,  
10 and other organizations: *Provided further, That* this trans-  
11 fer authority shall be in addition to any other transfer au-  
12 thority provided in this Act: *Provided further, That* none  
13 of the funds shall be used to support or supplement Inter-  
14 nal Revenue Service appropriations for Information Sys-  
15 tems and Tax Systems Modernization: ~~*Provided further,*~~  
16 ~~That none of the funds available for the Automated Com-~~  
17 ~~mercial Environment or the International Trade Data~~  
18 ~~System may be obligated without the advance approval of~~  
19 ~~the House and Senate Committees on Appropriations.~~

20 OFFICE OF INSPECTOR GENERAL

21 SALARIES AND EXPENSES

22 For necessary expenses of the Office of Inspector  
23 General in carrying out the provisions of the Inspector  
24 General Act of 1978, as amended, not to exceed  
25 \$2,000,000 for official travel expenses; including hire of

1 passenger motor vehicles; and not to exceed \$100,000 for  
2 unforeseen emergencies of a confidential nature, to be allo-  
3 cated and expended under the direction of the Inspector  
4 General of the Treasury; \$29,319,000 *\$30,153,000*.

5 OFFICE OF PROFESSIONAL RESPONSIBILITY

6 SALARIES AND EXPENSES

7 INCLUDING TRANSFER OF FUNDS

8 For necessary expenses of the Office of Professional  
9 Responsibility, including purchase and hire of passenger  
10 motor vehicles, up to \$3,000,000, to be derived through  
11 transfer from the United States Customs Service, salaries  
12 and expenses appropriation: *Provided*, That none of the  
13 funds shall be obligated without the advance approval of  
14 the House and Senate Committees on Appropriations.

15 TREASURY BUILDINGS AND ANNEX REPAIR AND

16 RESTORATION

17 INCLUDING TRANSFER OF FUNDS

18 For the repair, alteration, and improvement of the  
19 Treasury Building and Annex, ~~the Bureau of Alcohol, To-~~  
20 ~~bacco and Firearms National Laboratory Center and the~~  
21 ~~Fire Investigation Research and Development Center, and~~  
22 ~~the Rowley Secret Service Training Center, \$22,892,000~~  
23 *\$43,684,000*, to remain available until expended: *Provided*,  
24 That funds for the Bureau of Alcohol, Tobacco and Fire-  
25 arms National Laboratory Center and the Fire Investiga-  
26 tion Research and Development Center and the Rowley

1 ~~Secret Service Training Center shall not be available until~~  
2 ~~a prospectus authorizing such facilities is approved by the~~  
3 ~~House Committee on Transportation and Infrastructure:~~  
4 *Provided further,* That funds previously made available  
5 under this title for the Secret Service Headquarter's build-  
6 ing shall be transferred to the Secret Service Acquisition,  
7 Construction, Improvement and Related Expenses appro-  
8 priation.

9 FINANCIAL CRIMES ENFORCEMENT NETWORK

10 SALARIES AND EXPENSES

11 For necessary expenses of the Financial Crimes En-  
12 forcement Network, including hire of passenger motor ve-  
13 hicles; travel expenses of non-Federal law enforcement  
14 personnel to attend meetings concerned with financial in-  
15 telligence activities, law enforcement, and financial regula-  
16 tion; not to exceed \$14,000 for official reception and rep-  
17 resentation expenses; and for assistance to Federal law en-  
18 forcement agencies, with or without reimbursement;  
19 \$22,387,000: *Provided,* That notwithstanding any other  
20 provision of law, the Director of the Financial Crimes En-  
21 forcement Network may procure up to \$500,000 in spe-  
22 cialized, unique, or novel automatic data processing equip-  
23 ment, ancillary equipment, software, services, and related  
24 resources from commercial vendors without regard to oth-  
25 erwise applicable procurement laws and regulations and

1 without full and open competition, utilizing procedures  
2 best suited under the circumstances of the procurement  
3 to efficiently fulfill the agency's requirements: *Provided*  
4 *further*, That funds appropriated in this account may be  
5 used to procure personal services contracts.

6 DEPARTMENT OF THE TREASURY FORFEITURE FUND

7 ~~For necessary expenses of the Treasury Forfeiture~~  
8 ~~Fund, notwithstanding any other provision of law, not to~~  
9 ~~exceed \$7,500,000 shall be made available for the develop-~~  
10 ~~ment of a Federal wireless communication system, to be~~  
11 ~~derived from deposits in the Fund~~ *For necessary expenses*  
12 *of the Treasury Forfeiture Fund, as authorized by Public*  
13 *Law 102-393, not to exceed \$10,000,000, to be derived from*  
14 *deposits in the fund: Provided, That the Secretary of the*  
15 *Treasury is authorized to receive all unavailable collections*  
16 *transferred from the Special Forfeiture Fund established*  
17 *by section 6073 of the Anti-Drug Abuse Act of 1988 (21*  
18 *U.S.C. 1509) by the Director of the Office of Drug Con-*  
19 *trol Policy as a deposit into the Treasury Forfeiture Fund*  
20 *(31 U.S.C. 9703(a)).*

21 VIOLENT CRIME REDUCTION PROGRAMS

22 INCLUDING TRANSFER OF FUNDS

23 For activities authorized by Public Law 103-322, to  
24 remain available until expended, which shall be derived  
25 from the Violent Crime Reduction Trust Fund, as follows:

1 (a) As authorized by section 190001(e), ~~\$89,800,000~~  
2 ~~\$112,000,000~~, of which ~~\$15,005,000~~ ~~\$38,900,000~~ shall be  
3 available to the United States Customs Service; of which  
4 ~~\$47,624,000~~ ~~\$31,450,000~~ shall be available to the Bureau  
5 of Alcohol, Tobacco and Firearms, of which ~~\$2,500,000~~  
6 ~~\$3,000,000~~ shall be available for administering the Gang  
7 Resistance Education and Training program, of which  
8 ~~\$3,662,000~~ ~~\$4,150,000~~ shall be available for ballistics tech-  
9 nologies, *including the purchase, maintenance and upgrad-*  
10 *ing of equipment* and of which ~~\$41,462,000~~ ~~\$29,500,000~~  
11 shall be available to enhance training and purchase equip-  
12 ment and services; ~~of which \$5,971,000 shall be available~~  
13 ~~to the Secretary as authorized by section 732 of Public~~  
14 ~~Law 104-132~~; of which \$1,000,000 shall be available to  
15 the Financial Crimes Enforcement Network; of which  
16 ~~\$20,200,000~~ ~~\$24,500,000~~ shall be available to the United  
17 States Secret Service, of which no less than \$1,000,000  
18 shall be available for a grant for activities related to the  
19 investigations of missing and exploited children; *of which*  
20 *\$3,150,000 shall be available to the Federal Law Enforce-*  
21 *ment Training Center until expended; and of which*  
22 *\$13,000,000 shall be available to the Federal Drug Control*  
23 *Programs, High Intensity Drug Trafficking Areas program*  
24 *only if additional areas are designated and consultation*  
25 *has been completed with the Committees on Appropriation.*

1 (b) As authorized by section 32401, ~~\$7,200,000~~  
2 ~~\$8,000,000~~, for disbursement through grants, cooperative  
3 agreements or contracts, to local governments for Gang  
4 Resistance Education and Training: *Provided*, That not-  
5 withstanding sections 32401 and 310001, such funds shall  
6 be allocated only to the affected State and local law en-  
7 forcement and prevention organizations participating in  
8 such projects.

#### 9 TREASURY FRANCHISE FUND

10 There is hereby established in the Treasury a fran-  
11 chise fund pilot, as authorized by section 403 of Public  
12 Law 103–356, to be available as provided in such section  
13 for expenses and equipment necessary for the maintenance  
14 and operation of such financial and administrative support  
15 services as the Secretary determines may be performed  
16 more advantageously as central services: *Provided*, That  
17 any inventories, equipment, and other assets pertaining to  
18 the services to be provided by such fund, either on hand  
19 or on order, less the related liabilities or unpaid obliga-  
20 tions, and any appropriations made for the purpose of pro-  
21 viding capital, shall be used to capitalize such fund: *Pro-*  
22 *vided further*, That such fund shall be reimbursed or cred-  
23 ited with the payments, including advanced payments,  
24 from applicable appropriations and funds available to the  
25 Department and other Federal agencies for which such ad-

1 ministrative and financial services are performed, at rates  
2 which will recover all expenses of operation, including ac-  
3 crued leave, depreciation of fund plant and equipment,  
4 amortization of Automatic Data Processing (ADP) soft-  
5 ware and systems, and an amount necessary to maintain  
6 a reasonable operating reserve, as determined by the Sec-  
7 retary: *Provided further*, That such fund shall provide  
8 services on a competitive basis: *Provided further*, That an  
9 amount not to exceed 4 percent of the total annual income  
10 to such fund may be retained in the fund for fiscal year  
11 1997 and each fiscal year thereafter, to remain available  
12 until expended, to be used for the acquisition of capital  
13 equipment and for the improvement and implementation  
14 of Treasury financial management, ADP, and other sup-  
15 port systems: *Provided further*, That no later than 30 days  
16 after the end of each fiscal year, amounts in excess of this  
17 reserve limitation shall be deposited as miscellaneous re-  
18 ceipts in the Treasury: *Provided further*, That such fran-  
19 chise fund pilot shall terminate pursuant to section 403(f)  
20 of Public Law 103-356.

21 FEDERAL LAW ENFORCEMENT TRAINING CENTER

22 SALARIES AND EXPENSES

23 For necessary expenses of the Federal Law Enforce-  
24 ment Training Center, as a bureau of the Department of  
25 the Treasury, including materials and support costs of

1 Federal law enforcement basic training; purchase (not to  
2 exceed 52 for police-type use, without regard to the gen-  
3 eral purchase price limitation) and hire of passenger  
4 motor vehicles; for expenses for student athletic and relat-  
5 ed activities; uniforms without regard to the general pur-  
6 chase price limitation for the current fiscal year; the con-  
7 ducting of and participating in firearms matches and pres-  
8 entation of awards; for public awareness and enhancing  
9 community support of law enforcement training; not to ex-  
10 ceed \$9,500 for official reception and representation ex-  
11 penses; room and board for student interns; and services  
12 as authorized by 5 U.S.C. 3109; ~~\$51,681,000~~ \$52,242,000,  
13 of which ~~\$9,423,000~~ \$9,884,000 for materials and support  
14 costs of Federal law enforcement basic training shall re-  
15 main available until September 30, 1999: *Provided*, That  
16 the Center is authorized to accept and use gifts of prop-  
17 erty, both real and personal, and to accept services, for  
18 authorized purposes, including funding of a gift of intrin-  
19 sic value which shall be awarded annually by the Director  
20 of the Center to the outstanding student who graduated  
21 from a basic training program at the Center during the  
22 previous fiscal year, which shall be funded only by gifts  
23 received through the Center's gift authority: *Provided fur-*  
24 *ther*, That notwithstanding any other provision of law, stu-  
25 dents attending training at any Federal Law Enforcement

1 Training Center site shall reside in on-Center or Center-  
2 provided housing, insofar as available and in accordance  
3 with Center policy: ~~Provided further, That funds appro-~~  
4 ~~priated in this account shall be available for training Unit-~~  
5 ~~ed States Postal Service law enforcement personnel and~~  
6 ~~Postal police officers, at the discretion of the Director;~~  
7 ~~State and local government law enforcement training on~~  
8 ~~a space-available basis; training of foreign law enforce-~~  
9 ~~ment officials on a space-available basis with reimburse-~~  
10 ~~ment of actual costs to this appropriation; training of pri-~~  
11 ~~vate sector security officials on a space-available basis with~~  
12 ~~reimbursement of actual costs to this appropriation; and~~  
13 ~~travel expenses of non-Federal personnel to attend course~~  
14 ~~development meetings and training at the Center: Pro-~~  
15 ~~vided further, That funds appropriated in this account shall~~  
16 ~~be available, at the discretion of the Director, for: training~~  
17 ~~United States Postal Service law enforcement personnel and~~  
18 ~~Postal police officers; State and local government law en-~~  
19 ~~forcement training on a space-available basis; training of~~  
20 ~~foreign law enforcement officials on a space-available basis~~  
21 ~~with reimbursement of actual costs to this appropriation;~~  
22 ~~training of private sector security officials on a space-avail-~~  
23 ~~able basis with reimbursement of actual costs to this appro-~~  
24 ~~priation; and travel expenses of non-Federal personnel to~~  
25 ~~attend course development meetings and training at the~~

1 *Center: Provided further,* That the Center is authorized to  
 2 obligate funds in anticipation of reimbursements from  
 3 agencies receiving training at the Federal Law Enforce-  
 4 ment Training Center, except that total obligations at the  
 5 end of the fiscal year shall not exceed total budgetary re-  
 6 sources available at the end of the fiscal year: *Provided*  
 7 *further,* That the Federal Law Enforcement Training Cen-  
 8 ter is authorized to provide short term medical services  
 9 for students undergoing training at the Center.

10 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND  
 11 RELATED EXPENSES

12 For expansion of the Federal Law Enforcement  
 13 Training Center, for acquisition of necessary additional  
 14 real property and facilities, and for ongoing maintenance,  
 15 facility improvements, and related expenses, ~~\$18,884,000~~  
 16 \$19,884,000, to remain available until expended.

17 FINANCIAL MANAGEMENT SERVICE  
 18 SALARIES AND EXPENSES

19 For necessary expenses of the Financial Management  
 20 Service, ~~\$191,799,000~~ \$196,338,000, of which not to ex-  
 21 ceed \$14,277,000 shall remain available until expended for  
 22 systems modernization initiatives. In addition, \$90,000, to  
 23 be derived from the Oil Spill Liability Trust Fund, to re-  
 24 imburse the Service for administrative and personnel ex-  
 25 penses for financial management of the Fund, as author-

1 ized by section 1012 of Public Law 101–380: *Provided*,  
2 That none of the funds made available for systems mod-  
3 ernization initiatives may not be obligated until the Com-  
4 missioner of the Financial Management Service has sub-  
5 mitted, and the Committees on Appropriations of the  
6 House and Senate have approved, a report that identifies,  
7 evaluates, and prioritizes all computer systems invest-  
8 ments planned for fiscal year 1997, a milestone schedule  
9 for the development and implementation of all projects in-  
10 cluded in the systems investment plan, and a systems ar-  
11 chitecture plan.

12 BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

13 SALARIES AND EXPENSES

14 For necessary expenses of the Bureau of Alcohol, To-  
15 bacco and Firearms, including purchase of not to exceed  
16 650 vehicles for police-type use for replacement only and  
17 hire of passenger motor vehicles; hire of aircraft; and serv-  
18 ices of expert witnesses at such rates as may be deter-  
19 mined by the Director; for payment of per diem and/or  
20 subsistence allowances to employees where an assignment  
21 to the National Response Team during the investigation  
22 of a bombing or arson incident requires an employee to  
23 work 16 hours or more per day or to remain overnight  
24 at his or her post of duty; not to exceed \$12,500 for offi-  
25 cial reception and representation expenses; for training of

1 State and local law enforcement agencies with or without  
2 reimbursement, including training in connection with the  
3 training and acquisition of canines for explosives and fire  
4 accelerants detection; provision of laboratory assistance to  
5 State and local agencies, with or without reimbursement;  
6 ~~\$389,982,000~~ \$395,597,000, of which \$12,011,000, to re-  
7 main available until expended, shall be available for arson  
8 investigations, with priority assigned to any ~~arson involv-~~  
9 ~~ing~~ *arson, explosion or violence against* religious institu-  
10 tions; which not to exceed \$1,000,000 shall be available  
11 for the payment of attorneys' fees as provided by 18  
12 U.S.C. 924(d)(2); and of which \$1,000,000 shall be avail-  
13 able for the equipping of any vessel, vehicle, equipment,  
14 or aircraft available for official use by a State or local law  
15 enforcement agency if the conveyance will be used in drug-  
16 related joint law enforcement operations with the Bureau  
17 of Alcohol, Tobacco and Firearms and for the payment  
18 of overtime salaries, travel, fuel, training, equipment, and  
19 other similar costs of State and local law enforcement offi-  
20 cers that are incurred in joint operations with the Bureau  
21 of Alcohol, Tobacco and Firearms: *Provided*, That no  
22 funds made available by this or any other Act may be used  
23 to transfer the functions, missions, or activities of the Bu-  
24 reau of Alcohol, Tobacco and Firearms to other agencies  
25 or Departments in the fiscal year ending on September

1 30, 1997: *Provided further*, That no funds appropriated  
2 herein shall be available for salaries or administrative ex-  
3 penses in connection with consolidating or centralizing,  
4 within the Department of the Treasury, the records, or  
5 any portion thereof, of acquisition and disposition of fire-  
6 arms maintained by Federal firearms licensees: *Provided*  
7 *further*, That no funds appropriated herein shall be used  
8 to pay administrative expenses or the compensation of any  
9 officer or employee of the United States to implement an  
10 amendment or amendments to 27 CFR 178.118 or to  
11 change the definition of “Curios or relics” in 27 CFR  
12 178.11 or remove any item from ATF Publication  
13 5300.11 as it existed on January 1, 1994: *Provided fur-*  
14 *ther*, That none of the funds appropriated herein shall be  
15 available to investigate or act upon applications for relief  
16 from Federal firearms disabilities under 18 U.S.C. 925(c)  
17 ~~and the inability of the Bureau of Alcohol, Tobacco and~~  
18 ~~Firearms to process or act upon such applications for fel-~~  
19 ~~ons convicted of a violent crime, firearms violations, or~~  
20 ~~drug-related crimes shall not be subject to judicial review:~~  
21 *Provided further*, That such funds shall be available to in-  
22 vestigate and act upon applications filed by corporations  
23 for relief from Federal firearms disabilities under 18  
24 U.S.C. 925(c):~~*Provided further*, That no funds in this Act~~  
25 may be used to provide ballistics imaging equipment to

1 ~~State or local authorities who have obtained similar equip-~~  
2 ~~ment through a Federal grant or subsidy: *Provided fur-*~~  
3 ~~*ther*, That, notwithstanding any other provision of law, all~~  
4 ~~aircraft *and spare parts* owned and operated by the Bu-~~  
5 ~~reau of Alcohol, Tobacco and Firearms shall be trans-~~  
6 ~~ferred to the United States Customs Service: ~~*Provided*~~~~  
7 ~~*further*, That no funds under this heading shall be avail-~~  
8 ~~able to conduct a reduction in force: *Provided further*,~~  
9 That no funds available for separation incentive payments  
10 as authorized by section 525 of this Act may be obligated  
11 without the advance approval of the House and Senate  
12 Committees on Appropriations: *Provided further*, That no  
13 funds under this Act may be used to electronically retrieve  
14 information gathered pursuant to 18 U.S.C. 923(g)(4) by  
15 name or any personal identification code.

16 *LABORATORY FACILITIES*

17 *For necessary expenses for design of a new facility or*  
18 *facilities, to house the Bureau of Alcohol, Tobacco and Fire-*  
19 *arms National Laboratory Center and the Fire Investiga-*  
20 *tion Research and Development Center, not to exceed*  
21 *185,000 occupiable square feet, \$6,978,000, to remain avail-*  
22 *able until expended: *Provided*, That these funds shall not*  
23 *be available until a prospectus of authorization for the Lab-*  
24 *oratory Facilities is approved by the House Committee on*

1 *Transportation and Infrastructure and the Senate Commit-*  
2 *tee on Environment and Public Works.*

3 UNITED STATES CUSTOMS SERVICE

4 SALARIES AND EXPENSES

5 INCLUDING TRANSFER OF FUNDS

6 For necessary expenses of the United States Customs  
7 Service, including purchase of up to 1,000 motor vehicles  
8 of which 960 are for replacement only, including 990 for  
9 police-type use and commercial operations; hire of motor  
10 vehicles; contracting with individuals for personal services  
11 abroad; not to exceed ~~\$20,000~~ \$30,000 for official recep-  
12 tion and representation expenses; and awards of com-  
13 pensation to informers, as authorized by any Act en-  
14 forced by the United States Customs Service;  
15 \$1,489,224,000 (increased by \$500,000) (reduced by  
16 \$500,000) (reduced by \$2,000,000); of which \$65,000,000  
17 shall be available until expended for Operation Hardline;  
18 of which \$28,000,000 shall be available until expended for  
19 expenses associated with Operation Gateway; of which up  
20 to \$3,000,000 shall be available for transfer to the Office  
21 of Professional Responsibility \$1,421,543,000; and of  
22 which such sums as become available in the Customs User  
23 Fee Account, except sums subject to section 13031(f)(3)  
24 of the Consolidated Omnibus Reconciliation Act of 1985,  
25 as amended (19 U.S.C. 58c(f)(3)), shall be derived from  
26 that Account; of the total, not to exceed \$150,000 shall

1 be available for payment for rental space in connection  
2 with preclearance operations, and not to exceed  
3 \$4,000,000 shall be available until expended for research  
4 and not to exceed \$1,000,000 shall be available until ex-  
5 pended for conducting special operations pursuant to 19  
6 U.S.C. 2081 and up to \$6,000,000 shall be available until  
7 expended for the procurement of automation infrastruc-  
8 ture items, including hardware, software, and installation:  
9 *Provided*, That uniforms may be purchased without regard  
10 to the general purchase price limitation for the current  
11 fiscal year: ~~*Provided further*, That the United States Cus-~~  
12 ~~tom Service shall implement the General Aviation Tele-~~  
13 ~~phonic Entry program within 30 days of enactment of this~~  
14 ~~Act: *Provided further*, That no funds under this heading~~  
15 ~~shall be available to conduct a reduction in force: *Provided*~~  
16 ~~*further*, That no funds available for separation incentive~~  
17 ~~payments as authorized by section 525 of this Act may~~  
18 ~~be obligated without the advance approval of the House~~  
19 ~~and Senate Committees on Appropriations: *Provided fur-*~~  
20 ~~*ther*, That the Spirit of St. Louis Airport in St. Louis~~  
21 ~~County, Missouri, shall be designated a port of entry: ~~*Pro-*~~~~  
22 ~~~~*vided further*, That no funds under this Act may be used~~~~  
23 ~~to provide less than 30 days public notice for any change~~  
24 ~~in apparel regulations: *Provided further*, That \$750,000~~

1 *shall be available for additional part-time and temporary*  
2 *positions in the Honolulu Customs District.*

3 OPERATION AND MAINTENANCE, AIR AND MARINE

4 INTERDICTION PROGRAMS

5 For expenses, not otherwise provided for, necessary  
6 for the operation and maintenance of marine vessels, air-  
7 craft, and other related equipment of the Air and Marine  
8 Programs, including operational training and mission-re-  
9 lated travel, and rental payments for facilities occupied by  
10 the air or marine interdiction and demand reduction pro-  
11 grams, the operations of which include: the interdiction  
12 of narcotics and other goods; the provision of support to  
13 Customs and other Federal, State, and local agencies in  
14 the enforcement or administration of laws enforced by the  
15 Customs Service; and, at the discretion of the Commis-  
16 sioner of Customs, the provision of assistance to Federal,  
17 State, and local agencies in other law enforcement and  
18 emergency humanitarian efforts; \$83,363,000, which shall  
19 remain available until expended: *Provided*, That no air-  
20 craft or other related equipment, with the exception of air-  
21 craft which is one of a kind and has been identified as  
22 excess to Customs requirements and aircraft which has  
23 been damaged beyond repair, shall be transferred to any  
24 other Federal agency, Department, or office outside of the  
25 Department of the Treasury, during fiscal year 1997 with-

1 out the prior approval of the House and Senate Commit-  
2 tees on Appropriations.

3 AIR INTERDICTION PROCUREMENT

4 For the purchase and restoration of aircraft, marine  
5 vessels and air surveillance equipment for the Customs air  
6 and marine interdiction programs, ~~\$28,000,000~~  
7 *\$45,000,000: Provided*, That such resources shall not be  
8 available until September 30, 1997, and shall remain  
9 available until expended.

10 CUSTOMS SERVICES AT SMALL AIRPORTS

11 (TO BE DERIVED FROM FEES COLLECTED)

12 Such sums as may be necessary for expenses for the  
13 provision of Customs services at certain small airports or  
14 other facilities when authorized by law and designated by  
15 the Secretary of the Treasury, including expenditures for  
16 the salary and expenses of individuals employed to provide  
17 such services, to be derived from fees collected by the Sec-  
18 retary pursuant to section 236 of Public Law 98-573 for  
19 each of these airports or other facilities when authorized  
20 by law and designated by the Secretary, and to remain  
21 available until expended.

22 HARBOR MAINTENANCE FEE COLLECTION

23 For administrative expenses related to the collection  
24 of the Harbor Maintenance Fee, pursuant to Public Law  
25 103-182, \$3,000,000, to be derived from the Harbor  
26 Maintenance Trust Fund and to be transferred to and

1 merged with the Customs “Salaries and Expenses” ac-  
 2 count for such purposes.

3 BUREAU OF THE PUBLIC DEBT

4 ADMINISTERING THE PUBLIC DEBT

5 For necessary expenses connected with any public-  
 6 debt issues of the United States; \$169,735,000: *Provided*,  
 7 That the sum appropriated herein from the General Fund  
 8 for fiscal year 1997 shall be reduced by not more than  
 9 \$4,400,000 as definitive security issue fees and Treasury  
 10 Direct Investor Account Maintenance fees are collected,  
 11 so as to result in a final fiscal year 1997 appropriation  
 12 from the General Fund estimated at \$165,335,000.

13 INTERNAL REVENUE SERVICE

14 PROCESSING, ASSISTANCE, AND MANAGEMENT

15 For necessary expenses of the Internal Revenue Serv-  
 16 ice, not otherwise provided for; including processing tax  
 17 returns; revenue accounting; providing assistance to tax-  
 18 payers, management services, and inspection; including  
 19 purchase (not to exceed 150 for replacement only for po-  
 20 lice-type use) and hire of passenger motor vehicles (31  
 21 U.S.C. 1343(b)); and services as authorized by 5 U.S.C.  
 22 3109, at such rates as may be determined by the Commis-  
 23 sioner; ~~\$1,722,985,000~~ \$1,728,840,000, of which up to  
 24 \$3,700,000 shall be for the Tax Counseling for the Elderly

1 Program, and of which not to exceed \$25,000 shall be for  
 2 official reception and representation expenses.

3 TAX LAW ENFORCEMENT

4 For necessary expenses of the Internal Revenue Serv-  
 5 ice for determining and establishing tax liabilities; tax and  
 6 enforcement litigation; technical rulings; examining em-  
 7 ployee plans and exempt organizations; investigation and  
 8 enforcement activities; securing unfiled tax returns; col-  
 9 lecting unpaid accounts; statistics of income and compli-  
 10 ance research; the purchase (for police-type use, not to  
 11 exceed 850), and hire of passenger motor vehicles (31  
 12 U.S.C. 1343(b)); and services as authorized by 5 U.S.C.  
 13 3109, at such rates as may be determined by the Commis-  
 14 sioner; ~~\$4,052,586,000~~, \$4,085,355,000, *of which not to ex-*  
 15 *ceed \$1,000,000 shall remain available until September 30,*  
 16 *1999 for research.*

17 INFORMATION SYSTEMS

18 INCLUDING TRANSFER OF FUNDS

19 For necessary expenses for data processing and tele-  
 20 communications support for Internal Revenue Service ac-  
 21 tivities, including tax systems modernization (modernized  
 22 developmental systems), modernized operational systems,  
 23 services and compliance, and support systems; the hire of  
 24 passenger motor vehicles (31 U.S.C. 1343(b)); and serv-  
 25 ices as authorized by 5 U.S.C. 3109, at such rates as may  
 26 be determined by the Commissioner; ~~\$1,077,450,000~~

1 \$1,240,473,000, of which ~~\$424,500,000~~ \$402,473,000 shall  
2 be available for tax systems modernization program activi-  
3 ties: *Provided, That of the funds appropriated for non-Tax*  
4 *Systems Modernization, \$200,000,000, and \$66,000,000 of*  
5 *the funds appropriated for Tax Systems Modernization*  
6 *may not be obligated until the Secretary of the Treasury*  
7 *consults with the Committees on Appropriations and pro-*  
8 *vides criteria explaining the needs and priorities of the re-*  
9 *spective programs, as well as, the deficiencies identified by*  
10 *the General Accounting Office: Provided further, That none*  
11 ~~of the funds made available for tax systems modernization~~  
12 ~~shall be available until the Internal Revenue Service estab-~~  
13 ~~lishes a restructured contractual relationship with a com-~~  
14 ~~mercial sector company to manage, integrate, test, and im-~~  
15 ~~plement all portions of the tax systems modernization pro-~~  
16 ~~gram, except that funds up to \$59,100,000 may be used~~  
17 ~~to support a Government Program Management Office,~~  
18 ~~not to exceed a total staffing of 50 individuals,~~ and other  
19 necessary Program Management activities *to include sup-*  
20 *port from the Internal Revenue Service's Integration Sup-*  
21 *port Contractor and Federal Research and Development*  
22 *Center: Provided further, That none of the funds made*  
23 *available for tax systems modernization may be used by*  
24 *the Internal Revenue Service to carry out activities associ-*  
25 *ated with the development of a request for proposal and*

1 contract award, *with a commercial sector company to man-*  
2 *age, integrate, test and implement all portions of the tax*  
3 *systems modernization program without the approval of the*  
4 *Department of the Treasury's Modernization Management*  
5 *Board which shall assure that an adequate planning and*  
6 *business case analysis has been conducted and that the Gen-*  
7 *eral Accounting Office's "Best Practices" for strategic infor-*  
8 *mation management have been followed except that funds*  
9 *shall be available for activities related to submission to and*  
10 *review by the Department's Modernization Management*  
11 *Board except that funds shall be available for the sharing*  
12 *of data and information and general oversight of the proe-*  
13 *cess by the Associate Commissioner of the Internal Reve-*  
14 *nue Service for Modernization, and such funds as may be*  
15 *necessary shall be transferred to the Department of De-*  
16 *fense which will conduct all technical activities associated*  
17 *with the development of a request for proposal and con-*  
18 ~~tract award~~: *Provided further, That none of these funds*  
19 *may be used to support in excess of 150 full-time equiva-*  
20 *lent positions in support of tax systems modernization:*  
21 *Provided further, That funds up to \$2,000,000 may be used*  
22 *to support the Department's Modernization Management*  
23 *Board: Provided further, That these funds shall remain*  
24 *available until September 30, 1999.*

## 1 INFORMATION SYSTEMS

## 2 (RESCISSION)

3 Of the funds made available under this heading for  
4 ~~Tax Systems Modernization~~ *Information Systems* in Public  
5 Law 104–52, ~~\$100,000,000~~ *\$120,000,000* are rescinded, in  
6 Public Law 103–329, ~~\$51,685,000~~ *\$45,000,000* are re-  
7 scinded, in Public Law 102–393, \$2,421,000 are re-  
8 scinded, and in Public Law 102–141, ~~\$20,341,000~~  
9 *\$7,026,000* are rescinded.

## 10 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

## 11 SERVICE

12 SECTION 101. Not to exceed 5 percent of any appro-  
13 priation made available in this Act to the Internal Revenue  
14 Service may be transferred to any other Internal Revenue  
15 Service appropriation upon the advance approval of the  
16 House and Senate Committees on Appropriations.

17 SEC. 102. The Internal Revenue Service shall main-  
18 tain a training program to insure that Internal Revenue  
19 Service employees are trained in taxpayers' rights, in deal-  
20 ing courteously with the taxpayers, and in cross-cultural  
21 relations.

22 ~~SEC. 103. The funds provided in this Act for the In-~~  
23 ~~ternal Revenue Service shall be used to provide as a mini-~~  
24 ~~imum, the fiscal year 1995 level of service, staffing, and~~  
25 ~~funding for Taxpayer Services.~~

1       ~~SEC. 104. No funds available in this Act to the Inter-~~  
2 ~~nal Revenue Service for separation incentive payments as~~  
3 ~~authorized by section 525 of this Act may be obligated~~  
4 ~~without the advance approval of the House and Senate~~  
5 ~~Committees on Appropriations.~~

6       ~~SEC. 105. The Internal Revenue Service shall con-~~  
7 ~~tract with an independent accounting firm to determine~~  
8 ~~the revenue losses (if any) which would result from imple-~~  
9 ~~menting H.R. 2450, as introduced in the 104th Congress.~~

10                                   UNITED STATES SECRET SERVICE

11   SALARIES AND EXPENSES

12       For necessary expenses of the United States Secret  
13 Service, including purchase (not to exceed 702 vehicles for  
14 police-type use, of which 665 shall be for replacement  
15 only), and hire of passenger motor vehicles; hire of air-  
16 craft; training and assistance requested by State and local  
17 governments, which may be provided without reimburse-  
18 ment; services of expert witnesses at such rates as may  
19 be determined by the Director; rental of buildings in the  
20 District of Columbia, and fencing, lighting, guard booths,  
21 and other facilities on private or other property not in  
22 Government ownership or control, as may be necessary to  
23 perform protective functions; for payment of per diem and/  
24 or subsistence allowances to employees where a protective  
25 assignment during the actual day or days of the visit of

1 a protectee require an employee to work 16 hours per day  
2 or to remain overnight at his or her post of duty; the con-  
3 ducting of and participating in firearms matches; presen-  
4 tation of awards; and for travel of Secret Service employ-  
5 ees on protective missions without regard to the limita-  
6 tions on such expenditures in this or any other Act: *Pro-*  
7 *vided*, That approval is obtained in advance from the  
8 House and Senate Committees on Appropriations; for re-  
9 pairs, alterations, and minor construction at the James  
10 J. Rowley Secret Service Training Center; for research  
11 and development; for making grants to conduct behavioral  
12 research in support of protective research and operations;  
13 not to exceed \$20,000 for official reception and represen-  
14 tation expenses; not to exceed \$50,000 to provide technical  
15 assistance and equipment to foreign law enforcement orga-  
16 nizations in counterfeit investigations; for payment in ad-  
17 vance for commercial accommodations as may be nec-  
18 essary to perform protective functions; and for uniforms  
19 without regard to the general purchase price limitation for  
20 the current fiscal year: *Provided further*, That 3 U.S.C.  
21 203(a) is amended by deleting “but not exceeding twelve  
22 hundred in number”; ~~\$528,368,000~~ \$519,265,000, of  
23 which \$1,200,000 shall be available as a grant for activi-  
24 ties related to the investigations of missing and exploited  
25 children: ~~*Provided further*, That resources made available~~

1 as a grant for activities related to the investigations of  
2 missing and exploited children shall not be available until  
3 September 30, 1997, and shall remain available until ex-  
4 pended.

5 ACQUISITION, CONSTRUCTION, IMPROVEMENT, AND  
6 RELATED EXPENSES

7 For necessary expenses of construction, repair, alter-  
8 ation, and improvement of facilities, ~~\$31,298,000~~  
9 \$29,165,000, to remain available until expended: *Provided,*  
10 That funds previously provided under the title, “Treasury  
11 Buildings and Annex Repair and Restoration,” for the Se-  
12 cret Service’s Headquarters Building, shall be transferred  
13 to this account.

14 GENERAL PROVISIONS—DEPARTMENT OF THE  
15 TREASURY

16 SECTION 111. Any obligation or expenditure by the  
17 Secretary in connection with law enforcement activities of  
18 a Federal agency or a Department of the Treasury law  
19 enforcement organization in accordance with 31 U.S.C.  
20 9703(g)(4)(B) from unobligated balances remaining in the  
21 Fund on September 30, 1997, shall be made in compliance  
22 with the reprogramming guidelines contained in the House  
23 and Senate reports accompanying this Act.

24 SEC. 112. Appropriations to the Treasury Depart-  
25 ment in this Act shall be available for uniforms or allow-  
26 ances therefor, as authorized by law (5 U.S.C. 5901), in-

1 cluding maintenance, repairs, and cleaning; purchase of  
2 insurance for official motor vehicles operated in foreign  
3 countries; purchase of motor vehicles without regard to the  
4 general purchase price limitations for vehicles purchased  
5 and used overseas for the current fiscal year; entering into  
6 contracts with the Department of State for the furnishing  
7 of health and medical services to employees and their de-  
8 pendants serving in foreign countries; and services author-  
9 ized by 5 U.S.C. 3109.

10       SEC. 113. None of the funds appropriated by this  
11 title shall be used in connection with the collection of any  
12 underpayment of any tax imposed by the Internal Revenue  
13 Code of 1986 unless the conduct of officers and employees  
14 of the Internal Revenue Service in connection with such  
15 collection, including any private sector employees under  
16 contract to the Internal Revenue Service, complies with  
17 subsection (a) of section 805 (relating to communications  
18 in connection with debt collection), and section 806 (relat-  
19 ing to harassment or abuse), of the Fair Debt Collection  
20 Practices Act (15 U.S.C. 1692).

21       SEC. 114. The Internal Revenue Service shall insti-  
22 tute policies and procedures which will safeguard the con-  
23 fidentiality of taxpayer information.

24       SEC. 115. The funds provided to the Bureau of Alco-  
25 hol Tobacco and Firearms for fiscal year 1997 in this Act

1 for the enforcement of the Federal Alcohol Administration  
2 Act shall be expended in a manner so as not to diminish  
3 enforcement efforts with respect to section 105 of the Fed-  
4 eral Alcohol Administration Act.

5 ~~SEC. 116.~~ Paragraph ~~(3)~~(C) of section ~~9703~~(g) of  
6 title ~~31~~, United States Code, is amended—

7 (1) by striking in the third sentence “and at  
8 the end of each fiscal year thereafter”;

9 (2) by inserting in lieu thereof “1994, 1995,  
10 and 1996”; and

11 (3) by adding at the end the following new sen-  
12 tence: “At the end of fiscal year 1997, and at the  
13 end of each fiscal year thereafter, the Secretary shall  
14 reserve any amounts that are required to be retained  
15 in the Fund to ensure the availability of amounts in  
16 the subsequent fiscal year for purposes authorized  
17 under subsection (a).”

18 SEC. 117. Of the funds available to the Internal Reve-  
19 nue Service, \$13,000,000 shall be made available to con-  
20 tinue the private sector debt collection program which was  
21 initiated in fiscal year 1996 and \$13,000,000 shall be  
22 transferred to the Departmental Offices appropriation to  
23 initiate a new private sector debt collection program: *Pro-*  
24 *vided*, That the transfer provided herein shall be in addi-  
25 tion to any other transfer authority contained in this Act.

1 PRIORITY PLACEMENT, JOB PLACEMENT, RETRAINING,  
2 AND COUNSELING PROGRAMS FOR U.S. TREASURY  
3 DEPARTMENT EMPLOYEES AFFECTED BY A REDUC-  
4 TION IN FORCE

5 SEC. 118. (a) DEFINITIONS.—

6 (1) For the purposes of this section, the term  
7 “agency” means the United States Department of  
8 the Treasury.

9 (2) For the purposes of this section, the term  
10 “eligible employee” means any employee of the agen-  
11 cy who—

12 (A) is scheduled to be separated from serv-  
13 ice due to a reduction in force under—

14 (i) regulations prescribed under sec-  
15 tion 3502 of title 5, United States Code; or

16 (ii) procedures established under sec-  
17 tion 3595 of title 5, United States Code; or

18 (B) is separated from service due to such  
19 a reduction in force, but does not include—

20 (i) an employee separated from service  
21 for cause on charges of misconduct or de-  
22 linquency; or

23 (ii) an employee who, at the time of  
24 separation, meets the age and service re-  
25 quirements for an immediate annuity

1 under subchapter III of chapter 83 or  
2 chapter 84 of title 5, United States Code.

3 (b) PRIORITY PLACEMENT PROGRAM.—Not later  
4 than 30 days after the date of the enactment of this Act,  
5 the U.S. Department of the Treasury shall establish a pri-  
6 ority placement program for eligible employees.

7 (c) The priority placement program established under  
8 subsection (b) shall include provisions under which a va-  
9 cant position shall not be filled by the appointment or  
10 transfer of any individual from outside of the agency if—

11 (1) there is then available any eligible employee  
12 who applies for the position within 30 days of the  
13 agency issuing a job announcement and is qualified  
14 (or can be trained or retrained to become qualified  
15 within 90 days of assuming the position) for the po-  
16 sition; and

17 (2) the position is within the same commuting  
18 area as the eligible employee's last-held position or  
19 residence.

20 (d) JOB PLACEMENT AND COUNSELING SERVICES.—  
21 The head of the agency may establish a program to pro-  
22 vide job placement and counseling services to eligible em-  
23 ployees and their families.

1           (1) TYPES OF SERVICES.—A program estab-  
2           lished under subsection (d) may include, is not lim-  
3           ited to, such services as—

4                   (A) career and personal counseling;

5                   (B) training and job search skills; and

6                   (C) job placement assistance, including as-  
7           sistance provided through cooperative arrange-  
8           ments with State and local employment services  
9           offices.

10          (e) REFERRAL OF ELIGIBLE EMPLOYEES TO PRI-  
11          VATE SECTOR CONTRACTORS.—Any contract related to  
12          the Internal Revenue Services' Tax Systems Moderniza-  
13          tion program shall contain a provision requiring that the  
14          contractor, in hiring employees for the performance of the  
15          contract, shall obtain referrals of eligible employees, who  
16          consent to such referral, from the priority placement or  
17          job placement programs established under this section.

18          *SEC. 119. Section 923(j) of title 18, U.S.C., is amended*  
19          *by striking the period after the last sentence, and inserting*  
20          *the following: “, including the right of a licensee to conduct*  
21          *‘curios or relics’ firearms transfers and business away from*  
22          *their business premises with another licensee without regard*  
23          *as to whether the location of where the business is conducted*  
24          *is located in the State specified on the license of either li-*  
25          *censee.”.*



1 TITLE III—EXECUTIVE OFFICE OF THE  
2 PRESIDENT AND FUNDS APPROPRIATED TO  
3 THE PRESIDENT

4 COMPENSATION OF THE PRESIDENT AND  
5 THE WHITE HOUSE OFFICE  
6 COMPENSATION OF THE PRESIDENT

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

16 SALARIES AND EXPENSES

17 For necessary expenses for the White House as au-  
18 thorized by law, including not to exceed \$3,850,000 for  
19 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;  
20 including subsistence expenses as authorized by 3 U.S.C.  
21 105, which shall be expended and accounted for as pro-  
22 vided in that section; hire of passenger motor vehicles,  
23 newspapers, periodicals, teletype news service, and travel  
24 (not to exceed \$100,000 to be expended and accounted  
25 for as provided by 3 U.S.C. 103); not to exceed \$19,000

1 for official entertainment expenses, to be available for allo-  
2 cation within the Executive Office of the President;  
3 \$40,193,000: *Provided*, That \$420,000 of the funds ap-  
4 propriated may not be obligated until the Director of the  
5 Office of Administration has submitted, and the Commit-  
6 tees on Appropriations of the House and Senate have ap-  
7 proved, a report that identifies, evaluates, and prioritizes  
8 all computer systems investments planned for fiscal year  
9 1997, a milestone schedule for the development and imple-  
10 mentation of all projects included in the systems invest-  
11 ment plan, and a systems architecture plan.

12 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

13 OPERATING EXPENSES

14 For the care, maintenance, repair and alteration, re-  
15 furnishing, improvement, heating and lighting, including  
16 electric power and fixtures, of the Executive Residence at  
17 the White House and official entertainment expenses of  
18 the President, \$7,827,000, to be expended and accounted  
19 for as provided by 3 U.S.C. 105, 109–110, 112–114.

20 SPECIAL ASSISTANCE TO THE PRESIDENT AND THE

21 OFFICIAL RESIDENCE OF THE VICE PRESIDENT

22 SALARIES AND EXPENSES

23 For necessary expenses to enable the Vice President  
24 to provide assistance to the President in connection with  
25 specially assigned functions, services as authorized by 5

1 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-  
2 penses as authorized by 3 U.S.C. 106, which shall be ex-  
3 pended and accounted for as provided in that section; and  
4 hire of passenger motor vehicles; \$3,280,000: *Provided*,  
5 That \$150,000 of the funds appropriated may not be obli-  
6 gated until the Director of the Office of Administration  
7 has submitted, and the Committees on Appropriations of  
8 the House and Senate have approved, a report that identi-  
9 fies, evaluates, and prioritizes all computer systems invest-  
10 ments planned for fiscal year 1997, a milestone schedule  
11 for the development and implementation of all projects in-  
12 cluded in the systems investment plan, and a systems ar-  
13 chitecture plan.

14 OPERATING EXPENSES

15 For the care, operation, refurnishing, improvement,  
16 heating and lighting, including electric power and fixtures,  
17 of the official residence of the Vice President, the hire of  
18 passenger motor vehicles, and not to exceed \$90,000 for  
19 official entertainment expenses of the Vice President, to  
20 be accounted for solely on his certificate; \$324,000: *Pro-*  
21 *vided*, That advances or repayments or transfers from this  
22 appropriation may be made to any department or agency  
23 for expenses of carrying out such activities: *Provided fur-*  
24 *ther*, That \$8,000 of the funds appropriated may not be  
25 obligated until the Director of the Office of Administration

1 has submitted for approval to the Committees on Appro-  
2 priations of the House and Senate a report that identifies,  
3 evaluates, and prioritizes all computer systems invest-  
4 ments planned for fiscal year 1997, a milestone schedule  
5 for the development and implementation of all projects in-  
6 cluded in the systems investment plan, and a systems ar-  
7 chitecture plan.

8 COUNCIL OF ECONOMIC ADVISERS

9 SALARIES AND EXPENSES

10 For necessary expenses of the Council in carrying out  
11 its functions under the Employment Act of 1946 (15  
12 U.S.C. 1021), \$3,439,000.

13 OFFICE OF POLICY DEVELOPMENT

14 SALARIES AND EXPENSES

15 For necessary expenses of the Office of Policy Devel-  
16 opment, including services as authorized by 5 U.S.C.  
17 3109, and 3 U.S.C. 107; \$3,867,000: *Provided*, That  
18 \$45,000 of the funds appropriated may not be obligated  
19 until the Director of the Office of Administration has sub-  
20 mitted, and the Committees on Appropriations of the  
21 House and Senate have approved, a report that identifies,  
22 evaluates, and prioritizes all computer systems invest-  
23 ments planned for fiscal year 1997, a milestone schedule  
24 for the development and implementation of all projects in-

1 cluded in the systems investment plan, and a systems ar-  
2 chitecture plan.

3 NATIONAL SECURITY COUNCIL

4 SALARIES AND EXPENSES

5 For necessary expenses of the National Security  
6 Council, including services as authorized by 5 U.S.C.  
7 3109, \$6,648,000: *Provided*, That \$3,000 of the funds ap-  
8 propriated may not be obligated until the Director of the  
9 Office of Administration has submitted, and the Commit-  
10 tees on Appropriations of the House and Senate have ap-  
11 proved, a report that identifies, evaluates, and prioritizes  
12 all computer systems investments planned for fiscal year  
13 1997, a milestone schedule for the development and imple-  
14 mentation of all projects included in the systems invest-  
15 ment plan, and a systems architecture plan.

16 OFFICE OF ADMINISTRATION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Office of Administra-  
19 tion, \$26,100,000, including services as authorized by 5  
20 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger  
21 motor vehicles: *Provided*, That \$340,700 of the funds ap-  
22 propriated may not be obligated until the Director of the  
23 Office of Administration has submitted, and the Commit-  
24 tees on Appropriations of the House and Senate have ap-  
25 proved, a report that identifies, evaluates, and prioritizes

1 all computer systems investments planned for fiscal year  
2 1997, a milestone schedule for the development and imple-  
3 mentation of all projects included in the systems invest-  
4 ment plan, and a systems architecture plan.

5 OFFICE OF MANAGEMENT AND BUDGET

6 SALARIES AND EXPENSES

7 For necessary expenses of the Office of Management  
8 and Budget, including hire of passenger motor vehicles,  
9 services as authorized by 5 U.S.C. 3109, \$55,573,000, of  
10 which not to exceed \$5,000,000 shall be available to carry  
11 out the provisions of 44 U.S.C. chapter 35: *Provided*,  
12 That, as provided in 31 U.S.C. 1301(a), appropriations  
13 shall be applied only to the objects for which appropria-  
14 tions were made except as otherwise provided by law: *Pro-*  
15 *vided further*, That none of the funds appropriated in this  
16 Act for the Office of Management and Budget may be  
17 used for the purpose of reviewing any agricultural market-  
18 ing orders or any activities or regulations under the provi-  
19 sions of the Agricultural Marketing Agreement Act of  
20 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none  
21 of the funds made available for the Office of Management  
22 and Budget by this Act may be expended for the altering  
23 of the transcript of actual testimony of witnesses, except  
24 for testimony of officials of the Office of Management and  
25 Budget, before the House and Senate Committees on Ap-

1 appropriations or the House and Senate Committees on Vet-  
 2 erans' Affairs or their subcommittees: *Provided further*,  
 3 That this proviso shall not apply to printed hearings re-  
 4 leased by the House and Senate Committees on Appro-  
 5 priations or the House and Senate Committees on Veter-  
 6 ans' Affairs.

7 OFFICE OF NATIONAL DRUG CONTROL POLICY

8 SALARIES AND EXPENSES

9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses of the Office of National  
 11 Drug Control Policy; for research activities pursuant to  
 12 title I of Public Law 100–690; not to exceed \$8,000 for  
 13 official reception and representation expenses; and for par-  
 14 ticipation in joint projects or in the provision of services  
 15 on matters of mutual interest with nonprofit, research, or  
 16 public organizations or agencies, with or without reim-  
 17 bursement; \$34,838,000, of which \$18,000,000 shall re-  
 18 main available until expended, consisting of \$1,000,000  
 19 for policy research and evaluation and \$17,000,000 for the  
 20 Counter-Drug Technology Assessment Center for  
 21 counternarcotics research and development projects ~~of~~  
 22 ~~which \$1,000,000 shall be obligated for State conferences~~  
 23 ~~on model State drug laws: *Provided*, That the \$17,000,000~~  
 24 for the Counter-Drug Technology Assessment Center shall  
 25 be available for transfer to other Federal departments or

1 agencies: *Provided further*, That the Office is authorized  
 2 to accept, hold, administer, and utilize gifts, both real and  
 3 personal, for the purpose of aiding or facilitating the work  
 4 of the Office: ~~*Provided further*, That \$2,500,000 of the~~  
 5 ~~funds available for the salaries and expenses of the Office~~  
 6 ~~of National Drug Control Policy may not be obligated~~  
 7 ~~until the Director reaches agreement with the House and~~  
 8 ~~Senate Committees on Appropriations on a final fiscal~~  
 9 ~~year 1997 organizational plan: *Provided further*, That the~~  
 10 Secretary of the Treasury is authorized to receive all un-  
 11 available collections transferred from the Special Forfeit-  
 12 ure Fund established by section 6073 of the Anti-Drug  
 13 Abuse Act of 1988 (21 U.S.C. 1509) by the Director of  
 14 the Office of Drug Control Policy as a deposit into the  
 15 Treasury Forfeiture Fund (31 U.S.C. 9703(a)).

16 *UNANTICIPATED NEEDS*

17 *For expenses necessary to enable the President to meet*  
 18 *unanticipated needs, in furtherance of the national interest,*  
 19 *security, or defense which may arise at home or abroad dur-*  
 20 *ing the current fiscal year; \$1,000,000.*

21 FEDERAL DRUG CONTROL PROGRAMS

22 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses of the Office of National  
 25 Drug Control Policy's High Intensity Drug Trafficking  
 26 Areas Program, ~~\$113,000,000~~ \$103,000,000 for drug con-

1 trol activities consistent with the approved strategy for  
2 each of the designated High Intensity Drug Trafficking  
3 Areas, of which ~~\$3,000,000~~ shall be used for a newly des-  
4 igned High Intensity Drug Trafficking Area in Lake  
5 County, Indiana; of which \$2,000,000 shall be used for  
6 a newly designated High Intensity Drug Trafficking Area  
7 for the Gulf Coast States of Louisiana, Alabama, and Mis-  
8 sissippi; of which \$5,000,000 shall be used for a newly  
9 designated High Intensity Drug Trafficking Area dedi-  
10 cated to combating methamphetamine use, production and  
11 trafficking in a five State area including Iowa, Missouri,  
12 Nebraska, South Dakota, and Kansas; of which no less  
13 than ~~\$59,000,000~~ \$52,000,000 shall be transferred to  
14 State and local entities for drug control activities; and of  
15 which up to ~~\$54,000,000~~ \$51,000,000 may be transferred  
16 to Federal agencies and departments at a rate to be deter-  
17 mined by the Director: *Provided*, That the funds made  
18 available under this head shall be obligated within 90 days  
19 of the date of enactment of this Act.

20       This title may be cited as the “Executive Office Ap-  
21 propriations Act, 1997”.

1 TITLE IV—INDEPENDENT AGENCIES  
2 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE  
3 BLIND OR SEVERELY DISABLED  
4 SALARIES AND EXPENSES

5 For necessary expenses of the Committee for Pur-  
6 chase From People Who Are Blind or Severely Disabled  
7 established by the Act of June 23, 1971, Public Law 92-  
8 28; \$1,800,000.

9 FEDERAL ELECTION COMMISSION  
10 SALARIES AND EXPENSES

11 For necessary expenses to carry out the provisions  
12 of the Federal Election Campaign Act of 1971, as amend-  
13 ed, ~~\$27,524,000~~ \$28,700,000, of which no less than  
14 \$2,500,000 shall be available for internal automated data  
15 processing systems, and of which not to exceed \$5,000  
16 shall be available for reception and representation ex-  
17 penses.

18 FEDERAL LABOR RELATIONS AUTHORITY  
19 SALARIES AND EXPENSES

20 For necessary expenses to carry out functions of the  
21 Federal Labor Relations Authority, pursuant to Reorga-  
22 nization Plan Numbered 2 of 1978, and the Civil Service  
23 Reform Act of 1978, including services as authorized by  
24 5 U.S.C. 3109, including hire of experts and consultants,  
25 hire of passenger motor vehicles, rental of conference

1 rooms in the District of Columbia and elsewhere;  
2 \$21,588,000: *Provided*, That public members of the Fed-  
3 eral Service Impasses Panel may be paid travel expenses  
4 and per diem in lieu of subsistence as authorized by law  
5 (5 U.S.C. 5703) for persons employed intermittently in  
6 the Government service, and compensation as authorized  
7 by 5 U.S.C. 3109: *Provided further*, That notwithstanding  
8 31 U.S.C. 3302, funds received from fees charged to non-  
9 Federal participants at labor-management relations con-  
10 ferences shall be credited to and merged with this account,  
11 to be available without further appropriation for the costs  
12 of carrying out these conferences.

13                   GENERAL SERVICES ADMINISTRATION

14                               FEDERAL BUILDINGS FUND

15                                   LIMITATIONS ON AVAILABILITY OF REVENUE

16       For additional expenses necessary to carry out the  
17 purpose of the Fund established pursuant to section  
18 210(f) of the Federal Property and Administrative Serv-  
19 ices Act of 1949, as amended (40 U.S.C. 490(f)),  
20 ~~\$209,193,000~~ \$257,162,000, to be deposited into said  
21 Fund. The revenues and collections deposited into the  
22 Fund shall be available for necessary expenses of real  
23 property management and related activities not otherwise  
24 provided for, including operation, maintenance, and pro-  
25 tection of federally owned and leased buildings; rental of

1 buildings in the District of Columbia; restoration of leased  
2 premises; moving governmental agencies (including space  
3 adjustments and telecommunications relocation expenses)  
4 in connection with the assignment, allocation and transfer  
5 of space; contractual services incident to cleaning or serv-  
6 icing buildings, and moving; repair and alteration of feder-  
7 ally owned buildings including grounds, approaches and  
8 appurtenances; care and safeguarding of sites; mainte-  
9 nance, preservation, demolition, and equipment; acquisi-  
10 tion of buildings and sites by purchase, condemnation, or  
11 as otherwise authorized by law; acquisition of options to  
12 purchase buildings and sites; conversion and extension of  
13 federally owned buildings; preliminary planning and de-  
14 sign of projects by contract or otherwise; construction of  
15 new buildings (including equipment for such buildings);  
16 and payment of principal, interest, taxes, and any other  
17 obligations for public buildings acquired by installment  
18 purchase and purchase contract, in the aggregate amount  
19 of ~~\$5,364,392,000~~ *\$5,412,361,000*, of which (1) not to ex-  
20 ceed ~~\$540,000,000~~ *\$657,724,000* shall remain available  
21 until expended for construction of additional projects at  
22 locations as follows: ~~Fresno, California, Federal Building~~  
23 ~~and U.S. Courthouse; Denver, Colorado, U.S. Courthouse;~~  
24 ~~District of Columbia, U.S. Courthouse Annex; Miami,~~  
25 ~~Florida, U.S. Courthouse; Orlando, Florida, U.S. Court-~~

1 house; Covington, Kentucky, U.S. Courthouse; London,  
2 Kentucky, U.S. Courthouse; Babb, Montana, Piegan Bor-  
3 der Station; Sweetgrass, Montana, Border Station; Las  
4 Vegas, Nevada, U.S. Courthouse; Brooklyn, New York,  
5 U.S. Courthouse; Cleveland, Ohio, U.S. Courthouse;  
6 Youngstown, Ohio, U.S. Courthouse; Portland, Oregon,  
7 Consolidated Law Enforcement Federal Office Building;  
8 Erie, Pennsylvania, U.S. Courthouse; Philadelphia, Penn-  
9 sylvania, Department of Veterans Affairs—Federal Com-  
10 plex, phase II; Columbia, South Carolina, U.S. Court-  
11 house; Corpus Christi, Texas, U.S. Courthouse; Salt Lake  
12 City, Utah, Moss Courthouse Annex and Alteration;  
13 Blaine, Washington, U.S. Border Station; Oroville, Wash-  
14 ington, U.S. Border Station; Seattle, Washington, U.S.  
15 Courthouse; and, Sumas, Washington, U.S. Border Sta-  
16 tion, (Claim): *Provided*, That the total cost of the imme-  
17 diately foregoing United States Courthouse or United  
18 States Courthouse annex construction projects shall be re-  
19 duced by no less than 10 percent from the prospectus level  
20 estimate by improving design efficiencies, curtailing  
21 planned interior finishes requiring more efficient use of  
22 courtroom and library space, and by otherwise limiting  
23 space requirements: *Provided further*, That each of the im-  
24 mediately foregoing construction projects may not exceed  
25 the original authorized level for site acquisition, design,

1 or construction, unless advanced approval is obtained from  
2 the House and Senate Committees on Appropriations:  
3 *Provided further*, That from funds available in the Federal  
4 Buildings Fund, \$20,000,000 shall be available until ex-  
5 pended for environmental clean up activities at the South-  
6 east Federal Center in the District of Columbia and at  
7 maximum construction improvement costs (including funds  
8 for sites and expenses and associated design and construc-  
9 tion services) as follows:

10 *New Construction:*

11 *District of Columbia:*

12 *Southeast Federal Center Site Preparation,*  
13 *\$20,000,000*

14 *Maryland:*

15 *Montgomery and Prince Georges Counties—Food*  
16 *and Drug Administration Consolidation, \$13,000,000*

17 *Montana:*

18 *Babb, Piegan Border Station, \$333,000*

19 *Sweetgrass, Border Station, \$1,066,000*

20 *Nevada:*

21 *Las Vegas, U.S. Courthouse, \$96,011,000*

22 *New York:*

23 *Brooklyn, U.S. Courthouse, \$187,179,000*

24 *Ohio:*

25 *Cleveland, U.S. Courthouse, \$142,291,000*

1 *Oregon:*

2 *Portland, Consolidated Law Federal Office*  
3 *Building, \$86,000,000*

4 *Pennsylvania:*

5 *Philadelphia, Department of Veterans Affairs—*  
6 *Federal Complex, phase II, \$15,156,000*

7 *Texas:*

8 *Corpus Christi, U.S. Courthouse, \$26,610,000*

9 *Washington:*

10 *Blaine, U.S. Border Station, \$15,419,000*

11 *Oroville, U.S. Border Station, \$1,483,000*

12 *Seattle, U.S. Courthouse, \$17,740,000*

13 *Sumas, U.S. Border Station, (Claim),*  
14 *\$1,177,000*

15 *Nationwide:*

16 *Security Enhancements, various buildings,*  
17 *\$24,259,000*

18 *Non-prospectus Projects Program, \$10,000,000:*

19 *Provided, That each of the immediately foregoing limits of*  
20 *costs on new construction projects may be exceeded to the*  
21 *extent that savings are effected in other such projects, but*  
22 *not to exceed 10 per centum unless advanced approval is*  
23 *obtained from the House and Senate Committees on Appro-*  
24 *priations of a greater amount: Provided further, That all*  
25 *funds for direct construction projects shall expire on Sep-*

1 tember 30, 1999, and remain in the Federal Buildings  
2 Fund except funds for projects as to which funds for de-  
3 sign or other funds have been obligated in whole or in part  
4 prior to such date: *Provided further*, That claims against  
5 the Government of less than \$250,000 arising from direct  
6 construction projects, acquisitions of buildings and pur-  
7 chase contract projects pursuant to Public Law 92-313,  
8 be liquidated with prior notification to the Committees on  
9 Appropriations of the House and Senate to the extent sav-  
10 ings are effected in other such projects; ~~(2) not to exceed~~  
11 ~~\$635,000,000 shall remain available until expended, for~~  
12 ~~repairs and alterations which includes associated design~~  
13 ~~and construction services, as follows: District of Columbia;~~  
14 ~~Ariel Rios Building; District of Columbia; Department of~~  
15 ~~Justice Building (Main), phase, 1; District of Columbia;~~  
16 ~~Lafayette Building; District of Columbia; State Depart-~~  
17 ~~ment Building; Honolulu, Hawaii; Prince Jonah Kuhio~~  
18 ~~Kalaniana'ole Federal Building and U.S. Courthouse; Chi-~~  
19 ~~cago, Illinois; Everett M. Dirksen Federal Building; Chi-~~  
20 ~~cago, Illinois; John C. Kluczynski, Jr. Federal Building~~  
21 ~~(IRS); Andover, Massachusetts; IRS Regional Service~~  
22 ~~Center; Concord, New Hampshire; J.C. Cleveland Federal~~  
23 ~~Building; Camden, New Jersey; U.S. Post Office-Court-~~  
24 ~~house; Albany, New York; James T. Foley Post Office-~~  
25 ~~Courthouse; Brookhaven, New York; IRS Service Center;~~

1 New York, New York, Jacob K. Javits Federal Building;  
2 Scranton, Pennsylvania, Federal Building-U.S. Court-  
3 house; Providence, Rhode Island, Federal Building-U.S.  
4 Courthouse; Fort Worth, Texas, Federal Center; Nation-  
5 wide repairs and alterations: Security Upgrades;  
6 Chlorofluorocarbons Program; Elevator Program; and,  
7 ~~Energy Program:~~ (2) not to exceed \$616,990,000 shall re-  
8 main available until expended, for repairs and alterations  
9 which includes associated design and construction services:  
10 Provided further, That the amounts provided in this or any  
11 prior Act for Repairs and Alterations may be used to fund  
12 costs associated with implementing security improvements  
13 to buildings necessary to meet the minimum standards for  
14 security in accordance with current law and in compliance  
15 with the reprogramming guidelines of the appropriate Com-  
16 mittees of the House and Senate: Provided further, That  
17 funds in the Federal Buildings Fund for Repairs and Alter-  
18 ations shall, for prospectus projects, be limited to the  
19 amount by project as follows, except each project may be  
20 increased by an amount not to exceed 10 per centum unless  
21 advance approval is obtained from the Committees on Ap-  
22 propriations of the House and Senate of a greater amount:

23       *Repairs and alterations:*

24       *District of Columbia:*

25               *Ariel Rios Building, \$62,740,000*

1 *Hawaii:*

2 *Honolulu, Prince Jonah Kuhio Kalanianaʻole*  
3 *Federal Building and U.S. Courthouse, \$4,140,000*

4 *Illinois:*

5 *Chicago, Everett M. Dirksen Federal Building,*  
6 *\$18,844,000*

7 *Chicago, John C. Kluczynski, Jr. Federal Build-*  
8 *ing (IRS), \$13,414,000*

9 *Louisiana:*

10 *New Orleans, Customhouse, \$3,500,000*

11 *Massachusetts:*

12 *Andover, IRS Regional Service Center, \$812,000*

13 *New Hampshire:*

14 *Concord, J.C. Cleveland Federal Building,*  
15 *\$8,251,000*

16 *New Jersey:*

17 *Camden, U.S. Post Office-Courthouse*  
18 *\$11,096,000*

19 *New York:*

20 *Albany, James T. Foley Post Office-Courthouse,*  
21 *\$3,880,000*

22 *Brookhaven, IRS Service Center, \$2,272,000*

23 *New York, Jacob K. Javits Federal Building,*  
24 *\$13,651,000*

25 *Pennsylvania:*

1           *Scranton, Federal Building-U.S. Courthouse,*

2           *\$10,610,000*

3           *Rhode Island:*

4           *Providence, Federal Building-U.S. Courthouse,*

5           *\$8,209,000*

6           *Texas:*

7           *Fort Worth, Federal Center, \$11,259,000*

8           *Nationwide:*

9           *Chlorofluorocarbons Program, \$43,533,000*

10          *Elevator Program, \$17,100,000*

11          *Energy Program, \$20,000,000*

12          *Security Enhancements, various buildings,*

13          *\$2,686,000*

14          *Basic Repairs and Alterations, \$360,000,000:*

15 *Provided further,* That additional projects for which

16 prospectuses have been fully approved may be funded

17 under this category only if advance approval is obtained

18 from the Committees on Appropriations of the House and

19 Senate: *Provided further,* That the amounts provided in

20 this or any prior Act for Repairs and Alterations may be

21 used to fund costs associated with implementing security

22 improvements to buildings necessary to meet the minimum

23 standards for security in accordance with current law and

24 in compliance with the reprogramming guidelines of the

25 appropriate Committees of the House and Senate: *Pro-*

1 *vided further*, That funds in the Federal Buildings Fund  
2 for Repairs and Alterations shall, for prospectus projects,  
3 be limited to the originally authorized amount, except each  
4 project may be increased by an amount not to exceed 10  
5 percent when advance approval is obtained from the Com-  
6 mittees on Appropriations of the House and Senate of a  
7 greater amount: *Provided further*, That the difference be-  
8 tween the funds appropriated and expended on any  
9 projects in this or any prior Act, under the heading “Re-  
10 pairs and Alterations”, may be transferred to Basic Re-  
11 pairs and Alterations or used to fund authorized increases  
12 in prospectus projects: ~~*Provided further*, That such sums~~  
13 ~~as may be necessary shall be made available for ongoing~~  
14 ~~renovation and consolidation efforts at the National Vet-~~  
15 ~~erinary Services Laboratory and a biocontainment facility~~  
16 ~~at the National Animal Disease Center, as directed in~~  
17 ~~Public Law 104-52: *Provided further*, That all funds for~~  
18 repairs and alterations prospectus projects shall expire on  
19 September 30, 1999, and remain in the Federal Buildings  
20 Fund except funds for projects as to which funds for de-  
21 sign or other funds have been obligated in whole or in part  
22 prior to such date: *Provided further*, That the amount pro-  
23 vided in this or any prior Act for Basic Repairs and Alter-  
24 ations may be used to pay claims against the Government  
25 arising from any projects under the heading “Repairs and

1 Alterations” or used to fund authorized increases in pro-  
2 spectus projects: *Provided further*, That \$5,700,000 of the  
3 funds provided under this heading in Public Law 103–  
4 329, for the IRS Service Center, Holtsville, New York,  
5 shall be available until September 30, 1998; (3) not to  
6 exceed \$173,075,000 for installment acquisition payments  
7 including payments on purchase contracts which shall re-  
8 main available until expended: *Provided further, That up*  
9 *to \$1,500,000 shall be available for a design prospectus of*  
10 *the Federal Building and U.S. Courthouse located at 811*  
11 *Grand Avenue in Kansas City, Missouri; ~~(4) not to exceed~~*  
12 *~~\$3,903,205,000, to remain available until expended, for~~*  
13 *building operations, leasing activities, and rental of space,*  
14 *of which up to \$205,000,000 shall be available for security*  
15 *enhancements; ~~(4) not to exceed \$2,343,795,000 for rental~~*  
16 *of space which shall remain available until expended; and*  
17 *(5) not to exceed \$1,532,465,000 for building operations*  
18 *which shall remain available until expended and ~~(5) not~~*  
19 *to exceed \$4,800,000 for the development and acquisition*  
20 *of automatic data processing equipment, software, and*  
21 *services for the Public Buildings Service which shall re-*  
22 *main available until September 30, 1999 for transfer to*  
23 *accounts and in amounts as necessary to satisfy the re-*  
24 *quirements of the Public Buildings Service: *Provided fur-**  
25 *ther*, That funds available to the General Services Admin-

1 istration shall not be available for expenses in connection  
2 with any construction, repair, alteration, and acquisition  
3 project for which a prospectus, if required by the Public  
4 Buildings Act of 1959, as amended, has not been ap-  
5 proved, except that necessary funds may be expended for  
6 each project for required expenses in connection with the  
7 development of a proposed prospectus: *Provided further,*  
8 *That funds provided in this Act under the heading “Secu-*  
9 *rity Enhancements, various buildings” may be used, by*  
10 *project in accordance with an approved prospectus:—Pro-*  
11 *vided further, That the Administrator is authorized in fis-*  
12 *eal year 1997 and thereafter, to enter into and perform*  
13 *such leases, contracts, or other transactions with any*  
14 *agency or instrumentality of the United States, the several*  
15 *States, or the District of Columbia, or with any person,*  
16 *firm, association, or corporation, as may be necessary to*  
17 *implement the trade center plan at the Federal Triangle*  
18 *Project and is hereby granted all the rights and authori-*  
19 *ties of the former Pennsylvania Avenue Development Cor-*  
20 *poration (PADC) with regards to property transferred*  
21 *from PADC to the General Services Administration in fis-*  
22 *eal year 1996: Provided further, That for the purposes of*  
23 *this authorization, buildings constructed pursuant to the*  
24 *purchase contract authority of the Public Buildings*  
25 *Amendments of 1972 (40 U.S.C. 602a), buildings occu-*

1 pied pursuant to installment purchase contracts, and  
2 buildings under the control of another department or  
3 agency where alterations of such buildings are required  
4 in connection with the moving of such other department  
5 or agency from buildings then, or thereafter to be, under  
6 the control of the General Services Administration shall  
7 be considered to be federally owned buildings: *Provided*  
8 *further*, That funds available in the Federal Buildings  
9 Fund may be expended for emergency repairs when ad-  
10 vance approval is obtained from the Committees on Appro-  
11 priations of the House and Senate: *Provided further*, That  
12 amounts necessary to provide reimbursable special services  
13 to other agencies under section 210(f)(6) of the Federal  
14 Property and Administrative Services Act of 1949, as  
15 amended (40 U.S.C. 490(f)(6)) and amounts to provide  
16 such reimbursable fencing, lighting, guard booths, and  
17 other facilities on private or other property not in Govern-  
18 ment ownership or control as may be appropriate to enable  
19 the United States Secret Service to perform its protective  
20 functions pursuant to 18 U.S.C. 3056, as amended, shall  
21 be available from such revenues and collections: *Provided*  
22 *further*, That revenues and collections and any other sums  
23 accruing to this Fund during fiscal year 1997, excluding  
24 reimbursements under section 210(f)(6) of the Federal  
25 Property and Administrative Services Act of 1949 (40

1 U.S.C. 490(f)(6)) in excess of ~~\$5,364,392,000~~  
2 *\$5,412,361,000* shall remain in the Fund and shall not be  
3 available for expenditure except as authorized in appro-  
4 priations Acts.

5 POLICY AND OPERATIONS

6 For expenses authorized by law, not otherwise pro-  
7 vided for, for Government-wide policy and oversight activi-  
8 ties associated with asset management activities; utiliza-  
9 tion and donation of surplus personal property; transpor-  
10 tation management activities; procurement and supply  
11 management activities; Government-wide and internal re-  
12 sponsibilities relating to automated data management,  
13 telecommunications, information resources management,  
14 and related technology activities; utilization survey, deed  
15 compliance inspection, appraisal, environmental and cul-  
16 tural analysis, and land use planning functions pertaining  
17 to excess and surplus real property; agency-wide policy di-  
18 rection; Board of Contract Appeals; accounting, records  
19 management, and other support services incident to adju-  
20 dication of Indian Tribal Claims by the United States  
21 Court of Federal Claims; services as authorized by 5  
22 U.S.C. 3109; and not to exceed \$5,000 for official recep-  
23 tion and representation expenses; ~~\$109,091,000~~  
24 *\$110,173,000*.

## 1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector  
3 General and services authorized by 5 U.S.C. 3109,  
4 ~~\$33,274,000~~ \$33,863,000: *Provided*, That not to exceed  
5 \$5,000 shall be available for payment for information and  
6 detection of fraud against the Government, including pay-  
7 ment for recovery of stolen Government property: *Provided*  
8 *further*, That not to exceed \$2,500 shall be available for  
9 awards to employees of other Federal agencies and private  
10 citizens in recognition of efforts and initiatives resulting  
11 in enhanced Office of Inspector General effectiveness.

## 12 ALLOWANCES AND OFFICE STAFF FOR FORMER

## 13 PRESIDENTS

14 For carrying out the provisions of the Act of August  
15 25, 1958, as amended (3 U.S.C. 102 note), and Public  
16 Law 95-138, \$2,180,000: *Provided*, That the Adminis-  
17 trator of General Services shall transfer to the Secretary  
18 of the Treasury such sums as may be necessary to carry  
19 out the provisions of such Acts.

## 20 EXPENSES, PRESIDENTIAL TRANSITION

21 For expenses necessary to carry out the Presidential  
22 Transition Act of 1963, as amended (3 U.S.C. 102 note),  
23 \$5,600,000.

## 1           GENERAL PROVISIONS—GENERAL SERVICES

## 2                           ADMINISTRATION

3           SECTION 401. The appropriate appropriation or fund  
4 available to the General Services Administration shall be  
5 credited with the cost of operation, protection, mainte-  
6 nance, upkeep, repair, and improvement, included as part  
7 of rentals received from Government corporations pursu-  
8 ant to law (40 U.S.C. 129).

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

12          SEC. 403. Funds in the Federal Buildings Fund  
13 made available for fiscal year 1997 for Federal Buildings  
14 Fund activities may be transferred between such activities  
15 only to the extent necessary to meet program require-  
16 ments: *Provided*, That any proposed transfers shall be ap-  
17 proved in advance by the Committees on Appropriations  
18 of the House and Senate.

19          SEC. 404. Section 10 of the General Services Admin-  
20 istration General Provisions, Public Law 100–440, dated  
21 September 22, 1988, is hereby repealed.

22          SEC. 405. No funds made available by this Act shall  
23 be used to transmit a fiscal year 1998 request for United  
24 States Courthouse construction that does not meet the de-  
25 sign guide standards for construction as established by the

1 General Services ~~Administration~~, *Administration and* the  
2 Judicial Conference of the United States, ~~and the Office~~  
3 ~~of Management and Budget~~ and does not reflect the prior-  
4 ities of the Judicial Conference of the United States as  
5 set out in its approved 5-year construction plan: *Provided,*  
6 That the request must be accompanied by a standardized  
7 courtroom utilization study of each facility to be replaced  
8 or expanded.

9       ~~SEC. 406. None of the funds provided in this Act may~~  
10 ~~be used to implement a plan for the Ronald Reagan Build-~~  
11 ~~ing (International Trade Center, Washington, D.C.) which~~  
12 ~~would permit the Woodrow Wilson Center to pay the Gen-~~  
13 ~~eral Services Administration less than the rate per square~~  
14 ~~foot assessment for space and services which is paid by~~  
15 ~~other Federal entities.~~

16       ~~SEC. 407. None of the funds provided in this Act may~~  
17 ~~be used to increase the amount of occupiable square feet,~~  
18 ~~provide cleaning services, security enhancements, or any~~  
19 ~~other service usually provided through the Federal Build-~~  
20 ~~ings Fund, to any agency which does not pay the re-~~  
21 ~~quested rate per square foot assessment for space and~~  
22 ~~services as determined by the General Services Adminis-~~  
23 ~~tration in compliance with the Public Buildings Amend-~~  
24 ~~ments Act of 1972 (Public Law 92-313).~~

1        ~~SEC. 408.~~ The Administrator of the General Services  
2 is directed to ensure that the materials used for the facade  
3 on the United States Courthouse Annex, Savannah, Geor-  
4 gia project are compatible with the existing Savannah  
5 Federal Building-U.S. Courthouse facade, in order to en-  
6 sure compatibility of this new facility with the Savannah  
7 historic district and to ensure that the Annex will not en-  
8 danger the National Landmark status of the Savannah  
9 historic district.

10        *SEC. 409. (a) Section 210 of the Federal Property and*  
11 *Administrative Services Act of 1949 (40 U.S.C. 490) is*  
12 *amended by adding at the end the following new subsection:*

13        *“(1)(1) The Administrator may establish, acquire space*  
14 *for, and equip flexiplace work telecommuting centers (in*  
15 *this subsection referred to as ‘telecommuting centers’) for*  
16 *use by employees of Federal agencies, State and local gov-*  
17 *ernments, and the private sector in accordance with this*  
18 *subsection.*

19        *“(2) The Administrator may make any telecommuting*  
20 *center available for use by individuals who are not Federal*  
21 *employees to the extent the center is not being fully utilized*  
22 *by Federal employees. The Administrator shall give Federal*  
23 *employees priority in using the telecommuting centers.*

24        *“(3)(A) The Administrator shall charge user fees for*  
25 *the use of any telecommuting center. The amount of the user*

1 *fee shall approximate commercial charges for comparable*  
2 *space and services except that in no instance shall such fee*  
3 *be less than that necessary to pay the cost of establishing*  
4 *and operating the center, including the reasonable cost of*  
5 *renovation and replacement of furniture, fixtures, and*  
6 *equipment.*

7       “(B) *Amounts received by the Administrator after Sep-*  
8 *tember 30, 1993, as user fees for use of any telecommuting*  
9 *center may be deposited into the Fund established under*  
10 *subsection (f) of this section and may be used by the Admin-*  
11 *istrator to pay costs incurred in the establishment and oper-*  
12 *ation of the center.*

13       “(4) *The Administrator may provide guidance, assist-*  
14 *ance, and oversight to any person regarding establishment*  
15 *and operation of alternative workplace arrangements, such*  
16 *as telecommuting, hoteling, virtual offices, and other dis-*  
17 *tributive work arrangements.*

18       “(5) *In considering whether to acquire any space,*  
19 *quarters, buildings, or other facilities for use by employees*  
20 *of any executive agency, the head of that agency shall con-*  
21 *sider whether the need for the facilities can be met using*  
22 *alternative workplace arrangements referred to in para-*  
23 *graph (4).*

24       (b) *Section 13 of the Public Building Act of 1959, as*  
25 *amended, (107 Stat. 438; 40 U.S.C. 612) is amended—*



1 U.S.C. 3109, rental of conference rooms in the District  
2 of Columbia and elsewhere, hire of passenger motor vehi-  
3 cles, and direct procurement of survey printing,  
4 ~~\$23,297,000~~ \$24,549,000, together with not to exceed  
5 \$2,430,000 for administrative expenses to adjudicate re-  
6 tirement appeals to be transferred from the Civil Service  
7 Retirement and Disability Fund in amounts determined  
8 by the Merit Systems Protection Board.

9 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION  
10 OPERATING EXPENSES

11 For necessary expenses in connection with the admin-  
12 istration of the National Archives (including the Informa-  
13 tion Security Oversight Office) and records and related ac-  
14 tivities, as provided by law, and for expenses necessary  
15 for the review and declassification of documents, and for  
16 the hire of passenger motor vehicles, ~~\$195,109,000~~  
17 \$198,964,000: *Provided*, That the Archivist of the United  
18 States is authorized to use any excess funds available from  
19 the amount borrowed for construction of the National Ar-  
20 chives facility, for expenses necessary to move into the fa-  
21 cility.

22 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION  
23 (RESCISSION)

24 Of the funds made available under this heading in  
25 Public Law 104-52, \$4,500,000 are rescinded.

## 1 ARCHIVES FACILITIES AND PRESIDENTIAL LIBRARIES

## 2 REPAIRS AND RESTORATION

3 For the repair, alteration, and improvement of ar-  
4 chives facilities and presidential libraries, ~~\$9,500,000~~ *and*  
5 *to provide adequate storage for holdings, \$18,229,000* to re-  
6 main available until expended.

## 7 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

## 8 COMMISSION

## 9 GRANTS PROGRAM

10 For necessary expenses for allocations and grants for  
11 historical publications and records as authorized by 44  
12 U.S.C. 2504, as amended, ~~\$4,000,000~~ *\$5,000,000* to re-  
13 main available until expended.

## 14 OFFICE OF GOVERNMENT ETHICS

## 15 SALARIES AND EXPENSES

16 For necessary expenses to carry out functions of the  
17 Office of Government Ethics pursuant to the Ethics in  
18 Government Act of 1978, as amended by Public Law 100-  
19 598, and the Ethics Reform Act of 1989, Public Law 101-  
20 194, including services as authorized by 5 U.S.C. 3109,  
21 rental of conference rooms in the District of Columbia and  
22 elsewhere, hire of passenger motor vehicles, and not to ex-  
23 ceed \$1,500 for official reception and representation ex-  
24 penses; \$8,078,000.

1                   OFFICE OF PERSONNEL MANAGEMENT  
2                                 SALARIES AND EXPENSES  
3                   (INCLUDING TRANSFER OF TRUST FUNDS)

4           For necessary expenses to carry out functions of the  
5 Office of Personnel Management pursuant to Reorganiza-  
6 tion Plan Numbered 2 of 1978 and the Civil Service Re-  
7 form Act of 1978, including services as authorized by 5  
8 U.S.C. 3109; medical examinations performed for veterans  
9 by private physicians on a fee basis; rental of conference  
10 rooms in the District of Columbia and elsewhere; hire of  
11 passenger motor vehicles; not to exceed \$2,500 for official  
12 reception and representation expenses; advances for reim-  
13 bursements to applicable funds of the Office of Personnel  
14 Management and the Federal Bureau of Investigation for  
15 expenses incurred under Executive Order 10422 of Janu-  
16 ary 9, 1953, as amended; and payment of per diem and/  
17 or subsistence allowances to employees where Voting  
18 Rights Act activities require an employee to remain over-  
19 night at his or her post of duty; ~~\$86,576,000~~ \$87,076,000,  
20 *of which not to exceed \$1,000,000 shall be available for the*  
21 *establishment of health promotion and disease prevention*  
22 *programs for Federal employees;* and in addition  
23 ~~\$93,486,000~~ \$94,736,000 for administrative expenses, to  
24 be transferred from the appropriate trust funds of the Of-  
25 fice of Personnel Management without regard to other

1 statutes, including direct procurement of printing mate-  
2 rials for annuitants, for the retirement and insurance pro-  
3 grams, of which ~~\$2,250,000~~ \$3,500,000 shall be trans-  
4 ferred at such times as the Office of Personnel Manage-  
5 ment deems appropriate, and shall remain available until  
6 expended for the costs of automating the retirement rec-  
7 ordkeeping systems, together with remaining amounts au-  
8 thorized in previous Acts for the recordkeeping systems:  
9 *Provided*, That the provisions of this appropriation shall  
10 not affect the authority to use applicable trust funds as  
11 provided by section 8348(a)(1)(B) of title 5, United States  
12 Code: *Provided further*, That, except as may be consistent  
13 with 5 U.S.C. 8902a(f)(1) and (i), no payment may be  
14 made from the Employees Health Benefits Fund to any  
15 physician, hospital, or other provider of health care serv-  
16 ices or supplies who is, at the time such services or sup-  
17 plies are provided to an individual covered under chapter  
18 89 of title 5, United States Code, excluded, pursuant to  
19 section 1128 or 1128A of the Social Security Act (42  
20 U.S.C. 1320a-7-1320a-7a), from participation in any  
21 program under title XVIII of the Social Security Act (42  
22 U.S.C. 1395 et seq.): *Provided further*, That no part of  
23 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, 1997, 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.

12 GENERAL PROVISIONS—OFFICE OF PERSONNEL

13 MANAGEMENT

14 SEC. 421. The first sentence of section 1304(e)(1)  
15 of title 5, United States Code, is amended by inserting  
16 after “basis” the following “, including personnel manage-  
17 ment services performed at the request of individual agen-  
18 cies (which would otherwise be the responsibility of such  
19 agencies), or at the request of nonappropriated fund in-  
20 strumentalities”.

21 OFFICE OF INSPECTOR GENERAL

22 SALARIES AND EXPENSES

23 (INCLUDING TRANSFER OF TRUST FUNDS)

24 For necessary expenses of the Office of Inspector  
25 General in carrying out the provisions of the Inspector  
26 General Act, as amended, including services as authorized

1 by 5 U.S.C. 3109, hire of passenger motor vehicles,  
2 \$960,000; and in addition, not to exceed \$8,645,000 for  
3 administrative expenses to audit the Office of Personnel  
4 Management's retirement and insurance programs, to be  
5 transferred from the appropriate trust funds of the Office  
6 of Personnel Management, as determined by the Inspector  
7 General: *Provided*, That the Inspector General is author-  
8 ized to rent conference rooms in the District of Columbia  
9 and elsewhere.

10 REVOLVING FUND

11 For reducing any accumulated deficit in the accounts  
12 of the revolving fund established under 5 U.S.C. 1304(e),  
13 ~~\$4,755,000~~ \$5,000,000.

14 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES

15 HEALTH BENEFITS

16 For payment of Government contributions with re-  
17 spect to retired employees, as authorized by chapter 89  
18 of title 5, United States Code, and the Retired Federal  
19 Employees Health Benefits Act (74 Stat. 849), as amend-  
20 ed, such sums as may be necessary.

21 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE

22 LIFE INSURANCE

23 For payment of Government contributions with re-  
24 spect to employees retiring after December 31, 1989, as  
25 required by chapter 87 of title 5, United States Code, such  
26 sums as may be necessary.



## 1 UNITED STATES TAX COURT

## 2 SALARIES AND EXPENSES

3 For necessary expenses, including contract reporting  
4 and other services as authorized by 5 U.S.C. 3109,  
5 ~~\$33,269,000~~ \$34,293,000: *Provided*, That travel expenses  
6 of the judges shall be paid upon the written certificate of  
7 the judge.

8 This title may be cited as the “Independent Agencies  
9 Appropriations Act, 1997”.

## 10 TITLE V—GENERAL PROVISIONS

## 11 THIS ACT

12 SECTION 501. No part of any appropriation con-  
13 tained in this Act shall remain available for obligation be-  
14 yond the current fiscal year unless expressly so provided  
15 herein.

16 SEC. 502. The expenditure of any appropriation  
17 under this Act for any consulting service through procure-  
18 ment contract, pursuant to 5 U.S.C. 3109, shall be limited  
19 to those contracts where such expenditures are a matter  
20 of public record and available for public inspection, except  
21 where otherwise provided under existing law, or under ex-  
22 isting Executive order issued pursuant to existing law.

23 ~~SEC. 503. None of the funds made available to the~~  
24 ~~General Services Administration pursuant to section~~  
25 ~~210(f) of the Federal Property and Administrative Serv-~~

1 ices Act of 1949 shall be obligated or expended after the  
2 date of enactment of this Act for the procurement by con-  
3 tract of any guard, elevator operator, messenger or custo-  
4 dial services if any permanent veterans preference em-  
5 ployee of the General Services Administration at said date,  
6 would be terminated as a result of the procurement of  
7 such services, except that such funds may be obligated or  
8 expended for the procurement by contract of the covered  
9 services with sheltered workshops employing the severely  
10 handicapped under Public Law 92-28. Only if such work-  
11 shops decline to contract for the provision of the covered  
12 services may the General Services Administration procure  
13 the services by competitive contract, for a period not to  
14 exceed 5 years. At such time as such competitive contract  
15 expires or is terminated for any reason, the General Serv-  
16 ices Administration shall again offer to contract for the  
17 services from a sheltered workshop prior to offering such  
18 services for competitive procurement.

19       SEC. 504. None of the funds made available by this  
20 Act shall be available for any activity or for paying the  
21 salary of any Government employee where funding an ac-  
22 tivity or paying a salary to a Government employee would  
23 result in a decision, determination, rule, regulation, or pol-  
24 icy that would prohibit the enforcement of section 307 of  
25 the Tariff Act of 1930.

1       SEC. 505. None of the funds made available by this  
2 Act shall be available for the purpose of transferring con-  
3 trol over the Federal Law Enforcement Training Center  
4 located at Glynco, Georgia, and Artesia, New Mexico, out  
5 of the Treasury Department.

6       SEC. 506. No part of any appropriation contained in  
7 this Act shall be used for publicity or propaganda purposes  
8 within the United States not heretofore authorized by the  
9 Congress.

10       SEC. 507. No part of any appropriation contained in  
11 this Act shall be available for the payment of the salary  
12 of any officer or employee of the United States Postal  
13 Service, who—

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

1           (2) removes, suspends from duty without pay,  
2 demotes, reduces in rank, seniority, status, pay, or  
3 performance of efficiency rating, denies promotion  
4 to, relocates, reassigns, transfers, disciplines, or dis-  
5 criminate in regard to any employment right, enti-  
6 tlement, or benefit, or any term or condition of em-  
7 ployment of, any officer or employee of the United  
8 States Postal Service, or attempts or threatens to  
9 commit any of the foregoing actions with respect to  
10 such officer or employee, by reason of any commu-  
11 nication or contact of such officer or employee with  
12 any Member or committee of Congress as described  
13 in paragraph (1).

14       SEC. 508. The Office of Personnel Management may,  
15 during the fiscal year ending September 30, 1997, accept  
16 donations of supplies, services, land, and equipment for  
17 the Federal Executive Institute and Management Develop-  
18 ment Centers to assist in enhancing the quality of Federal  
19 management.

20       SEC. 509. The United States Secret Service may,  
21 during the fiscal year ending September 30, 1997, and  
22 hereafter, accept donations of money to off-set costs in-  
23 curred while protecting former Presidents and spouses of  
24 former Presidents when the former President or spouse

1 travels for the purpose of making an appearance or speech  
2 for a payment of money or any thing of value.

3       SEC. 510. No part of any appropriation contained in  
4 this Act shall be available to pay the salary for any person  
5 filling a position, other than a temporary position, for-  
6 merly held by an employee who has left to enter the Armed  
7 Forces of the United States and has satisfactorily com-  
8 pleted his period of active military or naval service and  
9 has within 90 days after his release from such service or  
10 from hospitalization continuing after discharge for a pe-  
11 riod of not more than 1 year made application for restora-  
12 tion to his former position and has been certified by the  
13 Office of Personnel Management as still qualified to per-  
14 form the duties of his former position and has not been  
15 restored thereto.

16       SEC. 511. None of the funds made available in this  
17 Act may be used to provide any non-public information  
18 such as mailing or telephone lists to any person or any  
19 organization outside of the Federal Government without  
20 the approval of the House and Senate Committees on Ap-  
21 propriations.

22       SEC. 512. No funds appropriated pursuant to this  
23 Act may be expended by an entity unless the entity agrees  
24 that in expending the assistance the entity will comply  
25 with sections 2 through 4 of the Act of March 3, 1933

1 (41 U.S.C. 10a–10c, popularly known as the “Buy Amer-  
2 ican Act”).

3       SEC. 513. (a) PURCHASE OF AMERICAN-MADE  
4 EQUIPMENT AND PRODUCTS.—In the case of any equip-  
5 ment or products that may be authorized to be purchased  
6 with financial assistance provided under this Act, it is the  
7 sense of the Congress that entities receiving such assist-  
8 ance should, in expending the assistance, purchase only  
9 American-made equipment and products.

10       (b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In  
11 providing financial assistance under this Act, the Sec-  
12 retary of the Treasury shall provide to each recipient of  
13 the assistance a notice describing the statement made in  
14 subsection (a) by the Congress.

15       SEC. 514. If it has been finally determined by a court  
16 or Federal agency that any person intentionally affixed a  
17 label bearing a “Made in America” inscription, or any in-  
18 scription with the same meaning, to any product sold in  
19 or shipped to the United States that is not made in the  
20 United States, such person shall be ineligible to receive  
21 any contract or subcontract made with funds provided  
22 pursuant to this Act, pursuant to the debarment, suspen-  
23 sion, and ineligibility procedures described in section  
24 9.400 through 9.409 of title 48, Code of Federal Regula-  
25 tions.

1        SEC. 515. Except as otherwise specifically provided  
2 by law, not to exceed 50 percent of unobligated balances  
3 remaining available at the end of fiscal year 1997 from  
4 appropriations made available for salaries and expenses  
5 for fiscal year 1997 in this Act, shall remain available  
6 through September 30, 1998, for each such account for  
7 the purposes authorized: *Provided*, That a request shall  
8 be submitted to the House and Senate Committees on Ap-  
9 propriations for approval prior to the expenditure of such  
10 funds.

11        SEC. 516. Where appropriations in this Act are ex-  
12 pendable for travel expenses of employees and no specific  
13 limitation has been placed thereon, the expenditures for  
14 such travel expenses may not exceed the amount set forth  
15 in the budget estimates submitted for appropriations with-  
16 out the advance approval of the House and Senate Com-  
17 mittees on Appropriations: *Provided*, That this section  
18 shall not apply to travel performed by uncompensated offi-  
19 cials of local boards and appeal boards in the Selective  
20 Service System; to travel performed directly in connection  
21 with care and treatment of medical beneficiaries of the De-  
22 partment of Veterans Affairs; to travel of the Office of  
23 Personnel Management in carrying out its observation re-  
24 sponsibilities of the Voting Rights Act; or to payments to  
25 interagency motor pools separately set forth in the budget

1 schedules: *Provided further, That this provision does not*  
2 *apply to accounts that do not contain an object identifica-*  
3 *tion for travel.*

4 SEC. 517. Notwithstanding any other provision of law  
5 or regulation during the fiscal year ending September 30,  
6 1997, and thereafter:

7 (1) The authority of the special police officers  
8 of the Bureau of Engraving and Printing, in the  
9 Washington, DC Metropolitan area, extends to  
10 buildings and land under the custody and control of  
11 the Bureau; to buildings and land acquired by or for  
12 the Bureau through lease, unless otherwise provided  
13 by the acquisition agency; to the streets, sidewalks  
14 and open areas immediately adjacent to the Bureau  
15 along Wallenberg Place (15th Street) and 14th  
16 Street between Independence and Maine Avenues  
17 and C and D Streets between 12th and 14th  
18 Streets; to areas which include surrounding parking  
19 facilities used by Bureau employees, including the  
20 lots at 12th and C Streets, SW, Maine Avenue and  
21 Water Streets, SW, Maiden Lane, the Tidal Basin  
22 and East Potomac Park; to the protection in transit  
23 of United States securities, plates and dies used in  
24 the production of United States securities, or other  
25 products or implements of the Bureau of Engraving

1 and Printing which the Director of that agency so  
2 designates.

3 (2) The authority of the special police officers  
4 of the United States Mint extends to the buildings  
5 and land under the custody and control of the Mint;  
6 to the streets, sidewalks and open areas in the vicin-  
7 ity to such facilities; to surrounding parking facili-  
8 ties used by Mint employees; and to the protection  
9 in transit of bullion, coins, dies, and other property  
10 and assets of, or in the custody of, the Mint.

11 (3) The exercise of police authority by Bureau  
12 or Mint officers, with the exception of the exercise  
13 of authority upon property under the custody and  
14 control of the Bureau or the Mint, respectively, shall  
15 be deemed supplementary to the Federal police force  
16 with primary jurisdictional responsibility. This au-  
17 thority shall be in addition to any other law enforce-  
18 ment authority which has been provided to these of-  
19 ficers under other provisions of law or regulations.

20 ~~SEC. 518. No funds appropriated by this Act shall~~  
21 ~~be available to pay for an abortion, or the administrative~~  
22 ~~expenses in connection with any health plan under the~~  
23 ~~Federal employees health benefit program which provides~~  
24 ~~any benefits or coverage for abortions.~~

1       ~~SEC. 519.~~ The provision of section 518 shall not  
2 apply where the life of the mother would be endangered  
3 if the fetus were carried to term, or the pregnancy is the  
4 result of an act of rape or incest.

5       SEC. 520. No part of any appropriation made avail-  
6 able in this Act shall be used to implement Bureau of Al-  
7 cohool, Tobacco and Firearms Ruling TD ATF-360; Re:  
8 Notice Nos. 782, 780, 91F009P.

9       ~~SEC. 521.~~ Notwithstanding title 5, United States  
10 Code, Personal Service Contractors (PSC) employed by  
11 the Department of the Treasury for assignment in a coun-  
12 try other than the United States, shall be considered as  
13 Federal Government employees for purposes of making  
14 available Federal employee health and life insurance.

15       ~~SEC. 522.~~ Section 5131 of title 31, United States  
16 Code, is amended by striking subsection (c); and by redес-  
17 ignating subsection (d) as subsection (c).

18       SEC. 523. Section 5112(i)(4) of title 31, United  
19 States Code, is amended by adding at the end the follow-  
20 ing new subparagraph:

21       “(C) The Secretary may continue to mint and issue  
22 coins in accordance with the specifications contained in  
23 paragraphs (7), (8), (9), and (10) of subsection (a) and  
24 paragraph (1)(A) of this subsection at the same time the  
25 Secretary in minting and issuing other bullion and proof

1 gold coins under this subsection in accordance with such  
2 program procedures and coin specifications, designs, vari-  
3 eties, quantities, denominations, and inscriptions as the  
4 Secretary, in the Secretary's discretion, may prescribe  
5 from time to time.”: *Provided*, That profits generated  
6 from the sale of gold to the United States Mint for this  
7 program shall be considered as a receipt to be deposited  
8 into the General Fund of the Treasury.

9       SEC. 524. Section 5112 of title 31, United States  
10 Code, is amended by adding at the end the following new  
11 subsection:

12       “(k) The Secretary may mint and issue bullion and  
13 proof platinum coins in accordance with such specifica-  
14 tions, designs, varieties, quantities, denominations, and in-  
15 scriptions as the Secretary, in the Secretary's discretion,  
16 may prescribe from time to time.”: *Provided*, That the  
17 Secretary is authorized to use Government platinum re-  
18 serves stockpiled at the United States Mint as working  
19 inventory and shall ensure that reserves utilized are re-  
20 placed by the Mint.

21       SEC. 525. VOLUNTARY SEPARATION INCENTIVES  
22 FOR EMPLOYEES OF CERTAIN FEDERAL AGENCIES.—(a)  
23 DEFINITIONS.—For the purposes of this section—

1           (1) the term “agency” means the Internal Rev-  
2           enue Service, the Bureau of Alcohol, Tobacco and  
3           Firearms, and the United States Customs Service;

4           (2) the term “employee” means an employee  
5           (as defined by section 2105 of title 5, United States  
6           Code) who is employed by an agency, is serving  
7           under an appointment without time limitation, and  
8           has been currently employed for a continuous period  
9           of at least ~~12 months~~ *3 years*, but does not in-  
10          clude—

11           ~~(A) any employee who, upon separation~~  
12           ~~and application, would then be eligible for an~~  
13           ~~immediate annuity under subchapter III of~~  
14           ~~chapter 83 or chapter 84 of title 5, United~~  
15           ~~States Code, or another retirement system for~~  
16           ~~employees of the agency;~~

17           ~~(B) (A) a reemployed annuitant under sub-~~  
18           ~~chapter III of chapter 83 or chapter 84 of title~~  
19           ~~5, United States Code, or another retirement~~  
20           ~~system for employees of the agency;~~

21           ~~(C) (B) an employee having a disability on~~  
22           ~~the basis of which such employee is or would be~~  
23           ~~eligible for disability retirement under the appli-~~  
24           ~~cable retirement system referred to in subpara-~~  
25           ~~graph (A) subchapter III of chapter 83 or chap-~~

1            *ter 84 of title 5, United States Code, or another*  
2            *retirement system for employees of the agency;*

3            ~~(D)~~ *(C)* an employee who is in receipt of  
4            a specific notice of involuntary separation for  
5            misconduct or unacceptable performance;

6            ~~(E)~~ *(D)* an employee who, upon completing  
7            an additional period of service *is as* referred to  
8            in section 3(b)(2)(B)(ii) of the Federal  
9            Workforce Restructuring Act of 1994 (5 U.S.C.  
10           5597 note), would qualify for a voluntary sepa-  
11           ration incentive payment under section 3 of  
12           such Act;

13           ~~(F)~~ *(E)* an employee who has previously  
14           received any voluntary separation incentive pay-  
15           ment by the Federal Government under this  
16           section or any other authority and has not re-  
17           paid such payment;

18           ~~(G)~~ *(F)* an employee covered by statutory  
19           reemployment rights who is on transfer to an-  
20           other organization; or

21           ~~(H)~~ *(G)* any employee who, during the  
22           twenty four month period preceding the date of  
23           separation, has received a recruitment or relo-  
24           cation bonus under section 5753 of title 5,  
25           United States Code, or who, within the twelve

1 month period preceding the date of separation,  
2 received a retention ~~allowable~~ *allowance* under  
3 section 5754 of title 5, United States Code.

4 (b) AGENCY STRATEGIC PLAN.—

5 (1) IN GENERAL.—The head of each agency,  
6 prior to obligating any resources for voluntary sepa-  
7 ration incentive payments, shall submit to the House  
8 and Senate Committees on Appropriations and the  
9 Committee on Governmental Affairs of the Senate  
10 and the Committee on Government Reform and  
11 Oversight of the House of Representatives a strate-  
12 gic plan outlining the intended use of such incentive  
13 payments and a proposed organizational chart for  
14 the agency once such incentive payments have been  
15 completed.

16 (2) CONTENTS.—The agency's plan shall in-  
17 clude—

18 (A) the positions and functions to be re-  
19 duced or eliminated, identified by organizational  
20 unit, geographic location, occupational category  
21 and grade level;

22 (B) the number and amounts of voluntary  
23 separation incentive payments to be offered;  
24 and

1 (C) a description of how the agency will  
2 operate without the eliminated positions and  
3 functions.

4 (c) AUTHORITY TO PROVIDE VOLUNTARY SEPARA-  
5 TION INCENTIVE PAYMENTS.—

6 (1) IN GENERAL.—A voluntary separation in-  
7 centive payment under this section may be paid by  
8 an agency to any employee only to the extent nec-  
9 essary to eliminate the positions and functions iden-  
10 tified by the strategic plan.

11 (2) AMOUNT AND TREATMENT OF PAYMENTS.—  
12 A voluntary separation incentive payment—

13 (A) shall be paid in a lump sum after the  
14 employee's separation;

15 (B) shall be paid from appropriations or  
16 funds available for the payment of the basic pay  
17 of the employees;

18 (C) shall be equal to the lesser of—

19 (i) an amount equal to the amount  
20 the employee would be entitled to receive  
21 under section 5595(c) of title 5, United  
22 States Code; or

23 (ii) an amount determined by the  
24 agency head not to exceed \$25,000;

1 (D) may not be made except in the case of  
2 any qualifying employee who voluntarily sepa-  
3 rates (whether by retirement or resignation) be-  
4 fore March 31, 1997;

5 (E) shall not be a basis for payment, and  
6 shall not be included in the computation, of any  
7 other type of Government benefit; and

8 (F) shall not be taken into account in de-  
9 termining the amount of any severance pay to  
10 which the employee may be entitled under sec-  
11 tion 5595 of title 5, United States Code, based  
12 on any other separation.

13 (d) ADDITIONAL AGENCY CONTRIBUTIONS TO THE  
14 RETIREMENT FUND.—

15 (1) IN GENERAL.—In addition to any other  
16 payments which it is required to make under sub-  
17 chapter III of chapter 83 of title 5, United States  
18 Code, an agency shall remit to the Office of Person-  
19 nel Management for deposit in the Treasury of the  
20 United States to the credit of the Civil Service Re-  
21 tirement and Disability Fund an amount equal to 15  
22 percent of the final basic pay of each employee of  
23 the agency who is covered under subchapter III of  
24 chapter 83 or chapter 84 of title 5, United States

1 Code, to whom a voluntary separation incentive has  
2 been paid under this section.

3 (2) DEFINITION.—For the purpose of para-  
4 graph (1), the term “final basic pay”, with respect  
5 to an employee, means the total amount of basic pay  
6 which would be payable for a year of service by such  
7 employee, computed using the employee’s final rate  
8 of basic pay, and, if last serving on other than a  
9 full-time basis, with appropriate adjustment there-  
10 for.

11 (e) EFFECT OF SUBSEQUENT EMPLOYMENT WITH  
12 THE GOVERNMENT.—An individual who has received a  
13 voluntary separation incentive payment under this section  
14 and accepts any employment for compensation with the  
15 Government of the United States, or who works for any  
16 agency of the United States Government through a per-  
17 sonal services contract, within 5 years after the date of  
18 the separation on which the payment is based shall be re-  
19 quired to pay, prior to the individual’s first day of employ-  
20 ment, the entire amount of the incentive payment to the  
21 agency that paid the incentive payment.

22 (f) REDUCTION OF AGENCY EMPLOYMENT LEV-  
23 ELS.—

24 (1) IN GENERAL.—The total number of funded  
25 employee positions in the agency shall be reduced by

1 one position for each vacancy created by the separa-  
2 tion of any employee who has received, or is due to  
3 receive, a voluntary separation incentive payment  
4 under this section. For the purposes of this sub-  
5 section, positions shall be counted on a full-time-  
6 equivalent basis.

7 (2) ENFORCEMENT.—The President, through  
8 the Office of Management and Budget, shall monitor  
9 the agency and take any action necessary to ensure  
10 that the requirements of this subsection are met.

11 (g) EFFECTIVE DATE.—This section shall take effect  
12 October 1, 1996.

13 ~~SEC. 525A. VOLUNTARY SEPARATION INCENTIVES~~  
14 ~~FOR EMPLOYEES OF THE UNITED STATES AGENCY FOR~~  
15 ~~INTERNATIONAL DEVELOPMENT.—~~

16 (a) ~~AUTHORITY.—The United States Agency for~~  
17 ~~International Development is authorized to offer voluntary~~  
18 ~~separation incentive payments to no more than 100 of its~~  
19 ~~employees in accordance with section 525 of this Act.~~

20 (b) ~~EXCEPTION.—Section 525(a)(2)(A) of this Act~~  
21 ~~shall not apply to an employee of the United States Agen-~~  
22 ~~cy for International Development who, upon separation~~  
23 ~~and application, would be eligible for an immediate annu-~~  
24 ~~ity under sections 8336(d)(2) and 8414(b)(1)(B) of title~~  
25 ~~5, United States Code.~~

1           (c) ~~EFFECTIVE DATE.~~—This section shall take effect  
2 on the date of enactment of this Act.

3           ~~SEC. 526.~~ That provisions of law governing procure-  
4 ment or public contracts shall not be applicable to the pro-  
5 curement of goods or services necessary for carrying out  
6 Bureau of Engraving and Printing program and oper-  
7 ation: *Provided,* That the authority contained in this provi-  
8 sion shall expire on September 30, 1999.

9           ~~SEC. 527.~~ The United States Mint is hereby author-  
10 ized to establish a demonstration project under the au-  
11 thorities of title V, U.S.C., chapter 47: *Provided,* That the  
12 Director of the United States Mint shall be appointed by  
13 the President, by and with the advice and consent of the  
14 Senate; the Director shall serve on the basis of a six-year  
15 contract, which may be renewed, so long as the Director's  
16 performance, as set forth in an annual performance agree-  
17 ment with the Secretary of the Treasury, is satisfactory;  
18 and the Director shall receive as basic compensation for  
19 a calendar year an amount equal to the annual rate of  
20 basic pay for level I of the Executive Schedule under sec-  
21 tion ~~5312~~ of title 5 and, in addition, may receive an an-  
22 nual bonus awarded by the Secretary, based upon the Sec-  
23 retary's evaluation of the Director's performance in ac-  
24 cordance with the performance agreement.

1        SEC. 528. (a) REIMBURSEMENT OF CERTAIN ATTOR-  
2 NEY FEES AND COSTS.—

3            (1) IN GENERAL.—The Secretary of the Treas-  
4 ury shall pay from amounts appropriated in title I  
5 of this Act under the heading, “Departmental Of-  
6 fices, Salaries and Expenses”, up to \$500,000 to re-  
7 imburse former employees of the White House Trav-  
8 el Office whose employment in that Office was ter-  
9 minated on May 19, 1993, for any attorney fees and  
10 costs they incurred with respect to that termination.

11            (2) VERIFICATION REQUIRED.—The Secretary  
12 shall pay an individual in full under paragraph (1)  
13 upon submission by the individual of documentation  
14 verifying the attorney fees and costs.

15            (3) NO INFERENCE OF LIABILITY.—Liability of  
16 the United States shall not be inferred from enact-  
17 ment of or payment under this subsection.

18            (b) LIMITATION ON FILING OF CLAIMS.—The Sec-  
19 retary of the Treasury shall not pay any claim filed under  
20 this section that is filed later than 120 days after the date  
21 of the enactment of this Act.

22            (c) LIMITATION.—*Payments under subsection (a) shall*  
23 *not include attorney fees or costs incurred with respect to*  
24 *any Congressional hearing or investigation into the termi-*

1 *nation of employment of the former employees of the White*  
2 *House Travel Office.*

3       ~~(c)~~ (d) REDUCTION.—The amount paid pursuant to  
4 this section to an individual for attorney fees and costs  
5 described in subsection (a) shall be reduced by any amount  
6 received before the date of the enactment of this Act, with-  
7 out obligation for repayment by the individual, for pay-  
8 ment of such attorney fees and costs (including any  
9 amount received from the funds appropriated for the indi-  
10 vidual in the matter relating to the “Office of the General  
11 Counsel” under the heading “Office of the Secretary” in  
12 title I of the Department of Transportation and Related  
13 Agencies Appropriations Act, 1994).

14       ~~(d)~~ (e) PAYMENT IN FULL SETTLEMENT OF CLAIMS  
15 AGAINST THE UNITED STATES.—Payment under this sec-  
16 tion, when accepted by an individual described in sub-  
17 section (a), shall be in full satisfaction of all claims of,  
18 or on behalf of, the individual against the United States  
19 that arose out of the termination of the White House  
20 Travel Office employment of that individual on May 19,  
21 1993.

22       SEC. 529. None of the funds made available in this  
23 Act may be used by the Executive Office of the President  
24 to request from the Federal Bureau of Investigation any  
25 official background investigation report on any individual,

1 except when it is made known to the Federal official hav-  
 2 ing authority to obligate or expend such funds that—

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

7 (2) such request is required due to extraor-  
 8 dinary circumstances involving national security.

9 *SEC. 530. MINT FACILITY FOR GOLD AND PLATINUM*  
 10 *COINS.—Section 5112 of title 31, United States Code, is*  
 11 *amended by adding at the end the following new subsection:*

12 “(1) *MINT FACILITY FOR GOLD AND PLATINUM*  
 13 *COINS.—Notwithstanding any other provision of law,*  
 14 *the United States Mint Facility at West Point, New*  
 15 *York, shall be used to strike and distribute all gold*  
 16 *coins and all platinum coins minted by the Secretary*  
 17 *under this title or any other provision of law, includ-*  
 18 *ing all proof and uncirculated gold bullion coins and*  
 19 *commemorative coins.”*

20 TITLE VI—GENERAL PROVISIONS

21 DEPARTMENTS, AGENCIES, AND CORPORATIONS

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

1        SEC. 602. No department, agency, or instrumentality  
2 of the United States receiving appropriated funds under  
3 this or any other Act for fiscal year 1997 shall obligate  
4 or expend any such funds, unless such department, agen-  
5 cy, or instrumentality has in place, and will continue to  
6 administer in good faith, a written policy designed to en-  
7 sure that all of its workplaces are free from the illegal  
8 use, possession, or distribution of controlled substances  
9 (as defined in the Controlled Substances Act) by the offi-  
10 cers and employees of such department, agency, or instru-  
11 mentality.

12        SEC. 603. Notwithstanding 31 U.S.C. 1345, any  
13 agency, department or instrumentality of the United  
14 States which provides or proposes to provide child care  
15 services for Federal employees may reimburse any Federal  
16 employee or any person employed to provide such services  
17 for travel, transportation, and subsistence expenses in-  
18 curred for training classes, conferences or other meetings  
19 in connection with the provision of such services: *Provided,*  
20 That any per diem allowance made pursuant to this sec-  
21 tion shall not exceed the rate specified in regulations pre-  
22 scribed pursuant to section 5707 of title 5, United States  
23 Code.

24        SEC. 604. Unless otherwise specifically provided, the  
25 maximum amount allowable during the current fiscal year

1 in accordance with section 16 of the Act of August 2, 1946  
2 (60 Stat. 810), for the purchase of any passenger motor  
3 vehicle (exclusive of buses, ambulances, law enforcement,  
4 and undercover surveillance vehicles), is hereby fixed at  
5 \$8,100 except station wagons for which the maximum  
6 shall be \$9,100: *Provided*, That these limits may be ex-  
7 ceeded by not to exceed \$3,700 for police-type vehicles,  
8 and by not to exceed \$4,000 for special heavy-duty vehi-  
9 cles: *Provided further*, That the limits set forth in this sec-  
10 tion may not be exceeded by more than 5 percent for elec-  
11 tric or hybrid vehicles purchased for demonstration under  
12 the provisions of the Electric and Hybrid Vehicle Re-  
13 search, Development, and Demonstration Act of 1976:  
14 *Provided further*, That the limits set forth in this section  
15 may be exceeded by the incremental cost of clean alter-  
16 native fuels vehicles acquired pursuant to Public Law  
17 101–549 over the cost of comparable conventionally fueled  
18 vehicles.

19       SEC. 605. Appropriations of the executive depart-  
20 ments and independent establishments for the current fis-  
21 cal year available for expenses of travel or for the expenses  
22 of the activity concerned, are hereby made available for  
23 quarters allowances and cost-of-living allowances, in ac-  
24 cordance with 5 U.S.C. 5922–24.

1        SEC. 606. Unless otherwise specified during the cur-  
2 rent fiscal year, no part of any appropriation contained  
3 in this or any other Act shall be used to pay the compensa-  
4 tion of any officer or employee of the Government of the  
5 United States (including any agency the majority of the  
6 stock of which is owned by the Government of the United  
7 States) whose post of duty is in the continental United  
8 States unless such person (1) is a citizen of the United  
9 States, (2) is a person in the service of the United States  
10 on the date of enactment of this Act who, being eligible  
11 for citizenship, has filed a declaration of intention to be-  
12 come a citizen of the United States prior to such date and  
13 is actually residing in the United States, (3) is a person  
14 who owes allegiance to the United States, (4) is an alien  
15 from Cuba, Poland, South Vietnam, the countries of the  
16 former Soviet Union, or the Baltic countries lawfully ad-  
17 mitted to the United States for permanent residence, (5)  
18 is a South Vietnamese, Cambodian, or Laotian refugee pa-  
19 roled in the United States after January 1, 1975, or (6)  
20 is a national of the People's Republic of China who  
21 qualifys for adjustment of status pursuant to the Chinese  
22 Student Protection Act of 1992: *Provided*, That for the  
23 purpose of this section, an affidavit signed by any such  
24 person shall be considered prima facie evidence that the  
25 requirements of this section with respect to his or her sta-

1 tus have been complied with: *Provided further*, That any  
2 person making a false affidavit shall be guilty of a felony,  
3 and, upon conviction, shall be fined no more than \$4,000  
4 or imprisoned for not more than 1 year, or both: *Provided*  
5 *further*, That the above penal clause shall be in addition  
6 to, and not in substitution for, any other provisions of ex-  
7 isting law: *Provided further*, That any payment made to  
8 any officer or employee contrary to the provisions of this  
9 section shall be recoverable in action by the Federal Gov-  
10 ernment. This section shall not apply to citizens of Ire-  
11 land, Israel, or the Republic of the Philippines, or to na-  
12 tionals of those countries allied with the United States in  
13 the current defense effort, or to international broadcasters  
14 employed by the United States Information Agency, or to  
15 temporary employment of translators, or to temporary em-  
16 ployment in the field service (not to exceed 60 days) as  
17 a result of emergencies.

18       SEC. 607. Appropriations available to any depart-  
19 ment or agency during the current fiscal year for nec-  
20 essary expenses, including maintenance or operating ex-  
21 penses, shall also be available for payment to the General  
22 Services Administration for charges for space and services  
23 and those expenses of renovation and alteration of build-  
24 ings and facilities which constitute public improvements  
25 performed in accordance with the Public Buildings Act of

1 1959 (73 Stat. 749), the Public Buildings Amendments  
2 of 1972 (87 Stat. 216), or other applicable law.

3 SEC. 608. In addition to funds provided in this or  
4 any other Act, all Federal agencies are authorized to re-  
5 ceive and use funds resulting from the sale of materials,  
6 *including Federal records disposed of pursuant to a records*  
7 *schedule* recovered through recycling or waste prevention  
8 programs. Such funds shall be available until expended for  
9 the following purposes:

10 (1) Acquisition, waste reduction and prevention,  
11 and recycling programs as described in Executive  
12 Order 12873 (October 20, 1993), including any such  
13 programs adopted prior to the effective date of the  
14 Executive Order.

15 (2) Other Federal agency environmental man-  
16 agement programs, including, but not limited to, the  
17 development and implementation of hazardous waste  
18 management and pollution prevention programs.

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

22 SEC. 609. Funds made available by this or any other  
23 Act for administrative expenses in the current fiscal year  
24 of the corporations and agencies subject to chapter 91 of  
25 title 31, United States Code, shall be available, in addition

1 to objects for which such funds are otherwise available,  
2 for rent in the District of Columbia; services in accordance  
3 with 5 U.S.C. 3109; and the objects specified under this  
4 head, all the provisions of which shall be applicable to the  
5 expenditure of such funds unless otherwise specified in the  
6 Act by which they are made available: *Provided*, That in  
7 the event any functions budgeted as administrative ex-  
8 penses are subsequently transferred to or paid from other  
9 funds, the limitations on administrative expenses shall be  
10 correspondingly reduced.

11       SEC. 610. No part of any appropriation for the cur-  
12 rent fiscal year contained in this or any other Act shall  
13 be paid to any person for the filling of any position for  
14 which he or she has been nominated after the Senate has  
15 voted not to approve the nomination of said person.

16       SEC. 611. For the fiscal year ending September 30,  
17 1997, and thereafter, any department or agency to which  
18 the Administrator of General Services has delegated the  
19 authority to operate, maintain or repair any building or  
20 facility pursuant to section 205(d) of the Federal Property  
21 and Administrative Services Act of 1949, as amended,  
22 shall retain that portion of the GSA rental payment avail-  
23 able for operation, maintenance or repair of the building  
24 or facility, as determined by the Administrator, and ex-  
25 pend such funds directly for the operation, maintenance

1 or repair of the building or facility. Any funds retained  
2 under this section shall remain available until expended  
3 for such purposes.

4 SEC. 612. (a) IN GENERAL.—Section 1306 of title  
5 31, United States Code, is amended to read as follows:

6 **“§ 1306. Use of foreign credits**

7 “(a) IN GENERAL.—Foreign credits (including cur-  
8 rencies) owed to or owned by the United States may be  
9 used by any agency for any purpose for which appropria-  
10 tions are made for the agency for the current fiscal year  
11 (including the carrying out of Acts requiring or authoriz-  
12 ing the use of such credits), but only when reimbursement  
13 therefor is made to the Treasury from applicable appro-  
14 priations of the agency.

15 “(b) EXCEPTION TO REIMBURSEMENT REQUIRE-  
16 MENT.—Credits described in subsection (a) that are re-  
17 ceived as exchanged allowances, or as the proceeds of the  
18 sale of personal property, may be used in whole or partial  
19 payment for the acquisition of similar items, to the extent  
20 and in the manner authorized by law, without reimburse-  
21 ment to the Treasury.”.

22 (b) APPLICABILITY.—The amendment made by this  
23 section shall take effect on the date of the enactment of  
24 this Act and shall apply thereafter.

1       SEC. 613. 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. 614. 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. 615. 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 Unit-  
6 ed States.

7       SEC. 616. (a) Notwithstanding any other provision  
8 of law, and except as otherwise provided in this section,  
9 no part of any of the funds appropriated for the fiscal  
10 year ending on September 30, 1997, by this or any other  
11 Act, may be used to pay any prevailing rate employee de-  
12 scribed in section 5342(a)(2)(A) of title 5, United States  
13 Code—

14               (1) during the period from the date of expira-  
15 tion of the limitation imposed by section 616 of the  
16 Treasury, Postal Service and General Government  
17 Appropriations Act, 1996, until the normal effective  
18 date of the applicable wage survey adjustment that  
19 is to take effect in fiscal year 1997, in an amount  
20 that exceeds the rate payable for the applicable  
21 grade and step of the applicable wage schedule in  
22 accordance with such section 616; and

23               (2) during the period consisting of the remain-  
24 der of fiscal year 1997, in an amount that exceeds,  
25 as a result of a wage survey adjustment, the rate

1 payable under paragraph (1) by more than the sum  
2 of—

3 (A) the percentage adjustment taking ef-  
4 fect in fiscal year 1997 under section 5303 of  
5 title 5, United States Code, in the rates of pay  
6 under the General Schedule; and

7 (B) the difference between the overall aver-  
8 age percentage of the locality-based comparabil-  
9 ity payments taking effect in fiscal year 1997  
10 under section 5304 of such title (whether by  
11 adjustment or otherwise), and the overall aver-  
12 age percentage of such payments which was ef-  
13 fective in fiscal year 1996 under such section.

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 not in existence on September 30,

1 1996, shall be determined under regulations prescribed by  
2 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 1996, except to the extent determined by the Office of  
7 Personnel Management to be consistent with the purpose  
8 of this section.

9 (e) This section shall apply with respect to pay for  
10 service performed after September 30, 1996.

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

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

24 (h) The Office of Personnel Management may provide  
25 for exceptions to the limitations imposed by this section

1 if the Office determines that such exceptions are necessary  
2 to ensure the recruitment or retention of qualified employ-  
3 ees.

4       SEC. 617. 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. 618. Notwithstanding any other provision of  
20 law, no executive branch agency shall purchase, construct,  
21 and/or lease any additional facilities, except within or con-  
22 tiguous to existing locations, to be used for the purpose  
23 of conducting Federal law enforcement training without  
24 the advance approval of the House and Senate Committees  
25 on Appropriations.

1       SEC. 619. Notwithstanding section 1346 of title 31,  
2 United States Code, or section 613 of this Act, funds  
3 made available for fiscal year 1997 by this or any other  
4 Act shall be available for the interagency funding of na-  
5 tional security and emergency preparedness telecommuni-  
6 cations initiatives which benefit multiple Federal depart-  
7 ments, agencies, or entities, as provided by Executive  
8 Order Numbered 12472 (April 3, 1984).

9       SEC. 620. (a) None of the funds appropriated by this  
10 or any other Act may be obligated or expended by any  
11 Federal department, agency, or other instrumentality for  
12 the salaries or expenses of any employee appointed to a  
13 position of a confidential or policy-determining character  
14 excepted from the competitive service pursuant to section  
15 3302 of title 5, United States Code, without a certification  
16 to the Office of Personnel Management from the head of  
17 the Federal department, agency, or other instrumentality  
18 employing the Schedule C appointee that the Schedule C  
19 position was not created solely or primarily in order to  
20 detail the employee to the White House.

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

24               (1) the Central Intelligence Agency;

25               (2) the National Security Agency;

1 (3) the Defense Intelligence Agency;

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

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

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

14 (7) the Director of Central Intelligence.

15 SEC. 621. No department, agency, or instrumentality  
16 of the United States receiving appropriated funds under  
17 this or any other Act for fiscal year 1997 shall obligate  
18 or expend any such funds, unless such department, agency  
19 or instrumentality has in place, and will continue to ad-  
20 minister in good faith, a written policy designed to ensure  
21 that all of its workplaces are free from discrimination and  
22 sexual harassment and that all of its workplaces are not  
23 in violation of title VII of the Civil Rights Act of 1964,  
24 as amended, the Age Discrimination in Employment Act  
25 of 1967, and the Rehabilitation Act of 1973.

1       SEC. 622. No part of any appropriation contained in  
2 this Act may be used to pay for the expenses of travel  
3 of employees, including employees of the Executive Office  
4 of the President, not directly responsible for the discharge  
5 of official governmental tasks and duties: *Provided*, That  
6 this restriction shall not apply to the family of the Presi-  
7 dent, Members of Congress or their spouses, Heads of  
8 State of a foreign country or their designees, persons pro-  
9 viding assistance to the President for official purposes, or  
10 other individuals so designated by the President.

11       SEC. 623. Notwithstanding any provision of law, the  
12 President, or his designee, must certify to Congress, annu-  
13 ally, that no person or persons with direct or indirect re-  
14 sponsibility for administering the Executive Office of the  
15 President's Drug-Free Workplace Plan are themselves  
16 subject to a program of individual random drug testing.

17       SEC. 624. (a) None of the funds made available in  
18 this Act or any other Act may be obligated or expended  
19 for any employee training when it is made known to the  
20 Federal official having authority to obligate or expend  
21 such funds that such employee training—

22               (1) does not meet identified needs for knowl-  
23               edge, skills, and abilities bearing directly upon the  
24               performance of official duties;

1           (2) contains elements likely to induce high lev-  
2           els of emotional response or psychological stress in  
3           some participants;

4           (3) does not require prior employee notification  
5           of the content and methods to be used in the train-  
6           ing and written end of course evaluation;

7           (4) contains any methods or content associated  
8           with religious or quasi-religious belief systems or  
9           “new age” belief systems as defined in Equal Em-  
10          ployment Opportunity Commission Notice N-  
11          915.022, dated September 2, 1988;

12          (5) is offensive to, or designed to change, par-  
13          ticipants’ personal values or lifestyle outside the  
14          workplace; or

15          (6) includes content related to human  
16          immunodeficiency virus/acquired immune deficiency  
17          syndrome (HIV/AIDS) other than that necessary to  
18          make employees more aware of the medical ramifica-  
19          tions of HIV/AIDS and the workplace rights of  
20          HIV-positive employees.

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

24          SEC. 625. No funds appropriated in this or any other  
25          Act for fiscal year 1997 may be used to implement or en-

1 force the agreements in Standard Forms 312 and 4355  
2 of the Government or any other nondisclosure policy,  
3 form, or agreement if such policy, form, or agreement does  
4 not contain the following provisions: “These restrictions  
5 are consistent with and do not supersede, conflict with,  
6 or otherwise alter the employee obligations, rights, or li-  
7 abilities created by Executive Order 12356; section 7211  
8 of title 5, United States Code (governing disclosures to  
9 Congress); section 1034 of title 10, United States Code,  
10 as amended by the Military Whistleblower Protection Act  
11 (governing disclosure to Congress by members of the mili-  
12 tary); section 2302(b)(8) of title 5, United States Code,  
13 as amended by the Whistleblower Protection Act (govern-  
14 ing disclosures of illegality, waste, fraud, abuse or public  
15 health or safety threats); the Intelligence Identities Pro-  
16 tection Act of 1982 (50 U.S.C. 421 et seq.) (governing  
17 disclosures that could expose confidential Government  
18 agents); and the statutes which protect against disclosure  
19 that may compromise the national security, including sec-  
20 tions 641, 793, 794, 798, and 952 of title 18, United  
21 States Code, and section 4(b) of the Subversive Activities  
22 Act of 1950 (50 U.S.C. section 783(b)). The definitions,  
23 requirements, obligations, rights, sanctions, and liabilities  
24 created by said Executive Order and listed statutes are  
25 incorporated into this agreement and are controlling.”:

1 *Provided*, That notwithstanding the preceding paragraph,  
2 a nondisclosure policy form or agreement that is to be exe-  
3 cuted by a person connected with the conduct of an intel-  
4 ligence or intelligence-related activity, other than an em-  
5 ployee or officer of the United States Government, may  
6 contain provisions appropriate to the particular activity  
7 for which such document is to be used. Such form or  
8 agreement shall, at a minimum, require that the person  
9 will not disclose any classified information received in the  
10 course of such activity unless specifically authorized to do  
11 so by the United States Government. Such nondisclosure  
12 forms shall also make it clear that they do not bar dislo-  
13 sures to Congress or to an authorized official of an execu-  
14 tive agency or the Department of Justice that are essential  
15 to reporting a substantial violation of law.

16 SEC. 626. (a) None of the funds appropriated by this  
17 or any other Act may be expended by any Federal Agency  
18 to procure any product or service subject to section 5124  
19 of Public Law 104–106 and that will be available under  
20 the procurement by the Administrator of General Services  
21 known as “FTS2000” unless—

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

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

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

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

12          (b) After ~~July 31, 1997~~ *December 31, 1998*, sub-  
13          section (a) shall apply only if the Administrator of General  
14          Services has reported that the FTS2000 procurement is  
15          producing prices that allow the Government to satisfy its  
16          requirements for such procurement in the most cost-effec-  
17          tive manner.

18          SEC. 627. Subsection (f) of section 403 of Public Law  
19          103–356 is amended by deleting “October 1, 1999” and  
20          inserting “October 1, 2001”.

21          SEC. 628. (a) IN GENERAL.—Notwithstanding any  
22          other provision of law, none of the funds made available  
23          by this Act for the Department of the Treasury shall be  
24          available for any activity or for paying the salary of any  
25          Government employee where funding an activity or paying

1 a salary to a Government employee would result in a deci-  
2 sion, determination, rule, regulation, or policy that would  
3 permit the Secretary of the Treasury to make any loan  
4 or extension of credit under section 5302 of title 31, Unit-  
5 ed States Code, with respect to a single foreign entity or  
6 government of a foreign country (including agencies or  
7 other entities of that government)—

8 (1) with respect to a loan or extension of credit  
9 for more than 60 days, unless the President certifies  
10 to the Committee on Banking, Housing, and Urban  
11 Affairs of the Senate and the Committee on Banking  
12 and Financial Services of the House of Representa-  
13 tives that—

14 (A) there is no projected cost (as that term  
15 is defined in section 502 of the Federal Credit  
16 Reform Act of 1990) to the United States from  
17 the proposed loan or extension of credit; and

18 (B) any proposed obligation or expenditure  
19 of United States funds to or on behalf of the  
20 foreign government is adequately backed by an  
21 assured source of repayment to ensure that all  
22 United States funds will be repaid; and

23 (2) other than as provided by an Act of Con-  
24 gress, if that loan or extension of credit would result  
25 in expenditures and obligations, including contingent

1 obligations, aggregating more than \$1,000,000,000  
2 with respect to that foreign country for more than  
3 180 days during the 12-month period beginning on  
4 the date on which the first such action is taken.

5 (b) WAIVER OF LIMITATIONS.—The President may  
6 exceed the dollar and time limitations in subsection (a)(2)  
7 if he certifies in writing to the Congress that a financial  
8 crisis in that foreign country poses a threat to vital United  
9 States economic interests or to the stability of the inter-  
10 national financial system.

11 (c) EXPEDITED PROCEDURES FOR A RESOLUTION OF  
12 DISAPPROVAL.—A presidential certification pursuant to  
13 subsection (b) shall not take effect, if the Congress, within  
14 30 calendar days after receiving such certification, enacts  
15 a joint resolution of disapproval, as described in paragraph  
16 (5) of this subsection.

17 (1) REFERENCE TO COMMITTEES.—All joint  
18 resolutions introduced in the Senate to disapprove  
19 the certification shall be referred to the Committee  
20 on Banking, Housing, and Urban Affairs, and in the  
21 House of Representatives, to the appropriate com-  
22 mittees.

23 (2) DISCHARGE OF COMMITTEES.—(A) If the  
24 committee of either House to which a resolution has  
25 been referred has not reported it at the end of 15

1 days after its introduction, it is in order to move ei-  
2 ther to discharge the committee from further consid-  
3 eration of the joint resolution or to discharge the  
4 committee from further consideration of any other  
5 resolution introduced with respect to the same mat-  
6 ter, except no motion to discharge shall be in order  
7 after the committee has reported a joint resolution  
8 with respect to the same matter.

9 (B) A motion to discharge may be made only by  
10 an individual favoring the resolution, and is privi-  
11 leged in the Senate; and debate thereon shall be lim-  
12 ited to not more than 1 hour, the time to be divided  
13 in the Senate equally between, and controlled by, the  
14 majority leader and the minority leader or their des-  
15 ignees.

16 (3) FLOOR CONSIDERATION IN THE SENATE.—

17 (A) A motion in the Senate to proceed to the consid-  
18 eration of a resolution shall be privileged.

19 (B) Debate in the Senate on a resolution, and  
20 all debatable motions and appeals in connection  
21 therewith, shall be limited to not more than 4 hours,  
22 to be equally divided between, and controlled by, the  
23 majority leader and the minority leader or their des-  
24 ignees.

1           (C) Debate in the Senate on any debatable mo-  
2           tion or appeal in connection with a resolution shall  
3           be limited to not more than 20 minutes, to be equal-  
4           ly divided between, and controlled by, the mover and  
5           the manager of the resolution, except that in the  
6           event the manager of the resolution is in favor of  
7           any such motion or appeal, the time in opposition  
8           thereto, shall be controlled by the minority leader or  
9           his designee. Such leaders, or either of them, may,  
10          from time under their control on the passage of a  
11          resolution, allot additional time to any Senator dur-  
12          ing the consideration of any debatable motion or ap-  
13          peal.

14          (D) A motion in the Senate to further limit de-  
15          bate on a resolution, debatable motion, or appeal is  
16          not debatable. No amendment to, or motion to re-  
17          commit, a resolution is in order in the Senate.

18          (4) In the case of a resolution, if prior to the  
19          passage by one House of a resolution of that House,  
20          that House receives a resolution with respect to the  
21          same matter from the other House, then—

22                  (A) the procedure in that House shall be  
23                  the same as if no resolution had been received  
24                  from the other House; but

1 (B) the vote on final passage shall be on  
2 the resolution of the other House.

3 (5) For purposes of this subsection, the term  
4 “joint resolution” means only a joint resolution of  
5 the 2 Houses of Congress, the matter after the re-  
6 solving clause of which is as follows: “That the Con-  
7 gress disapproves the action of the President under  
8 section 628(c) of the Treasury, Postal Service, and  
9 General Government Appropriations Act, 1997, no-  
10 tice of which was submitted to the Congress on  
11 \_\_\_\_\_.”, with the blank space being filled  
12 with the appropriate date.

13 (d) APPLICABILITY.—This section—

14 (1) shall not apply to any action taken as part  
15 of the program of assistance to Mexico announced  
16 by the President on January 31, 1995; and

17 (2) shall remain in effect through fiscal year  
18 1997.

19 SEC. 629. (a) TECHNICAL AMENDMENT.—Section  
20 640 of Public Law 104–52 (109 Stat. 513) is amended  
21 by striking “Service performed” and inserting “Hereafter,  
22 service performed”.

23 (b) EFFECTIVE DATE.—The amendment made by  
24 subsection (a) shall take effect as if included in Public  
25 Law 104–52 on the date of its enactment.

1       SEC. 630. Notwithstanding any other provision of  
2 law, no part of any appropriation contained in this Act  
3 for any fiscal year shall be available for paying Sunday  
4 premium or differential pay to any employee unless such  
5 employee actually performed work during the time cor-  
6 responding to such premium or differential pay.

7       SEC. 631. No part of any funds appropriated in this  
8 or any other Act shall be used by an agency of the execu-  
9 tive branch, other than for normal and recognized execu-  
10 tive-legislative relationships, for publicity or propaganda  
11 purposes, and for the preparation, distribution or use of  
12 any kit, pamphlet, booklet, publication, radio, television or  
13 film presentation designed to support or defeat legislation  
14 pending before the Congress, except in presentation to the  
15 Congress itself.

16       SEC. 632. (a) FEDERAL EMPLOYEE REPRESENTA-  
17 TION IMPROVEMENT.—Subsection (d) of section 205 of  
18 title 18, United States Code, is amended to read as fol-  
19 lows:

20       “(d)(1) Nothing in subsection (a) or (b) prevents an  
21 officer or employee, if not inconsistent with the faithful  
22 performance of that officer’s or employee’s duties, from  
23 acting without compensation as agent or attorney for, or  
24 otherwise representing—

1           “(A) any person who is the subject of discipli-  
2 nary, loyalty, or other personnel administration pro-  
3 ceedings in connection with those proceedings; or

4           “(B) except as provided in paragraph (2), any  
5 cooperative, voluntary, professional, recreational, or  
6 similar organization or group not established or op-  
7 erated for profit, if a majority of the organization’s  
8 or group’s members are current officers or employ-  
9 ees of the United States or of the District of Colum-  
10 bia, or their spouses or dependent children.

11          “(2) Paragraph (1)(B) does not apply with respect  
12 to a covered matter that—

13           “(A) is a claim under subsection (a)(1) or  
14 (b)(1);

15           “(B) is a judicial or administrative proceeding  
16 where the organization or group is a party; or

17           “(C) involves a grant, contract, or other agree-  
18 ment (including a request for any such grant, con-  
19 tract, or agreement) providing for the disbursement  
20 of Federal funds to the organization or group.”.

21          (b) APPLICATION TO LABOR-MANAGEMENT RELA-  
22 TIONS.—Section 205 of title 18, United States Code, is  
23 amended by adding at the end the following:

24          “(i) Nothing in this section prevents an employee  
25 from acting pursuant to—

1 “(1) chapter 71 of title 5;

2 “(2) section 1004 or chapter 12 of title 39;

3 “(3) section 3 of the Tennessee Valley Author-  
4 ity Act of 1933 (16 U.S.C. 831b);

5 “(4) chapter 10 of title I of the Foreign Service  
6 Act of 1980 (22 U.S.C. 4104 et seq.); or

7 “(5) any provision of any other Federal or Dis-  
8 trict of Columbia law that authorizes labor-manage-  
9 ment relations between an agency or instrumentality  
10 of the United States or the District of Columbia and  
11 any labor organization that represents its employ-  
12 ees.”.

13 (c) APPLICABILITY.—The amendments made by this  
14 section shall take effect on the date of the enactment of  
15 this Act and shall apply thereafter.

16 SEC. 633. SURVIVOR ANNUITY RESUMPTION UPON  
17 TERMINATION OF MARRIAGE.—(a) AMENDMENTS.—

18 (1) CIVIL SERVICE RETIREMENT SYSTEM.—Sec-  
19 tion 8341(e) of title 5, United States Code, is  
20 amended by adding at the end the following:

21 “(4) If the annuity of a child under this subchapter  
22 terminates under paragraph (3)(E) because of marriage,  
23 then, if such marriage ends, such annuity shall resume  
24 on the first day of the month in which it ends, but only  
25 if—

1           “(A) any lump sum paid is returned to the  
2 Fund; and

3           “(B) that individual is not otherwise ineligible  
4 for such annuity.”.

5           (2) FEDERAL EMPLOYEES’ RETIREMENT SYS-  
6 TEM.—Section 8443(b) of such title is amended by  
7 adding at the end the following: “If the annuity of  
8 a child under this subchapter terminates under sub-  
9 paragraph (E) because of marriage, then, if such  
10 marriage ends, such annuity shall resume on the  
11 first day of the month in which it ends, but only if  
12 any lump sum paid is returned to the Fund, and  
13 that individual is not otherwise ineligible for such  
14 annuity.”.

15           (3) *FEDERAL EMPLOYEES HEALTH BENEFITS.*—  
16 *Section 8908 of title 5, United States Code, is amend-*  
17 *ed by adding at the end of the following new sub-*  
18 *section:*

19           “(d) *A surviving child whose survivor annuity under*  
20 *section 8341(e) or 8443(b) was terminated and is later re-*  
21 *stored under paragraph (4) of section 8341(e) or the last*  
22 *sentence of section 8443(b) may, under regulations pre-*  
23 *scribed by the Office, enroll in a health benefits plan de-*  
24 *scribed by section 8903 or 8903a if such surviving child*

1 *was covered by any such plan immediately before such an-*  
 2 *nnuity was terminated.”.*

3 (b) ~~APPLICABILITY.~~—~~The amendments made by sec-~~  
 4 ~~tion 1 shall apply with respect to any termination of mar-~~  
 5 ~~riage taking effect on or after November 1, 1993, except~~  
 6 ~~that any recomputation of benefits shall be payable only~~  
 7 ~~with respect to amounts accruing for periods beginning on~~  
 8 ~~or after the date of the enactment of this Act.~~

9 (b) *APPLICABILITY.*—*The amendments made by sub-*  
 10 *section (a) shall apply with respect to any termination of*  
 11 *marriage taking effect before, on, or after the date of enact-*  
 12 *ment of this Act, except that benefits shall be payable only*  
 13 *with respect to amounts accruing for periods beginning on*  
 14 *the first day of the month beginning after the later of such*  
 15 *termination of marriage or such date of enactment.*

16 ~~SEC. 634. AVAILABILITY OF ANNUAL LEAVE TO~~  
 17 ~~MEET MINIMUM AGE AND SERVICE REQUIREMENTS FOR~~  
 18 ~~TITLE TO AN IMMEDIATE ANNUITY.~~—(a) ~~CIVIL SERVICE~~  
 19 ~~RETIREMENT SYSTEM.~~—Section 8336 of title 5, United  
 20 States Code, is amended by adding at the end the follow-  
 21 ing:

22 “(o)(1) An employee involuntarily separated from  
 23 service due to a reduction in force shall, upon written elec-  
 24 tion, be given credit for days of unused annual leave  
 25 standing to such employee’s credit under a formal leave

1 system as of the date of separation, if and to the extent  
2 necessary in order to meet the minimum age and service  
3 requirements for title to an annuity under this section.

4 “(2) The Office shall prescribe any regulations which  
5 may be necessary to carry out this subsection, including  
6 regulations under which contributions to the Fund shall,  
7 with respect to the days of leave for which credit is given  
8 under this subsection, be made—

9 “(A) by the employee, equal to the employee  
10 contributions which would have been required for  
11 those days if separation had not occurred; and

12 “(B) by the agency from which separated, equal  
13 to the Government contributions which would have  
14 been required if separation had not occurred.

15 Contributions under the preceding sentence shall be deter-  
16 mined based on the rate of basic pay last in effect before  
17 separation.

18 “(3) Nothing in this subsection shall be considered—

19 “(A) to allow credit to be given for any leave  
20 standing to the credit of the employee (other than  
21 by restoration) pursuant to subchapter III or IV of  
22 chapter 63 or other similar authority;

23 “(B) to permit or require the making of any  
24 contributions to the Thrift Savings Fund with re-  
25 spect to any period after the date of separation; or

1           ~~“(C) to make any days of annual leave cred-~~  
2           ~~itable for purposes of section 8333, any determina-~~  
3           ~~tion of average pay, or any computation of annuity.~~

4           ~~“(4)(A) The taking of a lump-sum payment under~~  
5           ~~section 5551 or other similar authority shall not make any~~  
6           ~~of the leave to which such payment relates unavailable for~~  
7           ~~purposes of this subsection.~~

8           ~~“(B) The use of any leave for purposes of this sub-~~  
9           ~~section shall not reduce the amount of leave for which a~~  
10           ~~lump-sum payment is payable under section 5551 or other~~  
11           ~~similar authority.~~

12           ~~“(5) This subsection shall apply with respect to sepa-~~  
13           ~~rations occurring on or after the date of the enactment~~  
14           ~~of this subsection and before July 1, 2002.”.~~

15           ~~(b) FEDERAL EMPLOYEES’ RETIREMENT SYSTEM.—~~  
16           ~~Section 8412 of title 5, United States Code, is amended~~  
17           ~~by adding at the end the following:~~

18           ~~“(i)(1) An employee involuntarily separated from~~  
19           ~~service due to a reduction in force shall, upon written elec-~~  
20           ~~tion, be given credit for days of unused annual leave~~  
21           ~~standing to such employee’s credit under a formal leave~~  
22           ~~system as of the date of separation, if and to the extent~~  
23           ~~necessary in order to meet the minimum age and service~~  
24           ~~requirements for title to an annuity under this section or~~  
25           ~~section 8414.~~

1       “(2) The Office shall prescribe any regulations which  
2 may be necessary to carry out this subsection, including  
3 regulations under which contributions to the Fund shall,  
4 with respect to the days of leave for which credit is given  
5 under this subsection, be made—

6           “(A) by the employee, equal to the employee  
7 contributions which would have been required for  
8 those days if separation had not occurred; and

9           “(B) by the agency from which separated, equal  
10 to the Government contributions which would have  
11 been required if separation had not occurred.

12 Contributions under the preceding sentence shall be deter-  
13 mined based on the rate of basic pay last in effect before  
14 separation.

15       “(3) Nothing in this subsection shall be considered—

16           “(A) to allow credit to be given for any leave  
17 standing to the credit of the employee (other than  
18 by restoration) pursuant to subchapter III or IV of  
19 chapter 63 or other similar authority;

20           “(B) to permit or require the making of any  
21 contributions to the Thrift Savings Fund with re-  
22 spect to any period after the date of separation; or

23           “(C) to make any days of annual leave cred-  
24 itable for purposes of section 8410, any determina-  
25 tion of average pay, or any computation of annuity.

1       ~~“(4)(A) The taking of a lump-sum payment under~~  
2 ~~section 5551 or other similar authority shall not make any~~  
3 ~~of the leave to which such payment relates unavailable for~~  
4 ~~purposes of this subsection.~~

5       ~~“(B) The use of any leave for purposes of this sub-~~  
6 ~~section shall not reduce the amount of leave for which a~~  
7 ~~lump-sum payment is payable under section 5551 or other~~  
8 ~~similar authority.~~

9       ~~“(5) This subsection shall apply with respect to sepa-~~  
10 ~~rations occurring on or after the date of the enactment~~  
11 ~~of this subsection and before July 1, 2002.”.~~

12       *SEC. 634. AVAILABILITY OF ANNUAL LEAVE FOR EM-*  
13 *PLOYEES AFFECTED BY REDUCTION IN FORCE.—Section*  
14 *6302 of title 5, United States Code, is amended by adding*  
15 *at the end of the following new subsection:*

16       ~~“(g) An employee who is being involuntarily separated~~  
17 ~~from an agency due to a reduction in force or transfer of~~  
18 ~~function under subchapter I of chapter 35 may elect to use~~  
19 ~~annual leave to the employee’s credit to remain on the agen-~~  
20 ~~cy’s rolls after the date the employee would otherwise have~~  
21 ~~been separated if, and only to the extent that, such addi-~~  
22 ~~tional time in a pay status will enable the employee to qual-~~  
23 ~~ify for an immediate annuity under section 8336, 8412,~~  
24 ~~8414, or to qualify to carry health benefits coverage into~~  
25 ~~retirement under section 8905(b).”.~~

1        SEC. 635. Section 207(e)(6)(B) of title 18, United  
2 States Code, is amended by striking “level V of the Execu-  
3 tive Schedule” and inserting “level 5 of the Senior Execu-  
4 tive Service”.

5        SEC. 636. REIMBURSEMENTS RELATING TO PROFES-  
6 SIONAL LIABILITY INSURANCE.—(a) AUTHORITY.—Not-  
7 withstanding any other provision of law, amounts appro-  
8 priated by this Act (or any other Act for fiscal year 1997  
9 or any fiscal year thereafter) for salaries and expenses  
10 may be used to reimburse any qualified employee for not  
11 to exceed one-half the costs incurred by such employee for  
12 professional liability insurance. A payment under this sec-  
13 tion shall be contingent upon the submission of such infor-  
14 mation or documentation as the employing agency may re-  
15 quire.

16        (b) QUALIFIED EMPLOYEE.—For purposes of this  
17 section, the term “qualified employee” means an agency  
18 employee whose position is that of—

19            (1) a law enforcement officer; or

20            (2) a supervisor or management official.

21        (c) DEFINITIONS.—For purposes of this section—

22            (1) the term “agency” means an Executive  
23 agency, as defined by section 105 of title 5, United  
24 States Code, *and any agency of the Legislative*

1 *Branch of Government including any office or com-*  
2 *mittee of the Senate or the House of Representatives;*

3 (2) the term “law enforcement officer” means  
4 an employee, the duties of whose position are pri-  
5 marily the investigation, apprehension, prosecution,  
6 or detention of individuals suspected or convicted of  
7 offenses against the criminal laws of the United  
8 States, including any law enforcement officer under  
9 section 8331(20) or 8401(17) of such title 5;

10 (3) the terms “supervisor” and “management  
11 official” have the respective meanings given them by  
12 section 7103(a) of such title 5, and

13 (4) the term “professional liability insurance”  
14 means insurance which provides coverage for—

15 (A) legal liability for damages due to inju-  
16 ries to other persons, damage to their property,  
17 or other damage or loss to such other persons  
18 (including the expenses of litigation and settle-  
19 ment) resulting from or arising out of any  
20 tortious act, error, or omission of the covered  
21 individual (whether common law, statutory, or  
22 constitutional) while in the performance of such  
23 individual’s official duties as a qualified em-  
24 ployee; and

1 (B) the cost of legal representation for the  
2 covered individual in connection with any ad-  
3 ministrative or judicial proceeding (including  
4 any investigation or disciplinary proceeding) re-  
5 lating to any act, error, or omission of the cov-  
6 ered individual while in the performance of such  
7 individual's official duties as a qualified em-  
8 ployee, and other legal costs and fees relating  
9 to any such administrative or judicial proceed-  
10 ing.

11 (d) APPLICABILITY.—The amendments made by this  
12 section shall take effect on the date of the enactment of  
13 this Act and shall apply thereafter.

14 ~~SEC. 637. For purposes of each provision of law~~  
15 ~~amended by section 704(a)(2) of the Ethics Reform Act~~  
16 ~~of 1989 (5 U.S.C. 5318 note), no adjustment under sec-~~  
17 ~~tion 5303 of title 5, United States Code, shall be consid-~~  
18 ~~ered to have taken effect in fiscal year 1997 in the rates~~  
19 ~~of basic pay for the statutory pay systems.~~

20 ~~SEC. 638. (a) For purposes of this section, the term~~  
21 ~~“political appointee” means any individual who—~~

22 ~~(1) is employed in a position listed in sections~~  
23 ~~5312 through 5316 of title 5, United States Code~~  
24 ~~(relating to the Executive Schedule);~~

1           (2) is a limited term appointee, limited emer-  
2           gency appointee, or noncareer appointee in the Sen-  
3           ior Executive Service, as defined under section  
4           3132(a) (5), (6), and (7) of title 5, United States  
5           Code, respectively; or

6           (3) is employed in a position in the executive  
7           branch of the Government under schedule C of sub-  
8           part C of part 213 of title 5 of the Code of Federal  
9           Regulations.

10          (b) The President, acting through the Office of Man-  
11          agement and Budget and the Office of Personnel Manage-  
12          ment, shall take such actions as necessary (including re-  
13          duction-in-force actions under procedures consistent with  
14          those established under section 3595 of title 5, United  
15          States Code) to ensure that the number of political ap-  
16          pointees shall not, during any fiscal year beginning after  
17          September 30, 1997, exceed a total of 2,300 (determined  
18          on a full-time equivalent basis).

19          *SEC. 639. Section 608 of Public Law 104-52 is amend-*  
20          *ed in the first sentence by inserting before the period, “,*  
21          *including Federal records disposed of pursuant to a records*  
22          *schedule”.*

23          *SEC. 640. In reviewing and analyzing the contracting*  
24          *out, outsourcing or privatization of business and adminis-*  
25          *trative functions, and in implementing 40 U.S.C. sections*

1 1413 and 1423, and other provisions, in title LI of the Na-  
2 tional Defense Authorization Act for fiscal year 1996 (the  
3 Information Technology Management Reform Act)—

4 (1) the Director of the Office of Management and  
5 Budget and the heads of the executive agencies may  
6 have studies, analyses, reviews and other management  
7 assistance performed by the private sector;

8 (2) the reviews, analyses, and studies called for  
9 by 40 U.S.C. section 1413(b)(2) (B) and (C) shall be  
10 completed and reported to the Agency Head within  
11 180 days, or less measured from when a study analy-  
12 sis or review is initiated unless the Agency Head de-  
13 termines additional time is needed; and

14 (3) in accordance with principles and rules gov-  
15 erning organizational conflicts of interest, persons in-  
16 volved in a particular study may not compete for any  
17 work that is to be or is outsourced as a result of that  
18 study.

19 (4) this section will apply with respect to studies  
20 occurring on or after the date of enactment of this  
21 subsection and completed before September 1, 1999  
22 and the Comptroller General of the United States  
23 shall review and provide an assessment of this pro-  
24 gram by January 1, 1999.

1        *SEC. 641. (a) SECTION 1.—AUTHORIZATION OF AP-*  
2 *PROPRIATIONS.—Section 8(a)(1) of the Whistleblower Pro-*  
3 *tection Act of 1989 (5 U.S.C. 5509 note, Public Law 101-*  
4 *12, April 10, 1989, 103 Stat. 34, as amended Public Law*  
5 *103–424, Section 1, October 29, 1994, 108 Stat. 4361), is*  
6 *amended by striking the words: “1993, 1994, 1995, 1996,*  
7 *and 1997,” and inserting in lieu thereof “1998, 1999, 2000,*  
8 *2001, and 2002”.*

9        *(b) SECTION 2.—EFFECTIVE DATE. This Act shall take*  
10 *effect on October 1, 1998.*

11        *SEC. 642. (a) SECTION 1.—AUTHORIZATION OF AP-*  
12 *PROPRIATIONS.—Section 8(a)(1) of the Whistleblower Pro-*  
13 *tection Act of 1989 (5 U.S.C. 5509 note; Public Law 103-*  
14 *424; 103 Stat. 34) is amended by striking out: “1993, 1994,*  
15 *1995, 1996, and 1997,” and inserting in lieu thereof “1998,*  
16 *1999, 2000, 2001, and 2002”.*

17        *(b) SECTION 2.—EFFECTIVE DATE.—This Act shall*  
18 *take effect on October 1, 1998.*

19        *SEC. 643. MODIFICATIONS OF NATIONAL COMMISSION*  
20 *ON RESTRUCTURING THE INTERNAL REVENUE SERVICE.—*

21 *(a) QUORUM.—Paragraph (4) of section 637(b) of the*  
22 *Treasury, Postal Service, and General Government Appro-*  
23 *priations Act, 1996 (Public Law 104–52, 109 Stat. 510)*  
24 *is amended by striking “Seven” and inserting “Nine”.*

25        *(b) CO-CHAIRS.—*

1           (1) *IN GENERAL.*—Paragraph (3) of section  
2   637(b) of such Act is amended—

3           (A) by striking “a Chairman” and insert-  
4           ing “Co-Chairs”, and

5           (B) by striking “Chairman” in the heading  
6           and inserting “Co-Chairs”.

7           (2) *CONFORMING AMENDMENTS.*—(A) Paragraph  
8   (5)(B) of section 637(b) of such Act is amended by  
9   striking “a Chairman” and inserting “Co-Chairs”.

10          (B) Subsections (b)(4), (d)(1)(B), (d)(3), and  
11   (e)(1) of section 637 of such Act are each amended by  
12   striking “Chairman” each place it appears and in-  
13   serting “Co-Chairs”.

14          (c) *GIFTS.*—Section 637(d) of such Act is amended by  
15   adding at the end the following new paragraph:

16           “(6) *GIFTS.*—The Commission may accept, use,  
17   and dispose of gifts or donations of services or prop-  
18   erty in carrying out its duties under this section.”

19          (d) *TRAVEL EXPENSES.*—Section 637(f)(2) of such Act  
20   is amended by striking “shall” and inserting “may”.

21          (e) *EFFECTIVE DATE.*—The amendments made by this  
22   section shall take effect as if included in the provisions of  
23   the Treasury, Postal Service, and General Government Ap-  
24   propriations Act, 1996.

1        *SEC. 644. (a) IN GENERAL.—Section 202(a) of title*  
2 *39, United States Code, is amended by striking “\$10,000*  
3 *a year” and inserting “\$30,000 a year”.*

4        *(b) EFFECTIVE DATE.—Subsection (a) shall take effect*  
5 *at the beginning of the next applicable pay period begin-*  
6 *ning after the date of the enactment of this Act.*

7        *SEC. 645. REGULATORY ACCOUNTING.—(a) IN GEN-*  
8 *ERAL.—No later than September 30, 1997, the Director of*  
9 *the Office of Management and Budget shall submit to the*  
10 *Congress an accounting statement that estimates the cumu-*  
11 *lative costs and benefits of Federal regulatory programs.*

12        *(b) NOTICE.—The Director shall provide public notice*  
13 *and an opportunity to comment on the accounting state-*  
14 *ment and report under subsection (c).*

15        *(c) ASSOCIATED REPORT.—The Director shall submit*  
16 *with the accounting statement an associated report that*  
17 *shall contain, at a minimum—*

18            *(1) analysis of the direct and indirect impacts of*  
19 *Federal rules on the private sector, State and local*  
20 *government, and the Federal Government;*

21            *(2) estimates of the costs and benefits of each rule*  
22 *that is likely to have a gross annual effect on the*  
23 *economy of \$100,000,000 or more in increased costs;*  
24 *and*

1           (3) *recommendations from the Director and pub-*  
 2           *lic comments to reform or eliminate any Federal reg-*  
 3           *ulatory program or program element that is ineffi-*  
 4           *cient or is not a sound use of national resources.*

5 TITLE VII—SUPPLEMENTAL APPROPRIATIONS  
 6 AND RESCISSIONS FOR THE FISCAL YEAR  
 7 ENDING SEPTEMBER 30, 1996

8 BUREAU OF ALCOHOL, TOBACCO AND FIREARMS  
 9 SALARIES AND EXPENSES

10 For an additional amount for “Salaries and Ex-  
 11 penses” to be used in connection with investigations of  
 12 arson at religious institutions, \$12,011,000, available  
 13 upon enactment of this Act and to remain available until  
 14 expended.

15 INTERNAL REVENUE SERVICE  
 16 INFORMATION SYSTEMS  
 17 (RESCISSION)

18 Of the funds made available under this heading ~~for~~  
 19 ~~Tax Systems Modernization~~ in Public Law 104–52,  
 20 ~~\$12,011,000~~ \$16,500,000 are rescinded.

21 TITLE VIII—ADDITIONAL GENERAL  
 22 PROVISIONS

23 SEC. 801. None of the funds appropriated by this Act  
 24 shall be available to pay any amount to, or to pay the  
 25 administrative expenses in connection with, any health  
 26 plan under the Federal employees health benefit program;

1 when it is made known to the Federal official having au-  
2 thority to obligate or expend such funds that such health  
3 plan operates a health care provider incentive plan that  
4 does not meet the requirements of section 1876(i)(8)(A)  
5 of the Social Security Act (42 U.S.C. 1395mm(i)(8)(A))  
6 for physician incentive plans in contracts with eligible or-  
7 ganizations under section 1876 of such Act.

8       This Act may be cited as the “Treasury, Postal Serv-  
9 ice, and General Government Appropriations Act, 1997”.