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105TH CONGRESS
2^D SESSION

S. 2312

[Report No. 105-251]

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, 1999, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 15, 1998

Mr. CAMPBELL, from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

A BILL

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, 1999, 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,

1 the Executive Office of the President, and certain Inde-
2 pendent Agencies, for the fiscal year ending September 30,
3 1999, and for other purposes, namely:

4 TITLE I—DEPARTMENT OF THE TREASURY

5 DEPARTMENTAL OFFICES

6 SALARIES AND EXPENSES

7 For necessary expenses of the Departmental Offices
8 including operation and maintenance of the Treasury
9 Building and Annex; hire of passenger motor vehicles;
10 maintenance, repairs, and improvements of, and purchase
11 of commercial insurance policies for, real properties leased
12 or owned overseas, when necessary for the performance
13 of official business; not to exceed \$2,900,000 for official
14 travel expenses; not to exceed \$150,000 for official recep-
15 tion and representation expenses; not to exceed \$258,000
16 for unforeseen emergencies of a confidential nature, to be
17 allocated and expended under the direction of the Sec-
18 retary of the Treasury and to be accounted for solely on
19 his certificate; \$120,671,000: *Provided*, That the Office of
20 Foreign Assets Control shall be funded at no less than
21 \$6,560,800: *Provided further*, That of the amount pro-
22 vided, funds are authorized to be used for year 2000 con-
23 version costs pending the availability of funding through
24 emergency appropriation, pursuant to “Funds Appro-

1 priated to the President, Information Technology Systems
2 and Related Expenses”.

3 AUTOMATION ENHANCEMENT

4 (INCLUDING TRANSFER OF FUNDS)

5 For development and acquisition of automatic data
6 processing equipment, software, and services for the De-
7 partment of the Treasury, \$28,990,000, of which
8 \$8,000,000 shall be available to the United States Cus-
9 toms Service for the Customs Modernization project, of
10 which \$5,400,000 shall be available to the Departmental
11 Offices for the International Trade Data System, and of
12 which \$15,590,000 shall be available to the Departmental
13 Offices to modernize its information technology infrastruc-
14 ture, for modernizing Treasury’s human resource systems,
15 and for business solution software: *Provided*, That these
16 funds shall remain available until expended: *Provided fur-*
17 *ther*, That these funds shall be transferred to accounts and
18 in amounts as necessary to satisfy the requirements of the
19 Department’s offices, bureaus, and other organizations,
20 *Provided further*, That this transfer authority shall be in
21 addition to any other transfer authority provided in this
22 Act: *Provided further*, That none of the funds appropriated
23 shall be used to support or supplement the Internal Reve-
24 nue Service appropriations for Information Systems: *Pro-*
25 *vided further*, That none of the funds appropriated for the

1 Customs Modernization project may be transferred to the
2 United States Customs Service or obligated until the
3 Treasury's Chief Information Officer, through the Treas-
4 ury Investment Review Board, concurs on the plan and
5 milestone schedule for the deployment of the system: *Pro-*
6 *vided further*, That none of the funds made available for
7 the Customs Modernization project may be obligated for
8 any major system investments prior to the development
9 of an architecture which is compliant with the Treasury
10 Information Systems Architecture Framework (TISAF)
11 and the General Accounting Office certifies to Congress
12 the establishment of measures to enforce compliance with
13 the architecture: *Provided further*, That of the amount
14 provided, \$8,000,000 shall not be available for obligation
15 until September 30, 1999.

16 OFFICE OF INSPECTOR GENERAL

17 SALARIES AND EXPENSES

18 For necessary expenses of the Office of Inspector
19 General in carrying out the provisions of the Inspector
20 General Act of 1978, as amended, not to exceed
21 \$2,000,000 for official travel expenses; including hire of
22 passenger motor vehicles; and not to exceed \$100,000 for
23 unforeseen emergencies of a confidential nature, to be allo-
24 cated and expended under the direction of the Inspector
25 General of the Treasury; \$30,678,000.

1 VIOLENT CRIME REDUCTION PROGRAMS
2 (INCLUDING TRANSFER OF FUNDS)

3 For activities authorized by Public Law 103–322, to
4 remain available until expended, which shall be derived
5 from the Violent Crime Reduction Trust Fund, as follows:
6 (1) As authorized by section 190001(e),
7 \$117,761,000; of which \$1,800,000 shall be available to
8 the Bureau of Alcohol, Tobacco and Firearms for lab
9 equipment; of which \$1,400,000 shall be available to the
10 Financial Crimes Enforcement Network, including
11 \$800,000 for cyberpayment studies, \$100,000 for money
12 laundering regulations, \$300,000 for Suspicious Activity
13 Reporting form data analysis, and \$200,000 for training
14 for Federal, State and local law enforcement; of which
15 \$158,000 shall be available to the Federal Law Enforce-
16 ment Training Center for equipment replacement needs;
17 \$15,403,000 shall be available to the United States Secret
18 Service, including \$5,000,000 for counterfeiting investiga-
19 tions, \$7,732,000 for the 2000 candidate/nominee protec-
20 tion program, and \$2,671,000 for forensic and related
21 support of investigations of missing and exploited children,
22 of which \$671,000 shall be available as a grant for activi-
23 ties related to the investigations of exploited children and
24 shall remain available until expended; of which
25 \$45,000,000 shall be available for the Interagency Law

1 Enforcement for interagency crime and drug enforcement;
2 and of which \$54,000,000 shall be made available for the
3 United States Customs Service for the purchase of non-
4 intrusive inspection technology, including \$10,000,000 for
5 a high energy container inspection system for sea-going
6 containers, \$3,400,000 for the automated targeting sys-
7 tem, and \$40,600,000 to purchase equipment for the
8 Southern land border;

9 (2) As authorized by section 32401, \$13,239,000 to
10 the Bureau of Alcohol, Tobacco and Firearms for dis-
11 bursement through grants, cooperative agreements, or
12 contracts to local governments for Gang Resistance Edu-
13 cation and Training: *Provided*, That notwithstanding sec-
14 tions 32401 and 310001, such funds shall be allocated to
15 State and local law enforcement and prevention organiza-
16 tions;

17 (3) As authorized by section 180103, \$1,000,000 to
18 the Federal Law Enforcement Training Center for special-
19 ized training for rural law enforcement officers.

20 FEDERAL LAW ENFORCEMENT TRAINING CENTER

21 SALARIES AND EXPENSES

22 For necessary expenses of the Federal Law Enforce-
23 ment Training Center, as a bureau of the Department of
24 the Treasury, including materials and support costs of
25 Federal law enforcement basic training; purchase (not to

1 exceed 52 for police-type use, without regard to the gen-
2 eral purchase price limitation) and hire of passenger
3 motor vehicles; for expenses for student athletic and relat-
4 ed activities; uniforms without regard to the general pur-
5 chase price limitation for the current fiscal year; the con-
6 ducting of and participating in firearms matches and pres-
7 entation of awards; for public awareness and enhancing
8 community support of law enforcement training; not to ex-
9 ceed \$9,500 for official reception and representation ex-
10 penses; room and board for student interns; and services
11 as authorized by 5 U.S.C. 3109; \$66,251,000, of which
12 up to \$13,450,000 for materials and support costs of Fed-
13 eral law enforcement basic training shall remain available
14 until September 30, 2001: *Provided*, That the Center is
15 authorized to accept and use gifts of property, both real
16 and personal, and to accept services, for authorized pur-
17 poses, including funding of a gift of intrinsic value which
18 shall be awarded annually by the Director of the Center
19 to the outstanding student who graduated from a basic
20 training program at the Center during the previous fiscal
21 year, which shall be funded only by gifts received through
22 the Center's gift authority: *Provided further*, That not-
23 withstanding any other provision of law, students attend-
24 ing training at any Federal Law Enforcement Training
25 Center site shall reside in on-Center or Center-provided

1 housing, insofar as available and in accordance with Cen-
2 ter policy: *Provided further*, That funds appropriated in
3 this account shall be available, at the discretion of the Di-
4 rector, for: training United States Postal Service law en-
5 forcement personnel and Postal police officers; State and
6 local government law enforcement training on a space-
7 available basis; training of foreign law enforcement offi-
8 cials on a space-available basis with reimbursement of ac-
9 tual costs to this appropriation, except that reimburse-
10 ment may be waived by the Secretary for law enforcement
11 training activities in foreign countries undertaken pursu-
12 ant to section 801 of the Antiterrorism and Effective
13 Death Penalty Act of 1996, Public Law 104–32; training
14 of private sector security officials on a space-available
15 basis with reimbursement of actual costs to this appropria-
16 tion; and travel expenses of non-Federal personnel to at-
17 tend course development meetings and training sponsored
18 by the Center: *Provided further*, That the Center is author-
19 ized to obligate funds in anticipation of reimbursements
20 from agencies receiving training sponsored by the Federal
21 Law Enforcement Training Center, except that total obli-
22 gations at the end of the fiscal year shall not exceed total
23 budgetary resources available at the end of the fiscal year:
24 *Provided further*, That the Federal Law Enforcement
25 Training Center is authorized to provide training for the

1 Gang Resistance Education and Training program to Fed-
2 eral and non-Federal personnel at any facility in partner-
3 ship with ATF: *Provided further*, That the Federal Law
4 Enforcement Training Center is authorized to provide
5 short-term medical services for students undergoing train-
6 ing at the Center.

7 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND
8 RELATED EXPENSES

9 For expansion of the Federal Law Enforcement
10 Training Center, for acquisition of necessary additional
11 real property and facilities, and for ongoing maintenance,
12 facility improvements, and related expenses, \$15,360,000,
13 to remain available until expended.

14 INTERAGENCY LAW ENFORCEMENT
15 INTERAGENCY CRIME AND DRUG ENFORCEMENT

16 For expenses necessary for the detection and inves-
17 tigation of individuals involved in organized crime drug
18 trafficking, including cooperative efforts with State and
19 local law enforcement, \$30,900,000, of which \$7,827,000
20 shall remain available until expended.

21 FINANCIAL MANAGEMENT SERVICE
22 SALARIES AND EXPENSES

23 For necessary expenses of the Financial Management
24 Service, \$196,490,000, of which not to exceed
25 \$13,235,000 shall remain available until September 30,
26 2001 for information systems modernization initiatives:

1 *Provided*, That of the amount provided, \$4,500,000 shall
2 remain available until expended for postage and shall not
3 be obligated before September 30, 1999: *Provided further*,
4 That, pursuant to 39 U.S.C. 3206(a), funds shall continue
5 to be provided to the United States Postal Service for
6 postage due: *Provided further*, That of the amount pro-
7 vided, funds are authorized to be used for year 2000 con-
8 version costs pending the availability of funding through
9 emergency appropriation, pursuant to “Funds Appro-
10 priated to the President, Information Technology Systems
11 and Related Expenses”.

12 DEBT COLLECTION IMPROVEMENT ACCOUNT

13 To make payments by the Secretary of the Treasury
14 to reimburse agencies for qualified expenses, as authorized
15 by 31 U.S.C. 3720C, not to exceed \$3,000,000, to be de-
16 rived from increased agency collections of delinquent debt,
17 as authorized by such provision, and to remain available
18 until September 30, 2001.

19 FEDERAL FINANCING BANK

20 For liquidation of certain debts to the United States
21 Treasury incurred by the Federal Financing Bank pursu-
22 ant to section 9(b) of the Federal Financing Bank Act
23 of 1973, \$2,854,000,000.

1 BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

2 SALARIES AND EXPENSES

3 For necessary expenses of the Bureau of Alcohol, To-
4 bacco and Firearms, including purchase of not to exceed
5 650 vehicles for police-type use for replacement only and
6 hire of passenger motor vehicles; hire of aircraft; services
7 of expert witnesses at such rates as may be determined
8 by the Director; for payment of per diem and/or subsist-
9 ence allowances to employees where an assignment to the
10 National Response Team during the investigation of a
11 bombing or arson incident requires an employee to work
12 16 hours or more per day or to remain overnight at his
13 or her post of duty; not to exceed \$12,500 for official re-
14 ception and representation expenses; for training of State
15 and local law enforcement agencies with or without reim-
16 bursement, including training in connection with the train-
17 ing and acquisition of canines for explosives and fire
18 accelerants detection; and provision of laboratory assist-
19 ance to State and local agencies, with or without reim-
20 bursement; \$529,489,000, of which \$27,000,000 may be
21 used for the Youth Crime Gun Interdiction Initiative; of
22 which not to exceed \$1,000,000 shall be available for the
23 payment of attorneys' fees as provided by 18 U.S.C.
24 924(d)(2): *Provided*, That such funds shall be available
25 for the equipping of any vessel, vehicle, equipment, or air-

1 craft available for official use by a State or local law en-
2 forcement agency if the conveyance will be used in drug-
3 related joint law enforcement operations with the Bureau
4 of Alcohol, Tobacco and Firearms and for the payment
5 of overtime salaries, travel, fuel, training, equipment, and
6 other similar costs of State and local law enforcement offi-
7 cers that are incurred in joint operations with the Bureau
8 of Alcohol, Tobacco and Firearms: *Provided further*, That
9 no funds made available by this or any other Act may be
10 used to transfer the functions, missions, or activities of
11 the Bureau of Alcohol, Tobacco and Firearms to other
12 agencies or Departments in the fiscal year ending on Sep-
13 tember 30, 1998: *Provided further*, That of the funds
14 made available, \$4,500,000 shall be made available for the
15 expansion of the National Tracing Center: *Provided fur-*
16 *ther*, That no funds appropriated herein shall be available
17 for salaries or administrative expenses in connection with
18 consolidating or centralizing, within the Department of
19 the Treasury, the records, or any portion thereof, of acqui-
20 sition and disposition of firearms maintained by Federal
21 firearms licensees: *Provided further*, That no funds appro-
22 priated herein shall be used to pay administrative expenses
23 or the compensation of any officer or employee of the
24 United States to implement an amendment or amend-
25 ments to 27 CFR 178.118 or to change the definition of

1 “Curios or relics” in 27 CFR 178.11 or remove any item
2 from ATF Publication 5300.11 as it existed on January
3 1, 1994: *Provided further*, That none of the funds appro-
4 priated herein shall be available to investigate or act upon
5 applications for relief from Federal firearms disabilities
6 under 18 U.S.C. 925(c): *Provided further*, That such funds
7 shall be available to investigate and act upon applications
8 filed by corporations for relief from Federal firearms dis-
9 abilities under 18 U.S.C. 925(c): *Provided further*, That
10 no funds in this Act may be used to provide ballistics im-
11 aging equipment to any State or local authority who has
12 obtained similar equipment through a Federal grant or
13 subsidy unless the State or local authority agrees to return
14 that equipment or to repay that grant or subsidy to the
15 Federal Government: *Provided further*, That no funds
16 under this Act may be used to electronically retrieve infor-
17 mation gathered pursuant to 18 U.S.C. 923(g)(4) by
18 name or any personal identification code: *Provided further*,
19 That of the amount provided, funds are authorized to be
20 used for year 2000 conversion costs pending the availabil-
21 ity of funding through emergency appropriation, pursuant
22 to “Funds Appropriated to the President, Information
23 Technology Systems and Related Expenses”.

1 UNITED STATES CUSTOMS SERVICE
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF FUNDS)
4 For necessary expenses of the United States Customs
5 Service, including purchase and lease of up to 1,050 motor
6 vehicles of which 985 are for replacement only and of
7 which 1,030 are for police-type use and commercial oper-
8 ations; hire of motor vehicles; contracting with individuals
9 for personal services abroad; not to exceed \$30,000 for
10 official reception and representation expenses; and awards
11 of compensation to informers, as authorized by any Act
12 enforced by the United States Customs Service;
13 \$1,630,273,000, of which such sums as become available
14 in the Customs User Fee Account, except sums subject
15 to section 13031(f)(3) of the Consolidated Omnibus Budg-
16 et Reconciliation Act of 1985 (“COBRA”), as amended
17 (19 U.S.C. 58c(f)(3)), shall be derived from that Account;
18 of the total, not to exceed \$150,000 shall be available for
19 payment for rental space in connection with preclearance
20 operations, and not to exceed \$4,000,000 shall be available
21 until expended for research, not to exceed \$5,000,000
22 shall be available until expended for conducting special op-
23 erations pursuant to 19 U.S.C. 2081, and up to
24 \$8,000,000 shall be available until expended for the pro-
25 curement of automation infrastructure items, including
26 hardware, software, and installation: *Provided*, That uni-

1 forms may be purchased without regard to the general
 2 purchase price limitation for the current fiscal year: *Pro-*
 3 *vided further*, That of the amount provided, an additional
 4 \$2,400,000 shall be made available for staffing and re-
 5 sources for the child pornography cybersmuggling initia-
 6 tive: *Provided further*, That of the amount provided,
 7 \$1,200,000 shall be available to transfer to the Office of
 8 the Under Secretary of the Treasury for the oversight of
 9 the Customs Integrity Awareness Program: *Provided fur-*
 10 *ther*, That \$500,000 shall be available to fund the expan-
 11 sion of services at the Vermont World Trade Office: *Pro-*
 12 *vided further*, That notwithstanding any other provision
 13 of law, the fiscal year aggregate overtime limitation pre-
 14 scribed in subsection 5(c)(1) of the Act of February 13,
 15 1911 (19 U.S.C. 261 and 267) shall be \$30,000: *Provided*
 16 *further*, That of the amount provided, \$28,480,000 shall
 17 not be available for obligation until September 30, 1999.

18 OPERATIONS, MAINTENANCE AND PROCUREMENT, AIR

19 AND MARINE INTERDICTION PROGRAMS

20 For expenses, not otherwise provided for, necessary
 21 for the operation and maintenance of marine vessels, air-
 22 craft, and other related equipment of the Air and Marine
 23 Programs, including operational training and mission-re-
 24 lated travel, and rental payments for facilities occupied by
 25 the air or marine interdiction and demand reduction pro-
 26 grams, the operations of which include: the interdiction

1 of narcotics and other goods; the provision of support to
2 Customs and other Federal, State, and local agencies in
3 the enforcement or administration of laws enforced by the
4 Customs Service; and, at the discretion of the Commis-
5 sioner of Customs, the provision of assistance to Federal,
6 State, and local agencies in other law enforcement and
7 emergency humanitarian efforts; \$98,488,000, which shall
8 remain available until expended: *Provided*, That no air-
9 craft or other related equipment, with the exception of air-
10 craft which is one of a kind and has been identified as
11 excess to Customs requirements and aircraft which has
12 been damaged beyond repair, shall be transferred to any
13 other Federal agency, department, or office outside of the
14 Department of the Treasury, during fiscal year 1999 with-
15 out the prior approval of the Committees on Appropria-
16 tions: *Provided further*, That of the amount provided,
17 \$3,200,000 shall not be available for obligation for P3
18 annualization until September 30, 1999: *Provided further*,
19 That of the amount provided, \$20,100,000 shall not be
20 available for obligation until September 30, 1999.

21 HARBOR MAINTENANCE FEE COLLECTION

22 For administrative expenses related to the collection
23 of the Harbor Maintenance Fee, pursuant to Public Law
24 103-182, \$3,000,000, to be derived from the Harbor
25 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, \$176,500,000, of which
7 not to exceed \$2,500 shall be available for official recep-
8 tion and representation expenses; and, of which not to ex-
9 ceed \$1,000,000 shall remain available until September
10 30, 2001 for information systems modernization initia-
11 tives: *Provided*, That the sum appropriated herein from
12 the General Fund for fiscal year 1999 shall be reduced
13 by not more than \$4,400,000 as definitive security issue
14 fees and Treasury Direct Investor Account Maintenance
15 fees are collected, so as to result in a final fiscal year 1999
16 appropriation from the General Fund estimated at
17 \$172,100,000, and in addition, \$20,000, to be derived
18 from the Oil Spill Liability Trust Fund to reimburse the
19 Bureau for administrative and personnel expenses for fi-
20 nancial management of the Fund, as authorized by section
21 102 of Public Law 101–380: *Provided further*, That not-
22 withstanding any other provisions of law, effective upon
23 enactment and thereafter, the Bureau of the Public Debt
24 shall be fully and directly reimbursed by the funds de-
25 scribed in Public Law 101–136, title I, section 104, 103

1 Stat. 789 for costs and services performed by the Bureau
2 in the administration of such funds: *Provided further*,
3 That of the amount provided, funds are authorized to be
4 used for year 2000 conversion costs pending the availabil-
5 ity of funding through emergency appropriation, pursuant
6 to “Funds Appropriated to the President, Information
7 Technology Systems and Related Expenses”.

8 INTERNAL REVENUE SERVICE

9 PROCESSING, ASSISTANCE, AND MANAGEMENT

10 For necessary expenses of the Internal Revenue Serv-
11 ice for tax returns processing; revenue accounting; tax law
12 and account assistance to taxpayers by telephone and cor-
13 respondence; programs to match information returns and
14 tax returns; management services; rent and utilities; and
15 inspection; including purchase (not to exceed 150 for re-
16 placement only for police-type use) and hire of passenger
17 motor vehicles (31 U.S.C. 1343(b)); and services as au-
18 thorized by 5 U.S.C. 3109, at such rates as may be deter-
19 mined by the Commissioner; \$3,077,353,000, of which up
20 to \$3,700,000 shall be for the Tax Counseling for the El-
21 derly Program, and of which not to exceed \$25,000 shall
22 be for official reception and representation expenses: *Pro-*
23 *vided*, That of the amount provided, \$105,000,000 shall
24 remain available until expended for postage and shall not
25 be obligated before September 30, 1999: *Provided further*,

1 That, pursuant to 39 U.S.C. 3206(a), funds shall continue
2 to be provided to the United States Postal Service for
3 postage due.

4 TAX LAW ENFORCEMENT

5 For necessary expenses of the Internal Revenue Serv-
6 ice for determining and establishing tax liabilities; provid-
7 ing litigation support; technical rulings; examining em-
8 ployee plans and exempt organizations; conducting crimi-
9 nal investigation and enforcement activities; securing
10 unfiled tax returns; collecting unpaid accounts; compiling
11 statistics of income and conducting compliance research;
12 the purchase (for police-type use, not to exceed 850), and
13 hire of passenger motor vehicles (31 U.S.C. 1343(b)); and
14 services as authorized by 5 U.S.C. 3109, at such rates
15 as may be determined by the Commissioner,
16 \$3,164,399,000: *Provided*, That of the amount provided,
17 \$175,000,000 shall not be available for obligation until
18 September 30, 1999.

19 EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE

20 For funding essential earned income tax credit com-
21 pliance and error reduction initiatives pursuant to section
22 5702 of the Balanced Budget Act of 1997 (Public Law
23 105-33), \$143,000,000, of which not to exceed
24 \$10,000,000 may be used to reimburse the Social Security
25 Administration for the costs of implementing section 1090
26 of the Taxpayer Relief Act of 1997.

1 INFORMATION SYSTEMS

2 For necessary expenses of the Internal Revenue Serv-
3 ice for information systems and telecommunications sup-
4 port, including developmental information systems and
5 operational information systems; the hire of passenger
6 motor vehicles (31 U.S.C. 1343(b)); and services as au-
7 thorized by 5 U.S.C. 3109, at such rates as may be deter-
8 mined by the Commissioner, \$1,329,486,000, which shall
9 be available until September 30, 2000: *Provided*, That of
10 the amount provided, \$68,700,000 shall not be available
11 for obligation until September 30, 1999: *Provided further*,
12 That of the amount provided, funds are authorized to be
13 used for year 2000 conversion costs pending the availabil-
14 ity of funding through emergency appropriation, pursuant
15 to “Funds Appropriated to the President, Information
16 Technology Systems and Related Expenses”.

17 INFORMATION TECHNOLOGY INVESTMENTS

18 For necessary expenses of the Internal Revenue Serv-
19 ice, \$137,569,000, to remain available until September 30,
20 2002, for: the capital asset acquisition of information
21 technology systems, including management and related
22 contractual costs of said acquisition, including contractual
23 costs associated with operations as authorized by 5 U.S.C.
24 3109: *Provided*, That none of these funds is available for
25 obligation until September 30, 1999: *Provided further*,
26 That none of these funds shall be obligated until the Inter-

1 nal Revenue Service and the Department of the Treasury
2 submits to Congress for approval, a plan for expenditure.

3 ADMINISTRATIVE PROVISIONS

4 INTERNAL REVENUE SERVICE

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

10 SEC. 102. The Internal Revenue Service shall main-
11 tain a training program to ensure that Internal Revenue
12 Service employees are trained in taxpayers' rights, in deal-
13 ing courteously with the taxpayers, and in cross-cultural
14 relations.

15 SEC. 103. The funds provided in this Act for the In-
16 ternal Revenue Service shall be used to provide, as a mini-
17 mum, the fiscal year 1995 level of service, staffing, and
18 funding for Taxpayer Services.

19 SEC. 104. None of the funds appropriated by this
20 title shall be used in connection with the collection of any
21 underpayment of any tax imposed by the Internal Revenue
22 Code of 1986 unless the conduct of officers and employees
23 of the Internal Revenue Service in connection with such
24 collection, including any private sector employees under
25 contract to the Internal Revenue Service, complies with

1 subsection (a) of section 805 (relating to communications
2 in connection with debt collection), and section 806 (relat-
3 ing to harassment or abuse), of the Fair Debt Collection
4 Practices Act (15 U.S.C. 1692).

5 SEC. 105. The Internal Revenue Service shall insti-
6 tute and enforce policies and procedures which will safe-
7 guard the confidentiality of taxpayer information.

8 SEC. 106. Funds made available by this or any other
9 Act to the Internal Revenue Service shall be available for
10 improved facilities and increased manpower to provide suf-
11 ficient and effective 1-800 help line for taxpayers. The
12 Commissioner shall continue to make the improvement of
13 the Internal Revenue Service 1-800 help line service a pri-
14 ority and allocate resources necessary to increase phone
15 lines and staff to improve the Internal Revenue Service
16 1-800 help line service.

17 SEC. 107. Notwithstanding any other provision of
18 law, no reorganization of the field office structure of the
19 Internal Revenue Service Criminal Investigation Division
20 will result in a reduction of criminal investigations in Wis-
21 consin and South Dakota from the 1996 level.

22 UNITED STATES SECRET SERVICE

23 SALARIES AND EXPENSES

24 For necessary expenses of the United States Secret
25 Service, including purchase not to exceed 705 vehicles for

1 police-type use, of which 675 shall be for replacement only,
2 and hire of passenger motor vehicles; hire of aircraft;
3 training and assistance requested by State and local gov-
4 ernments, which may be provided without reimbursement;
5 services of expert witnesses at such rates as may be deter-
6 mined by the Director; rental of buildings in the District
7 of Columbia, and fencing, lighting, guard booths, and
8 other facilities on private or other property not in Govern-
9 ment ownership or control, as may be necessary to per-
10 form protective functions; for payment of per diem and/
11 or subsistence allowances to employees where a protective
12 assignment during the actual day or days of the visit of
13 a protectee require an employee to work 16 hours per day
14 or to remain overnight at his or her post of duty; the con-
15 ducting of and participating in firearms matches; presen-
16 tation of awards; for travel of Secret Service employees
17 on protective missions without regard to the limitations
18 on such expenditures in this or any other Act if approval
19 is obtained in advance from the Senate Committee on Ap-
20 propriations; for research and development; for making
21 grants to conduct behavioral research in support of protec-
22 tive research and operations; not to exceed \$20,000 for
23 official reception and representation expenses; not to ex-
24 ceed \$50,000 to provide technical assistance and equip-
25 ment to foreign law enforcement organizations in counter-

1 Fund on September 30, 1999, shall be made in compliance
2 with reprogramming guidelines.

3 SEC. 111. Appropriations to the Department of the
4 Treasury in this Act shall be available for uniforms or al-
5 lowances therefor, as authorized by law (5 U.S.C. 5901),
6 including maintenance, repairs, and cleaning; purchase of
7 insurance for official motor vehicles operated in foreign
8 countries; purchase of motor vehicles without regard to the
9 general purchase price limitations for vehicles purchased
10 and used overseas for the current fiscal year; entering into
11 contracts with the Department of State for the furnishing
12 of health and medical services to employees and their de-
13 pendants serving in foreign countries; and services author-
14 ized by 5 U.S.C. 3109.

15 SEC. 112. The funds provided to the Bureau of Alco-
16 hol, Tobacco and Firearms for fiscal year 1999 in this
17 Act for the enforcement of the Federal Alcohol Adminis-
18 tration Act shall be expended in a manner so as not to
19 diminish enforcement efforts with respect to section 105
20 of the Federal Alcohol Administration Act.

21 SEC. 113. Not to exceed 2 percent of any appropria-
22 tions in this Act made available to the Federal Law En-
23 forcement Training Center, Financial Crimes Enforce-
24 ment Network, Bureau of Alcohol, Tobacco and Firearms,
25 United States Customs Service, and United States Secret

1 Service may be transferred between such appropriations
2 upon the advance approval of the House and Senate Com-
3 mittees on Appropriations. No transfer may increase or
4 decrease any such appropriation by more than 2 percent.

5 SEC. 114. Not to exceed 2 percent of any appropria-
6 tions in this Act made available to the Departmental Of-
7 fices, Office of Inspector General, Financial Management
8 Service, and Bureau of the Public Debt, may be trans-
9 ferred between such appropriations upon the advance ap-
10 proval of the House and Senate Committees on Appropria-
11 tions. No transfer may increase or decrease any such ap-
12 propriation by more than 2 percent.

13 SEC. 115. The Secretary is authorized to promote the
14 benefits of and encourage the use of electronic tax admin-
15 istration programs, as they become available, through the
16 use of mass communications and other means. Addition-
17 ally, the Secretary may implement procedures to pay ap-
18 propriate incentives to commercial concerns for electronic
19 filing services: *Provided*, That such payment may not be
20 made unless the electronic filing service is provided with-
21 out charge to the taxpayer whose return is so filed: *Pro-*
22 *vided further*, That the Internal Revenue Service shall as-
23 sure the security of all electronic transmissions and the
24 full protection of the privacy of taxpayer data.

1 SEC. 116. The Bureau of Engraving and Printing
2 (BEP) and the Department of the Treasury shall award
3 a contract for Solicitation No. BEP-97-13 (TN) which
4 will permit an uninterrupted source of currency paper
5 upon the expiration of the contract for Solicitation 97-
6 10 on September 5, 1999 unless otherwise directed by the
7 Senate Committee on Appropriations.

8 SEC. 117. EXCEPTION TO IMMUNITY FROM ATTACH-
9 MENT OR EXECUTION. (a) Section 1610 of title 28, United
10 States Code, is amended by adding at the end the follow-
11 ing new subsection:

12 “(f)(1)(A) Notwithstanding any other provision of
13 law, including but not limited to section 208(f) of the For-
14 eign Missions Act (22 U.S.C. 4308(f)), and except as pro-
15 vided in subparagraph (B), any property with respect to
16 which financial transactions are prohibited or regulated
17 pursuant to section 5(b) of the Trading with the Enemy
18 Act (50 U.S.C. App. 5(b)), section 620(a) of the Foreign
19 Assistance Act of 1961 (22 U.S.C. 2370(a)), sections 202
20 and 203 of the International Emergency Economic Powers
21 Act (50 U.S.C. 1701-1702), or any other proclamation,
22 order, regulation, or license issued pursuant thereto, shall
23 be subject to execution or attachment in aid of execution
24 of any judgment relating to a claim for which a foreign
25 state (including any agency or instrumentality or such

1 state) claiming such property is not immune under section
2 1605(a)(7).

3 “(B) Subparagraph (A) shall not apply if, at the time
4 the property is expropriated or seized by the foreign state,
5 the property has been held in title by a natural person
6 or, if held in trust, has been held for the benefit of a natu-
7 ral person or persons.

8 “(2)(A) At the request of any party in whose favor
9 a judgment has been issued with respect to a claim for
10 which the foreign state is not immune under section
11 1605(a)(7), the Secretary of the Treasury and the Sec-
12 retary of State shall fully, promptly, and effectively assist
13 any judgment creditor or any court that has issued any
14 such judgment in identifying, locating, and executing
15 against the property of that foreign state or any agency
16 or instrumentality of such state.

17 “(B) In providing such assistance, the Secretaries—

18 “(i) may provide such information to the court
19 under seal; and

20 “(ii) shall provide the information in a manner
21 sufficient to allow the court to direct the United
22 States Marshall’s office to promptly and effectively
23 execute against that property.”.

24 (b) CONFORMING AMENDMENT.—Section 1606 of
25 title 28, United States Code, is amended by inserting after

1 “punitive damages” the following: “, except any action
2 under section 1605(a)(7) or 1610(f)”.

3 (c) EFFECTIVE DATE.—The amendments made by
4 subsections (a) and (b) shall apply to any claim for which
5 a foreign state is not immune under section 1605(a)(7)
6 of title 28, United States Code, arising before, on, or after
7 the date of enactment of this Act.

8 This title may be cited as the “Treasury Department
9 Appropriations Act, 1999”.

10 TITLE II—POSTAL SERVICE

11 PAYMENTS TO THE POSTAL SERVICE FUND

12 For payment to the Postal Service Fund for revenue
13 forgone on free and reduced rate mail, pursuant to sub-
14 sections (c) and (d) of section 2401 of title 39, United
15 States Code, \$71,195,000, which shall remain available
16 until September 30, 2000: *Provided*, That none of the
17 funds provided shall be available for obligation until Octo-
18 ber 1, 1999: *Provided further*, That mail for overseas vot-
19 ing and mail for the blind shall continue to be free: *Pro-*
20 *vided further*, That 6-day delivery and rural delivery of
21 mail shall continue at not less than the 1983 level: *Pro-*
22 *vided further*, That none of the funds made available to
23 the Postal Service by this Act shall be used to implement
24 any rule, regulation, or policy of charging any officer or
25 employee of any State or local child support enforcement

1 agency, or any individual participating in a State or local
 2 program of child support enforcement, a fee for informa-
 3 tion requested or provided concerning an address of a
 4 postal customer: *Provided further*, That none of the funds
 5 provided in this Act shall be used to consolidate or close
 6 small rural and other small post offices in the fiscal year
 7 ending on September 30, 1999.

8 This title may be cited as the “Postal Service Appro-
 9 priations Act, 1999”.

10 TITLE III—EXECUTIVE OFFICE OF THE PRESI-
 11 DENT AND FUNDS APPROPRIATED TO THE
 12 PRESIDENT

13 COMPENSATION OF THE PRESIDENT AND THE WHITE
 14 HOUSE OFFICE

15 COMPENSATION OF THE PRESIDENT

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

1 SALARIES AND EXPENSES

2 For necessary expenses for the White House as au-
3 thorized by law, including not to exceed \$3,850,000 for
4 services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;
5 subsistence expenses as authorized by 3 U.S.C. 105, which
6 shall be expended and accounted for as provided in that
7 section; hire of passenger motor vehicles, newspapers,
8 periodicals, teletype news service, and travel (not to exceed
9 \$100,000 to be expended and accounted for as provided
10 by 3 U.S.C. 103); not to exceed \$19,000 for official enter-
11 tainment expenses, to be available for allocation within the
12 Executive Office of the President; \$52,344,000.

13 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

14 OPERATING EXPENSES

15 For the care, maintenance, repair and alteration, re-
16 furnishing, improvement, heating and lighting, including
17 electric power and fixtures, of the Executive Residence at
18 the White House and official entertainment expenses of
19 the President, \$8,691,000, to be expended and accounted
20 for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

21 REIMBURSABLE EXPENSES

22 For the reimbursable expenses of the Executive Resi-
23 dence at the White House, such sums as may be nec-
24 essary: *Provided*, That all reimbursable operating expenses
25 of the Executive Residence shall be made in accordance

1 with the provisions of this paragraph: *Provided further,*
2 That, notwithstanding any other provision of law, such
3 amount for reimbursable operating expenses shall be the
4 exclusive authority of the Executive Residence to incur ob-
5 ligations and to receive offsetting collections, for such ex-
6 penses: *Provided further,* That the Executive Residence
7 shall require each person sponsoring a reimbursable politi-
8 cal event to pay in advance an amount equal to the esti-
9 mated cost of the event, and all such advance payments
10 shall be credited to this account and remain available until
11 expended: *Provided further,* That the Executive Residence
12 shall require the national committee of the political party
13 of the President to maintain on deposit \$25,000, to be
14 separately accounted for and available for expenses relat-
15 ing to reimbursable political events sponsored by such
16 committee during such fiscal year: *Provided further,* That
17 the Executive Residence shall ensure that a written notice
18 of any amount owed for a reimbursable operating expense
19 under this paragraph is submitted to the person owing
20 such amount within 60 days after such expense is in-
21 curred, and that such amount is collected within 30 days
22 after the submission of such notice: *Provided further,* That
23 the Executive Residence shall charge interest and assess
24 penalties and other charges on any such amount that is
25 not reimbursed within such 30 days, in accordance with

1 the interest and penalty provisions applicable to an out-
2 standing debt on a United States Government claim under
3 section 3717 of title 31, United States Code: *Provided fur-*
4 *ther*, That each such amount that is reimbursed, and any
5 accompanying interest and charges, shall be deposited in
6 the Treasury as miscellaneous receipts: *Provided further*,
7 That the Executive Residence shall prepare and submit
8 to the Committees on Appropriations, by not later than
9 90 days after the end of the fiscal year covered by this
10 Act, a report setting forth the reimbursable operating ex-
11 penses of the Executive Residence during the preceding
12 fiscal year, including the total amount of such expenses,
13 the amount of such total that consists of reimbursable offi-
14 cial and ceremonial events, the amount of such total that
15 consists of reimbursable political events, and the portion
16 of each such amount that has been reimbursed as of the
17 date of the report: *Provided further*, That the Executive
18 Residence shall maintain a system for the tracking of ex-
19 penses related to reimbursable events within the Executive
20 Residence that includes a standard for the classification
21 of any such expense as political or nonpolitical: *Provided*
22 *further*, That no provision of this paragraph may be con-
23 strued to exempt the Executive Residence from any other
24 applicable requirement of subchapter I or II of chapter
25 37 of title 31, United States Code.

1 SPECIAL ASSISTANCE TO THE PRESIDENT AND THE
2 OFFICIAL RESIDENCE OF THE VICE PRESIDENT
3 SALARIES AND EXPENSES

4 For necessary expenses to enable the Vice President
5 to provide assistance to the President in connection with
6 specially assigned functions, services as authorized by 5
7 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
8 penses as authorized by 3 U.S.C. 106, which shall be ex-
9 pended and accounted for as provided in that section; and
10 hire of passenger motor vehicles; \$3,512,000.

11 OPERATING EXPENSES

12 For the care, operation, refurnishing, improvement,
13 heating and lighting, including electric power and fixtures,
14 of the official residence of the Vice President, the hire of
15 passenger motor vehicles, and not to exceed \$90,000 for
16 official entertainment expenses of the Vice President, to
17 be accounted for solely on his certificate; \$334,000: *Pro-*
18 *vided*, That advances or repayments or transfers from this
19 appropriation may be made to any department or agency
20 for expenses of carrying out such activities.

21 COUNCIL OF ECONOMIC ADVISERS

22 SALARIES AND EXPENSES

23 For necessary expenses of the Council in carrying out
24 its functions under the Employment Act of 1946 (15
25 U.S.C. 1021), \$3,666,000.

1 OFFICE OF POLICY DEVELOPMENT

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Policy Devel-
4 opment, including services as authorized by 5 U.S.C.
5 3109, and 3 U.S.C. 107; \$4,032,000.

6 NATIONAL SECURITY COUNCIL

7 SALARIES AND EXPENSES

8 For necessary expenses of the National Security
9 Council, including services as authorized by 5 U.S.C.
10 3109, \$6,806,000.

11 OFFICE OF ADMINISTRATION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Office of Administra-
14 tion, including services as authorized by 5 U.S.C. 3109
15 and 3 U.S.C. 107, and hire of passenger motor vehicles
16 \$29,140,000: *Provided*, That of the amount provided,
17 funds are authorized to be used for year 2000 conversion
18 costs pending the availability of funding through emer-
19 gency appropriation, pursuant to “Funds Appropriated to
20 the President, Information Technology Systems and Re-
21 lated Expenses”.

22 OFFICE OF MANAGEMENT AND BUDGET

23 SALARIES AND EXPENSES

24 For necessary expenses of the Office of Management
25 and Budget, including hire of passenger motor vehicles,

1 services as authorized by 5 U.S.C. 3109, \$60,617,000, of
2 which not to exceed \$5,000,000 shall be available to carry
3 out the provisions of chapter 35 of title 44, United States
4 Code: *Provided*, That, as provided in 31 U.S.C. 1301(a),
5 appropriations shall be applied only to the objects for
6 which appropriations were made except as otherwise pro-
7 vided by law: *Provided further*, That none of the funds
8 made available for the Office of Management and Budget
9 by this Act may be expended for the altering of the tran-
10 script of actual testimony of witnesses, except for testi-
11 mony of officials of the Office of Management and Budget,
12 before the House and Senate Committees on Appropria-
13 tions or the House and Senate Committees on Veterans'
14 Affairs or their subcommittees: *Provided further*, That the
15 Director of OMB submit a report within 180 days of en-
16 actment to the Senate Committee on Appropriations: (1)
17 evaluating the implementation of specific government-wide
18 procedures for making federally funded research results
19 (including all underlying data and supplementary mate-
20 rials) available as appropriate to the public unless such
21 research results are currently protected from disclosure
22 under current law; and (2) make a determination based
23 on this evaluation for the need for additional or revised
24 guidance: *Provided further*, That OMB is directed to sub-
25 mit a report to the Senate Committee on Appropriations

1 and Senate Committee on Governmental Affairs that: (1)
2 identifies annual five percent reductions in paperwork ex-
3 pected in fiscal year 1999 and fiscal year 2000; and (2)
4 issues guidance on the requirements of 5 U.S.C. Sec.
5 801(a)(1) and (3); sections 804(3), and 808(2), including
6 a standard new rule reporting form for use under section
7 801(a)(1)(A)–(B).

8 OFFICE OF NATIONAL DRUG CONTROL POLICY

9 SALARIES AND EXPENSES

10 (INCLUDING TRANSFER OF FUNDS)

11 For necessary expenses of the Office of National
12 Drug Control Policy; for research activities pursuant to
13 title I of Public Law 100–690; not to exceed \$8,000 for
14 official reception and representation expenses; and for par-
15 ticipation in joint projects or in the provision of services
16 on matters of mutual interest with nonprofit, research, or
17 public organizations or agencies, with or without reim-
18 bursement; \$48,042,000, of which \$30,100,000 shall re-
19 main available until expended, consisting of \$1,100,000
20 for policy research and evaluation and \$16,000,000 for the
21 Counterdrug Technology Assessment Center for counter-
22 narcotics research and development projects, and
23 \$13,000,000 for the continued operation of the technology
24 transfer program: *Provided*, That the \$16,000,000 for the
25 Counterdrug Technology Assessment Center shall be avail-
26 able for transfer to other Federal departments or agencies:

1 *Provided further*, That the Office is authorized to accept,
2 hold, administer, and utilize gifts, both real and personal,
3 for the purpose of aiding or facilitating the work of the
4 Office.

5 FEDERAL DRUG CONTROL PROGRAMS

6 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

7 (INCLUDING TRANSFER OF FUNDS)

8 For necessary expenses of the Office of National
9 Drug Control Policy's High Intensity Drug Trafficking
10 Areas Program, \$171,007,000 for drug control activities
11 consistent with the approved strategy for each of the des-
12 ignated High Intensity Drug Trafficking Areas, of which
13 \$5,000,000 shall be used for a newly designated High In-
14 tensity Drug Trafficking Area in Dallas/Fort Worth and
15 East Texas and \$1,000,000 shall be used for a newly des-
16 ignated High Intensity Drug Trafficking Area in New
17 England, should the Director of the Office of National
18 Drug Control Policy determine that these locations meet
19 the designated criteria, and of which \$1,500,000 shall be
20 used to expand the Milwaukee, Wisconsin High Intensity
21 Drug Trafficking Area, and of which \$1,500,000 shall be
22 used to continue the Rocky Mountain methamphetamine
23 demonstration program, of which no less than
24 \$90,630,000 shall be transferred to State and local enti-
25 ties for drug control activities, which shall be obligated
26 within 120 days of the date of enactment of this Act and

1 up to \$80,370,000 may be transferred to Federal agencies
2 and departments at a rate to be determined by the Direc-
3 tor: *Provided*, That funding shall be provided for existing
4 High Intensity Drug Trafficking Areas at no less than the
5 fiscal year 1998 level.

6 SPECIAL FORFEITURE FUND
7 (INCLUDING TRANSFER OF FUNDS)

8 For activities to support a national anti-drug cam-
9 paign for youth, and other purposes, authorized by Public
10 Law 100–690, as amended, \$200,000,000, to remain
11 available until expended: *Provided*, That such funds may
12 be transferred to other Federal departments and agencies
13 to carry out such activities: *Provided further*, That of the
14 funds provided, \$175,000,000 shall be to support a na-
15 tional media campaign to reduce and prevent drug use
16 among young Americans: *Provided further*, That (1)
17 ONDCP will require a pro-bono match commitment up-
18 front as part of its media buy from each and every buyer
19 of ad time and space, (2) ONDCP will dedicate 10 percent
20 of the total amount appropriated specifically for the media
21 campaign for the creation and distribution of grassroots
22 materials aimed at children to be developed in consultation
23 with community groups and experts, and to be distributed
24 to communities and schools to support the national media
25 campaign, (3) ONDCP, or any agent acting on its behalf,
26 is prohibited from obligating any funds for the creative

1 development of advertisements, (4) ONDCP will secure 80
2 percent of corporate sponsorship and will report quarterly
3 on its efforts to meet this goal, (5) ONDCP, or any agent
4 acting on its behalf, is prohibited from paying for the de-
5 velopment of new advertisements related to the media
6 campaign, but these ads must be provided on a pro-bono
7 basis, (6) ONDCP is mandated to use appropriated funds
8 solely to fund the anti-drug media campaign to include
9 only the purchase of media time and space, talent re-use
10 payments, out-of-pocket advertising production costs, and
11 the negotiated fee for the contract buying agency, (7) none
12 of the funds provided for the national media campaign for
13 fiscal year 1999 may be obligated until ONDCP has sub-
14 mitted for written approval by the Committees on Appro-
15 priations the evaluation and results of Phase I and Phase
16 II of the campaign, (8) ONDCP is required to report to
17 the Committee not only quarterly, but also monthly
18 itemized reporting of all expenditures and obligations re-
19 lated to the media campaign, (9) funds shall be provided
20 for obligation for the national media campaign after GAO
21 has submitted and the Committee has approved the GAO
22 report on the evaluation of Phase I of the media campaign
23 and the GAO report on the media campaign financial
24 management review: *Provided further*, That of the funds
25 provided, \$20,000,000 shall be to continue a program of

1 matching grants to drug-free communities, as authorized
2 in the Drug-Free Communities Act of 1997.

3 INFORMATION TECHNOLOGY SYSTEMS AND RELATED
4 EXPENSES
5 (INCLUDING TRANSFER OF FUNDS)

6 For emergency expenses related to Year 2000 conver-
7 sion of Federal information technology systems, and relat-
8 ed expenses, \$3,250,000,000, to remain available until
9 September 30, 2001: *Provided*, That the funds made avail-
10 able shall be transferred, as necessary, by the Director of
11 the Office of Management and Budget to all affected fed-
12 eral Departments and Agencies for expenses necessary to
13 ensure the information technology that is used or acquired
14 by the federal government meets the definition of Year
15 2000 compliant under Federal Acquisition Regulations
16 (concerning accurate processing of date/time data, includ-
17 ing calculating, comparing, and sequencing from, into, and
18 between the twentieth and twenty-first centuries, and the
19 years 1999 and 2000 and leap year calculations) and to
20 meet other criteria for Year 2000 compliance as the head
21 of each Department or Agency considers appropriate: *Pro-*
22 *vided further*, That none of the funds provided under this
23 heading may be transferred to any Department or Agency
24 until fifteen days after the Director of the Office of Man-
25 agement and Budget has submitted to the House and Sen-
26 ate Committees on Appropriations and the Senate Special

1 Committee on the Year 2000 Technology Problem a pro-
2 posed allocation and plan for that Department or Agency
3 to achieve Year 2000 compliance for technology informa-
4 tion systems: *Provided further*, That the transfer authority
5 provided in this paragraph is in addition to any other
6 transfer authority contained elsewhere in this or any other
7 Act: *Provided further*, That funds provided under this
8 heading shall be in addition to funds available in this or
9 any other Act for Year 2000 compliance by any federal
10 Department or Agency: *Provided further*, That the
11 \$3,250,000,000 shall be available only to the extent that
12 an official budget request that includes designation of the
13 entire amount of the request as an emergency requirement
14 as defined in the Balanced Budget and Emergency Deficit
15 Control Act of 1985, as amended, is transmitted by the
16 President to the Congress: *Provided further*, That the
17 \$3,250,000,000 is designated by the Congress as an emer-
18 gency requirement pursuant to section 251(b)(2)(A) of the
19 Balanced Budget and Emergency Deficit Control Act of
20 1985, as amended.

21 This title may be cited as the “Executive Office Ap-
22 propriations Act, 1999”.

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, \$2,464,000.

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, \$33,700,000, of which not to exceed \$5,000 shall be
14 available for reception and representation expenses: *Pro-*
15 *vided*, That of the amount provided, funds are authorized
16 to be used for year 2000 conversion costs pending the
17 availability of funding through emergency appropriation,
18 pursuant to “Funds Appropriated to the President, Infor-
19 mation Technology Systems and Related Expenses”.

20 FEDERAL LABOR RELATIONS AUTHORITY
21 SALARIES AND EXPENSES

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

1 5 U.S.C. 3109, including hire of experts and consultants,
2 hire of passenger motor vehicles, rental of conference
3 rooms in the District of Columbia and elsewhere;
4 \$22,586,000: *Provided*, That public members of the Fed-
5 eral Service Impasses Panel may be paid travel expenses
6 and per diem in lieu of subsistence as authorized by law
7 (5 U.S.C. 5703) for persons employed intermittently in
8 the Government service, and compensation as authorized
9 by 5 U.S.C. 3109: *Provided further*, That notwithstanding
10 31 U.S.C. 3302, funds received from fees charged to non-
11 Federal participants at labor-management relations con-
12 ferences shall be credited to and merged with this account,
13 to be available without further appropriation for the costs
14 of carrying out these conferences.

15 GENERAL SERVICES ADMINISTRATION

16 FEDERAL BUILDINGS FUND

17 LIMITATIONS ON AVAILABILITY OF REVENUE

18 To carry out the purpose of the Fund established
19 pursuant to section 210(f) of the Federal Property and
20 Administrative Services Act of 1949, as amended (40
21 U.S.C. 490(f)), the revenues and collections deposited into
22 the 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
26 buildings in the District of Columbia; restoration of leased

1 premises; moving governmental agencies (including space
2 adjustments and telecommunications relocation expenses)
3 in connection with the assignment, allocation and transfer
4 of space; contractual services incident to cleaning or serv-
5 icing buildings, and moving; repair and alteration of feder-
6 ally owned buildings including grounds, approaches and
7 appurtenances; care and safeguarding of sites; mainte-
8 nance, preservation, demolition, and equipment; acquisi-
9 tion of buildings and sites by purchase, condemnation, or
10 as otherwise authorized by law; acquisition of options to
11 purchase buildings and sites; conversion and extension of
12 federally owned buildings; preliminary planning and de-
13 sign of projects by contract or otherwise; construction of
14 new buildings (including equipment for such buildings);
15 and payment of principal, interest, and any other obliga-
16 tions for public buildings acquired by installment purchase
17 and purchase contract, in the aggregate amount of
18 \$5,665,585,000, of which: (1) \$552,757,000 shall remain
19 available until expended for construction of additional
20 projects at locations and at maximum construction im-
21 provement costs (including funds for sites and expenses
22 and associated design and construction services) as fol-
23 lows:

24 New construction:

25 Arkansas:

1 Little Rock, U.S. courthouse,
2 \$3,436,000
3 California:
4 San Diego, U.S. courthouse,
5 \$15,400,000
6 San Jose, U.S. courthouse,
7 \$10,800,000
8 Colorado:
9 Denver, U.S. courthouse, \$83,959,000
10 District of Columbia:
11 Department of Transportation, head-
12 quarters, \$14,105,000
13 Southeast Federal Center remedi-
14 ation, \$10,000,000
15 Florida:
16 Jacksonville, U.S. courthouse,
17 \$86,010,000
18 Orlando, U.S. courthouse, \$1,930,000
19 Georgia:
20 Savannah, U.S. courthouse,
21 \$46,462,000
22 Massachusetts:
23 Springfield, U.S. courthouse,
24 \$5,563,000
25 Michigan:

1 Sault Sainte Marie, border station,
2 \$572,000
3 Mississippi:
4 Biloxi-Gulfport U.S. courthouse,
5 \$7,543,000
6 Missouri:
7 Cape Girardeau U.S. courthouse,
8 \$2,196,000
9 Montana:
10 Babb, Piegan border station,
11 \$6,165,000
12 New York:
13 Brooklyn, U.S. courthouse,
14 \$152,626,000
15 New York U.S. Mission to the United
16 Nations, \$3,163,000
17 Oregon:
18 Eugene, U.S. courthouse, \$7,190,000
19 Tennessee:
20 Greenville, U.S. courthouse,
21 \$28,229,000
22 Texas:
23 Laredo, U.S. courthouse, \$28,105,000
24 West Virginia:

1 Wheeling, U.S. courthouse,

2 \$29,303,000

3 Nationwide:

4 Nonprospectus, \$10,000,000:

5 *Provided*, That each of the immediately foregoing limits
6 of costs on new construction projects may be exceeded to
7 the extent that savings are effected in other such projects,
8 but not to exceed 10 percent unless advance approval is
9 obtained from the House and Senate Committees on Ap-
10 propriations of a greater amount: *Provided further*, That
11 notwithstanding any other provision of law in order to re-
12 scind a General Services Administration property sale, the
13 General Services Administration is authorized to re-ac-
14 quire that parcel of land on Block 111, East Denver, Den-
15 ver, Colorado, which was sold at public auction by the
16 Federal government to its present owner pursuant to
17 paragraphs (6) and (7) of section 12 of Public Law 94-
18 204 (43 U.S.C. 1611 note) at a price equivalent to the
19 1988 auction sale price plus the amount of cumulative
20 consumer price index, pursuant to the methodology as
21 used in Public Law 104-42, Sec. 107(a), from the closing
22 date of the sale until the date of re-acquisition by the Fed-
23 eral government, offset by any net income received from
24 the property by the present owner since the 1988 sale:
25 *Provided further*, That the funds provided in Public Law

1 102–393 for Hilo, Hawaii shall be expended for the plan-
2 ning and design of the Mauna Kea Astronomy Edu-
3 cational Center, notwithstanding Public Law 103–123,
4 and of the funds provided not more than \$475,000 is to
5 be disbursed in this fiscal year: *Provided further*, That of
6 the amount provided, \$14,105,000 for the design of the
7 Department of Transportation headquarters building shall
8 not be available for obligation by the Administrator of
9 General Services until the Secretary of the Department
10 of Transportation approves airport landing rights for Brit-
11 ish Airways at Denver International Airport, Denver, Col-
12 orado and certifies that he has received a guarantee for
13 year-round commercially viable landing and take off slots
14 for the U.S. carrier authorized to serve the Charlotte-Lon-
15 don (Gatwick) route: *Provided further*, That all funds for
16 direct construction projects shall expire on September 30,
17 2000, and remain in the Federal Buildings Fund except
18 for funds for projects as to which funds for design or other
19 funds have been obligated in whole or in part prior to such
20 date; (2) \$668,031,000 shall remain available until ex-
21 pended, for repairs and alterations which includes associ-
22 ated design and construction services: *Provided further*,
23 That of the amount provided, \$323,800,000 shall not be
24 available for obligation until September 30, 1999: *Pro-*
25 *vided further*, That funds in the Federal Buildings Fund

1 for Repairs and Alterations shall, for prospectus projects,
2 be limited to the amount by project as follows, except each
3 project may be increased by an amount not to exceed 10
4 percent unless advance approval is obtained from the
5 House and Senate Committees on Appropriations of a
6 greater amount:

7 Repairs and alterations:

8 California:

9 San Francisco, Appraisers Building,
10 \$29,778,000

11 Colorado:

12 Lakewood, Denver Federal Center, Build-
13 ing 25, \$29,351,000

14 District of Columbia:

15 Federal Office Building, 10B, \$13,844,000

16 Interstate Commerce Commission, Con-
17 necting Wing Complex, Customs Building,
18 Phase 3/3, \$83,959,000

19 Old Executive Office Building,
20 \$25,210,000

21 Department of State, Phase 1,
22 \$29,779,000

23 New York:

24 Brookhaven, Internal Revenue Service,
25 Service Center, \$20,019,000

1 New York, U.S. Courthouse, 40 Foley
2 Square, \$4,782,000

3 Pennsylvania:

4 Philadelphia, Byrne-Green, Federal Build-
5 ing-U.S. Courthouse, \$11,212,000

6 Virginia:

7 Reston, J.W. Powell Building, \$9,151,000

8 Nationwide:

9 Chlorofluorocarbons Program, \$25,000,000

10 Energy Programs, \$25,000,000

11 Design Program, \$16,710,000

12 Basic Repairs and Alteration,
13 \$344,236,000:

14 *Provided further*, That additional projects for which
15 prospectuses have been fully approved may be funded
16 under this category only if advance approval is obtained
17 from the Committees on Appropriations of the House and
18 Senate: *Provided further*, That the amounts provided in
19 this or any prior Act for “Repairs and Alterations” may
20 be used to fund costs associated with implementing secu-
21 rity improvements to buildings necessary to meet the mini-
22 mum standards for security in accordance with current
23 law and in compliance with the reprogramming guidelines
24 of the appropriate Committees of the House and Senate:
25 *Provided further*, That funds made available in this Act

1 or any previous Act for “Repairs and Alterations” shall,
2 for prospectus projects, be limited to the amount originally
3 made available, except each project may be increased by
4 an amount not to exceed 10 percent when advance ap-
5 proval is obtained from the Committees on Appropriations
6 of the House and Senate of a greater amount: *Provided*
7 *further*, That the difference between the funds appro-
8 priated and expended on any projects in this or any prior
9 Act, under the heading “Repairs and Alterations”, may
10 be transferred to Basic Repairs and Alterations or used
11 to fund authorized increases in prospectus projects: *Pro-*
12 *vided further*, That all funds for repairs and alterations
13 prospectus projects shall expire on September 30, 2000
14 and remain in the Federal Buildings Fund except funds
15 for projects as to which funds for design or other funds
16 have been obligated in whole or in part prior to such date:
17 *Provided further*, That of the amount provided, \$100,000
18 shall be used to address the lighting issues at the Byrne-
19 Green Federal Courthouse in Philadelphia, Pennsylvania:
20 *Provided further*, That of the amount provided in this or
21 any prior Act for Basic Repairs and Alterations,
22 \$1,600,000 shall be provided to complete the alterations
23 required at the Milwaukee, Wisconsin Courthouse: *Pro-*
24 *vided further*, That of the amount provided in this or any
25 prior Act for Basic Repairs and Alterations, \$1,100,000

1 may be used to provide a new fence surrounding the
2 Suitland Federal Complex in Suitland, Maryland: *Pro-*
3 *vided further*, That the amount provided in this or any
4 prior Act for Basic Repairs and Alterations may be used
5 to pay claims against the Government arising from any
6 projects under the heading “Repairs and Alterations” or
7 used to fund authorized increases in prospectus projects;
8 (3) \$215,764,000 for installment acquisition payments in-
9 cluding payments on purchase contracts which shall re-
10 main available until expended; (4) \$2,583,261,000 for
11 rental of space which shall remain available until ex-
12 pended: *Provided further*, That of the amount provided,
13 \$51,667,000 shall not be available for obligation until Sep-
14 tember 30, 1999; and (5) \$1,554,772,000 for building op-
15 erations which shall remain available until expended: *Pro-*
16 *vided further*, That of the amount provided \$31,095,000
17 shall not be available for obligation until September 30,
18 1999: *Provided further*, That funds available to the Gen-
19 eral Services Administration shall not be available for ex-
20 penses of any construction, repair, alteration and acquisi-
21 tion project for which a prospectus, if required by the Pub-
22 lic Buildings Act of 1959, as amended, has not been ap-
23 proved, except that necessary funds may be expended for
24 each project for required expenses for the development of
25 a proposed prospectus: *Provided further*, That for the pur-

1 poses of this authorization, and hereafter, buildings con-
2 structed pursuant to the purchase contract authority of
3 the Public Buildings Amendments of 1972 (40 U.S.C.
4 602a), buildings occupied pursuant to installment pur-
5 chase contracts, and buildings under the control of an-
6 other department or agency where alterations of such
7 buildings are required in connection with the moving of
8 such other department or agency from buildings then, or
9 thereafter to be, under the control of the General Services
10 Administration shall be considered to be federally owned
11 buildings: *Provided further*, That funds available in the
12 Federal Buildings Fund may be expended for emergency
13 repairs when advance approval is obtained from the Com-
14 mittees on Appropriations of the House and Senate: *Pro-*
15 *vided further*, That amounts necessary to provide reim-
16 bursable special services to other agencies under section
17 210(f)(6) of the Federal Property and Administrative
18 Services Act of 1949, as amended (40 U.S.C. 490(f)(6))
19 and amounts to provide such reimbursable fencing, light-
20 ing, guard booths, and other facilities on private or other
21 property not in Government ownership or control as may
22 be appropriate to enable the United States Secret Service
23 to perform its protective functions pursuant to 18 U.S.C.
24 3056, as amended, shall be available from such revenues
25 and collections: *Provided further*, That the remaining bal-

1 ances and associated assets and liabilities of the Pennsyl-
2 vania Avenue Activities account are hereby transferred to
3 the Federal Buildings Fund to be effective October 1,
4 1998, and that all income earned after that effective date
5 that would otherwise have been deposited to the Pennsyl-
6 vania Avenue Activities account shall thereafter be depos-
7 ited to the Federal Buildings Fund, to be available for
8 the purposes authorized by Public Laws 104–134 and
9 104–208, notwithstanding subsection 210(f)(2) of the
10 Federal Property and Administrative Services Act, as
11 amended: *Provided further*, That of the amount provided,
12 \$475,000 shall be made available for the 1999 Women’s
13 World Cup Soccer event: *Provided further*, That of the
14 amount provided, \$475,000 shall be made available for the
15 1999 World Alpine Ski Championships: *Provided further*,
16 That revenues and collections and any other sums accru-
17 ing to this Fund during fiscal year 1999, excluding reim-
18 bursements under section 210(f)(6) of the Federal Prop-
19 erty and Administrative Services Act of 1949 (40 U.S.C.
20 490(f)(6)) in excess of \$5,665,585,000 shall remain in the
21 Fund and shall not be available for expenditure except as
22 authorized in appropriations Acts.

23 POLICY AND OPERATIONS

24 For expenses authorized by law, not otherwise pro-
25 vided for, for Government-wide policy and oversight activi-
26 ties associated with asset management activities; utiliza-

1 tion and donation of surplus personal property; transpor-
2 tation; procurement and supply; Government-wide and in-
3 ternal responsibilities relating to automated data manage-
4 ment, telecommunications, information resources manage-
5 ment, and related technology activities; utilization survey,
6 deed compliance inspection, appraisal, environmental and
7 cultural analysis, and land use planning functions pertain-
8 ing to excess and surplus real property; agency-wide policy
9 direction; Board of Contract Appeals; accounting, records
10 management, and other support services incident to adju-
11 dication of Indian Tribal Claims by the United States
12 Court of Federal Claims; services as authorized by 5
13 U.S.C. 3109; and not to exceed \$5,000 for official recep-
14 tion and representation expenses; \$106,494,000: *Provided*,
15 That none of the funds appropriated from this Act or any
16 other Act shall be available to convert the Old Post Office
17 at 1100 Pennsylvania Avenue in Northwest Washington,
18 D.C. from office use to any other use until a comprehen-
19 sive plan, which shall include street-level retail use, has
20 been approved by the Senate Committee on Appropria-
21 tions: *Provided further*, That no funds from this Act or
22 any other Act shall be available to acquire by purchase,
23 condemnation, or otherwise the leasehold rights of the ex-
24 isting lease with private parties at the Old Post Office

1 prior to the approval of the comprehensive plan by the
2 Senate Committee on Appropriations.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector
5 General and services authorized by 5 U.S.C. 3109,
6 \$32,000,000: *Provided*, That not to exceed \$10,000 shall
7 be available for payment for information and detection of
8 fraud against the Government, including payment for re-
9 covery of stolen Government property: *Provided further*,
10 That not to exceed \$2,500 shall be available for awards
11 to employees of other Federal agencies and private citizens
12 in recognition of efforts and initiatives resulting in en-
13 hanced Office of Inspector General effectiveness.

14 ALLOWANCES AND OFFICE STAFF FOR FORMER
15 PRESIDENTS

16 For carrying out the provisions of the Act of August
17 25, 1958, as amended (3 U.S.C. 102 note), and Public
18 Law 95-138, \$2,241,000: *Provided*, That the Adminis-
19 trator of General Services shall transfer to the Secretary
20 of the Treasury such sums as may be necessary to carry
21 out the provisions of such Acts.

22 GENERAL PROVISIONS

23 GENERAL SERVICES ADMINISTRATION

24 SEC. 401. The appropriate appropriation or fund
25 available to the General Services Administration shall be
26 credited with the cost of operation, protection, mainte-

1 nance, upkeep, repair, and improvement, included as part
2 of rentals received from Government corporations pursu-
3 ant to law (40 U.S.C. 129).

4 SEC. 402. Funds available to the General Services
5 Administration shall be available for the hire of passenger
6 motor vehicles.

7 SEC. 403. Funds in the Federal Buildings Fund
8 made available for fiscal year 1999 for Federal Buildings
9 Fund activities may be transferred between such activities
10 only to the extent necessary to meet program require-
11 ments: *Provided*, That any proposed transfers shall be ap-
12 proved in advance by the Committees on Appropriations
13 of the House and Senate.

14 SEC. 404. No funds made available by this Act shall
15 be used to transmit a fiscal year 2000 request for United
16 States Courthouse construction that: (1) does not meet
17 the design guide standards for construction as established
18 and approved by the General Services Administration, the
19 Judicial Conference of the United States, and the Office
20 of Management and Budget; and (2) does not reflect the
21 priorities of the Judicial Conference of the United States
22 as set out in its approved 5-year construction plan: *Pro-*
23 *vided*, That the fiscal year 2000 request must be accom-
24 panied by a standardized courtroom utilization study of
25 each facility to be constructed, replaced, or expanded.

1 SEC. 405. None of the funds provided in this Act may
2 be used to increase the amount of occupiable square feet,
3 provide cleaning services, security enhancements, or any
4 other service usually provided through the Federal Build-
5 ings Fund, to any agency which does not pay the rate per
6 square foot assessment for space and services as deter-
7 mined by the General Services Administration in compli-
8 ance with the Public Buildings Amendments Act of 1972
9 (Public Law 92–313).

10 SEC. 406. Funds provided to other Government agen-
11 cies by the Information Technology Fund, General Serv-
12 ices Administration, under 40 U.S.C. 757 and sections
13 5124(b) and 5128 of Public Law 104–106, Information
14 Technology Management Reform Act of 1996, for per-
15 formance of pilot information technology projects which
16 have potential for Government-wide benefits and savings,
17 may be repaid to this Fund from any savings actually in-
18 curred by these projects or other funding, to the extent
19 feasible.

20 SEC. 407. From funds made available under the
21 heading “Federal Buildings Fund Limitations on Reve-
22 nue”, claims against the Government of less than
23 \$250,000 arising from direct construction projects and ac-
24 quisition of buildings may be liquidated from savings ef-
25 fected in other construction projects with prior notification

1 to the Committees on Appropriations of the House and
2 Senate.

3 SEC. 408. From the funds made available under the
4 heading “Federal Buildings Fund Limitations on Reve-
5 nue”, in addition to amounts provided in budget activities
6 above, up to \$5,000,000 shall be available for the demoli-
7 tion, cleanup and conveyance of the property at block 35
8 and lot 2 of block 36 in Anchorage, Alaska: *Provided*, That
9 notwithstanding any other provision of law, the Adminis-
10 trator of General Services shall, not later than 18 months
11 after the date of enactment of this Act, demolish and re-
12 move all buildings, structures and other fixtures on the
13 property at block 35 and lot 2 of block 36, Anchorage
14 Original Townsite East Addition, Anchorage, Alaska, ex-
15 cluding any portion dedicated for use by the Centers for
16 Disease Control and Prevention: *Provided further*, That
17 the remediation of said parcel shall include the removal
18 of all asbestos, lead and any other contamination, and res-
19 toration of the property, to the extent practicable, to an
20 undeveloped condition: *Provided further*, That upon com-
21 pletion of the activities required for the demolition and
22 removal of buildings, and notwithstanding any other provi-
23 sion of law, the Administrator of General Services shall
24 convey to the municipality of Anchorage, without reim-

1 bursement, all right, title, and interest of the United
2 States to the property.

3 SEC. 409. The Administrator of General Services
4 may convey, without consideration, to the City of Racine,
5 Wisconsin all right, title, and interest of the United States
6 in and to a parcel of excess real property, including im-
7 provements thereon, that is located on 2310 Center Street,
8 commencing at the intersection of the North line of 24th
9 Street and the center line of Center Street, being the point
10 of the beginning; thence Northerly along the center line
11 of Center Street, 426 feet to the South line of 23rd Street
12 extended East; thence Westerly along the South line of
13 23rd street extended East; 325 feet to the West line of
14 Franklin Street extended South; thence southerly along
15 the West line of Franklin Street extended South to a point
16 on the North line of 24th Street; thence Easterly along
17 the North line of 24th Street to the point of beginning
18 located in Racine, Wisconsin and which contains the U.S.
19 Army Reserve Center.

20 MERIT SYSTEMS PROTECTION BOARD

21 SALARIES AND EXPENSES

22 (INCLUDING TRANSFER OF FUNDS)

23 For necessary expenses to carry out functions of the
24 Merit Systems Protection Board pursuant to Reorganiza-
25 tion Plan Numbered 2 of 1978 and the Civil Service Re-
26 form Act of 1978, including services as authorized by 5

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 \$25,805,000, together with not to exceed \$2,430,000 for
5 administrative expenses to adjudicate retirement appeals
6 to be transferred from the Civil Service Retirement and
7 Disability Fund in amounts determined by the Merit Sys-
8 tems 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, \$221,030,000: *Pro-*
17 *vided*, That of the amount provided, \$4,277,000 shall not
18 be available for obligation until September 30, 1999: *Pro-*
19 *vided further*, That the Archivist of the United States is
20 authorized to use any excess funds available from the
21 amount borrowed for construction of the National Ar-
22 chives facility, for expenses necessary to provide adequate
23 storage for holdings: *Provided further*, That of the amount
24 provided, funds are authorized to be used for year 2000
25 conversion costs pending the availability of funding

1 through emergency appropriation, pursuant to “Funds
2 Appropriated to the President, Information Technology
3 Systems and Related Expenses”.

4 ARCHIVES FACILITIES REPAIRS AND RESTORATION

5 For the repair, alteration, and improvement of ar-
6 chives facilities, and to provide adequate storage for hold-
7 ings, \$11,325,000, to remain available until expended, of
8 which \$2,000,000 is for an architectural and engineering
9 study for the renovation of the Archives I facility, and of
10 which \$4,000,000 is for encasement of the Charters of
11 Freedom, and of which \$875,000 is for the requirements
12 study and design of the National Archives Anchorage fa-
13 cility: *Provided*, That of the amount provided, \$2,000,000
14 shall not be available for obligation until September 30,
15 1999.

16 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

17 COMMISSION

18 GRANTS PROGRAM

19 For necessary expenses for allocations and grants for
20 historical publications and records as authorized by 44
21 U.S.C. 2504, as amended, \$11,000,000, to remain avail-
22 able until expended: *Provided*, That of the amount pro-
23 vided, \$5,500,000 shall not be available for obligation
24 until September 30, 1999.

1 OFFICE OF GOVERNMENT ETHICS
2 SALARIES AND EXPENSES

3 For necessary expenses to carry out functions of the
4 Office of Government Ethics pursuant to the Ethics in
5 Government Act of 1978, as amended by Public Law 100–
6 598, and the Ethics Reform Act of 1989, Public Law 101–
7 194, including services as authorized by 5 U.S.C. 3109,
8 rental of conference rooms in the District of Columbia and
9 elsewhere, hire of passenger motor vehicles, and not to ex-
10 ceed \$1,500 for official reception and representation ex-
11 penses; \$8,492,000.

12 OFFICE OF PERSONNEL MANAGEMENT
13 SALARIES AND EXPENSES
14 (INCLUDING TRANSFER OF TRUST FUNDS)

15 For necessary expenses to carry out functions of the
16 Office of Personnel Management pursuant to Reorganiza-
17 tion Plan Numbered 2 of 1978 and the Civil Service Re-
18 form Act of 1978, including services as authorized by 5
19 U.S.C. 3109; medical examinations performed for veterans
20 by private physicians on a fee basis; rental of conference
21 rooms in the District of Columbia and elsewhere; hire of
22 passenger motor vehicles; not to exceed \$2,500 for official
23 reception and representation expenses; advances for reim-
24 bursements to applicable funds of the Office of Personnel
25 Management and the Federal Bureau of Investigation for
26 expenses incurred under Executive Order No. 10422 of

1 January 9, 1953, as amended; and payment of per diem
2 and/or subsistence allowances to employees where Voting
3 Rights Act activities require an employee to remain over-
4 night at his or her post of duty; \$85,350,000; and in addi-
5 tion \$91,236,000 for administrative expenses, to be trans-
6 ferred from the appropriate trust funds of the Office of
7 Personnel Management without regard to other statutes,
8 including direct procurement of printed materials, for the
9 retirement and insurance programs: *Provided*, That the
10 provisions of this appropriation shall not affect the author-
11 ity to use applicable trust funds as provided by section
12 8348(a)(1)(B) of title 5, United States Code: *Provided*
13 *further*, That, except as may be consistent with 5 U.S.C.
14 8902a(f)(1) and (i), no payment may be made from the
15 Employees Health Benefits Fund to any physician, hos-
16 pital, or other provider of health care services or supplies
17 who is, at the time such services or supplies are provided
18 to an individual covered under chapter 89 of title 5,
19 United States Code, excluded, pursuant to section 1128
20 or 1128A of the Social Security Act (42 U.S.C. 1320a-
21 7 through 1320a-7a), from participation in any program
22 under title XVIII of the Social Security Act (42 U.S.C.
23 1395 et seq.): *Provided further*, That no part of this ap-
24 propriation shall be available for salaries and expenses of
25 the Legal Examining Unit of the Office of Personnel Man-

1 agement established pursuant to Executive Order No.
2 9358 of July 1, 1943, or any successor unit of like pur-
3 pose: *Provided further*, That the President's Commission
4 on White House Fellows, established by Executive Order
5 No. 11183 of October 3, 1964, may, during the fiscal year
6 ending September 30, 1999, accept donations of money,
7 property, and personal services in connection with the de-
8 velopment of a publicity brochure to provide information
9 about the White House Fellows, except that no such dona-
10 tions shall be accepted for travel or reimbursement of trav-
11 el expenses, or for the salaries of employees of such Com-
12 mission.

13 OFFICE OF INSPECTOR GENERAL

14 SALARIES AND EXPENSES

15 (INCLUDING TRANSFER OF TRUST FUNDS)

16 For necessary expenses of the Office of Inspector
17 General in carrying out the provisions of the Inspector
18 General Act, as amended, including services as authorized
19 by 5 U.S.C. 3109, hire of passenger motor vehicles,
20 \$960,000; and in addition, not to exceed \$9,145,000 for
21 administrative expenses to audit the Office of Personnel
22 Management's retirement and insurance programs, to be
23 transferred from the appropriate trust funds of the Office
24 of Personnel Management, as determined by the Inspector
25 General: *Provided*, That the Inspector General is author-

1 ized to rent conference rooms in the District of Columbia
2 and elsewhere.

3 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES

4 HEALTH BENEFITS

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

10 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE

11 LIFE INSURANCE

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

16 PAYMENT TO CIVIL SERVICE RETIREMENT AND

17 DISABILITY FUND

18 For financing the unfunded liability of new and in-
19 creased annuity benefits becoming effective on or after Oc-
20 tober 20, 1969, as authorized by 5 U.S.C. 8348, and an-
21 nuities under special Acts to be credited to the Civil Serv-
22 ice Retirement and Disability Fund, such sums as may
23 be necessary: *Provided*, That annuities authorized by the
24 Act of May 29, 1944, as amended, and the Act of August
25 19, 1950, as amended (33 U.S.C. 771–775), may here-

1 after be paid out of the Civil Service Retirement and Dis-
2 ability Fund.

3 OFFICE OF SPECIAL COUNSEL

4 SALARIES AND EXPENSES

5 For necessary expenses to carry out functions of the
6 Office of Special Counsel pursuant to Reorganization Plan
7 Numbered 2 of 1978, the Civil Service Reform Act of
8 1978 (Public Law 95–454), the Whistleblower Protection
9 Act of 1989 (Public Law 101–12), Public Law 103–424,
10 and the Uniformed Services Employment and Reemploy-
11 ment Act of 1994 (Public Law 103–353), including serv-
12 ices as authorized by 5 U.S.C. 3109, payment of fees and
13 expenses for witnesses, rental of conference rooms in the
14 District of Columbia and elsewhere, and hire of passenger
15 motor vehicles; \$8,720,000.

16 UNITED STATES TAX COURT

17 SALARIES AND EXPENSES

18 For necessary expenses, including contract reporting
19 and other services as authorized by 5 U.S.C. 3109,
20 \$32,765,000: *Provided*, That travel expenses of the judges
21 shall be paid upon the written certificate of the judge.

22 This title may be cited as the “Independent Agencies
23 Appropriations Act, 1999”.

1 TITLE V—GENERAL PROVISIONS

2 THIS ACT

3 SEC. 501. No part of any appropriation contained in
4 this Act shall remain available for obligation beyond the
5 current fiscal year unless expressly so provided herein.

6 SEC. 502. The expenditure of any appropriation
7 under this Act for any consulting service through procure-
8 ment contract, pursuant to 5 U.S.C. 3109, shall be limited
9 to those contracts where such expenditures are a matter
10 of public record and available for public inspection, except
11 where otherwise provided under existing law, or under ex-
12 isting Executive order issued pursuant to existing law.

13 SEC. 503. None of the funds made available by this
14 Act shall be available for any activity or for paying the
15 salary of any Government employee where funding an ac-
16 tivity or paying a salary to a Government employee would
17 result in a decision, determination, rule, regulation, or pol-
18 icy that would prohibit the enforcement of section 307 of
19 the Tariff Act of 1930.

20 SEC. 504. None of the funds made available by this
21 Act shall be available in fiscal year 1999, for the purpose
22 of transferring control over the Federal Law Enforcement
23 Training Center located at Glynco, Georgia, and Artesia,
24 New Mexico, out of the Department of the Treasury.

1 SEC. 505. No part of any appropriation contained in
2 this Act shall be available to pay the salary for any person
3 filling a position, other than a temporary position, for-
4 merly held by an employee who has left to enter the Armed
5 Forces of the United States and has satisfactorily com-
6 pleted his period of active military or naval service, and
7 has within 90 days after his release from such service or
8 from hospitalization continuing after discharge for a pe-
9 riod of not more than 1 year, made application for restora-
10 tion to his former position and has been certified by the
11 Office of Personnel Management as still qualified to per-
12 form the duties of his former position and has not been
13 restored thereto.

14 SEC. 506. No funds appropriated pursuant to this
15 Act may be expended by an entity unless the entity agrees
16 that in expending the assistance the entity will comply
17 with sections 2 through 4 of the Act of March 3, 1933
18 (41 U.S.C. 10a–10c, popularly known as the “Buy Amer-
19 ican Act”).

20 SEC. 507. (a) PURCHASE OF AMERICAN-MADE
21 EQUIPMENT AND PRODUCTS.—In the case of any equip-
22 ment or products that may be authorized to be purchased
23 with financial assistance provided under this Act, it is the
24 sense of the Congress that entities receiving such assist-

1 ance should, in expending the assistance, purchase only
2 American-made equipment and products.

3 (b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In
4 providing financial assistance under this Act, the Sec-
5 retary of the Treasury shall provide to each recipient of
6 the assistance a notice describing the statement made in
7 subsection (a) by the Congress.

8 SEC. 508. If it has been finally determined by a court
9 or Federal agency that any person intentionally affixed a
10 label bearing a “Made in America” inscription, or any in-
11 scription with the same meaning, to any product sold in
12 or shipped to the United States that is not made in the
13 United States, such person shall be ineligible to receive
14 any contract or subcontract made with funds provided
15 pursuant to this Act, pursuant to the debarment, suspen-
16 sion, and ineligibility procedures described in sections
17 9.400 through 9.409 of title 48, Code of Federal Regula-
18 tions.

19 SEC. 509. Except as otherwise specifically provided
20 by law, not to exceed 50 percent of unobligated balances
21 remaining available at the end of fiscal year 1999 from
22 appropriations made available for salaries and expenses
23 for fiscal year 1999 in this Act, shall remain available
24 through September 30, 2000, for each such account for
25 the purposes authorized: *Provided*, That a request shall

1 be submitted to the House and Senate Committees on Ap-
2 propriations for approval prior to the expenditure of such
3 funds: *Provided further*, That these requests shall be made
4 in compliance with reprogramming guidelines.

5 SEC. 510. None of the funds made available in this
6 Act may be used by the Executive Office of the President
7 to request from the Federal Bureau of Investigation any
8 official background investigation report on any individual,
9 except when it is made known to the Federal official hav-
10 ing authority to obligate or expend such funds that—

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

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

17 TITLE VI—GENERAL PROVISIONS

18 DEPARTMENTS, AGENCIES, AND CORPORATIONS

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

23 SEC. 602. No department, agency, or instrumentality
24 of the United States receiving appropriated funds under
25 this or any other Act for fiscal year 1999 shall obligate

1 or expend any such funds, unless such department, agen-
2 cy, or instrumentality has in place, and will continue to
3 administer in good faith, a written policy designed to en-
4 sure that all of its workplaces are free from the illegal
5 use, possession, or distribution of controlled substances
6 (as defined in the Controlled Substances Act) by the offi-
7 cers and employees of such department, agency, or instru-
8 mentality.

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

21 SEC. 604. Unless otherwise specifically provided, the
22 maximum amount allowable during the current fiscal year
23 in accordance with section 16 of the Act of August 2, 1946
24 (60 Stat. 810), for the purchase of any passenger motor
25 vehicle (exclusive of buses, ambulances, law enforcement,

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

16 SEC. 605. Appropriations of the executive depart-
17 ments and independent establishments for the current fis-
18 cal year available for expenses of travel, or for the ex-
19 penses of the activity concerned, are hereby made available
20 for quarters allowances and cost-of-living allowances, in
21 accordance with 5 U.S.C. 5922–5924.

22 SEC. 606. Unless otherwise specified during the cur-
23 rent fiscal year, no part of any appropriation contained
24 in this or any other Act shall be used to pay the compensa-
25 tion of any officer or employee of the Government of the

1 United States (including any agency the majority of the
2 stock of which is owned by the Government of the United
3 States) whose post of duty is in the continental United
4 States unless such person: (1) is a citizen of the United
5 States; (2) is a person in the service of the United States
6 on the date of enactment of this Act who, being eligible
7 for citizenship, has filed a declaration of intention to be-
8 come a citizen of the United States prior to such date and
9 is actually residing in the United States; (3) is a person
10 who owes allegiance to the United States; (4) is an alien
11 from Cuba, Poland, South Vietnam, the countries of the
12 former Soviet Union, or the Baltic countries lawfully ad-
13 mitted to the United States for permanent residence; (5)
14 is a South Vietnamese, Cambodian, or Laotian refugee pa-
15 roled in the United States after January 1, 1975; or (6)
16 is a national of the People's Republic of China who quali-
17 fies for adjustment of status pursuant to the Chinese Stu-
18 dent Protection Act of 1992: *Provided*, That for the pur-
19 pose of this section, an affidavit signed by any such person
20 shall be considered prima facie evidence that the require-
21 ments of this section with respect to his or her status have
22 been complied with: *Provided further*, That any person
23 making a false affidavit shall be guilty of a felony, and,
24 upon conviction, shall be fined no more than \$4,000 or
25 imprisoned for not more than 1 year, or both: *Provided*

1 *further*, That the above penal clause shall be in addition
2 to, and not in substitution for, any other provisions of ex-
3 isting law: *Provided further*, That any payment made to
4 any officer or employee contrary to the provisions of this
5 section shall be recoverable in action by the Federal Gov-
6 ernment. This section shall not apply to citizens of Ire-
7 land, Israel, or the Republic of the Philippines, or to na-
8 tionals of those countries allied with the United States in
9 a current defense effort, or to international broadcasters
10 employed by the United States Information Agency, or to
11 temporary employment of translators, or to temporary em-
12 ployment in the field service (not to exceed 60 days) as
13 a result of emergencies.

14 SEC. 607. Appropriations available to any depart-
15 ment or agency during the current fiscal year for nec-
16 essary expenses, including maintenance or operating ex-
17 penses, shall also be available for payment to the General
18 Services Administration for charges for space and services
19 and those expenses of renovation and alteration of build-
20 ings and facilities which constitute public improvements
21 performed in accordance with the Public Buildings Act of
22 1959 (73 Stat. 749), the Public Buildings Amendments
23 of 1972 (87 Stat. 216), or other applicable law.

24 SEC. 608. In addition to funds provided in this or
25 any other Act, all Federal agencies are authorized to re-

1 ceive and use funds resulting from the sale of materials,
2 including Federal records disposed of pursuant to a
3 records schedule recovered through recycling or waste pre-
4 vention programs. Such funds shall be available until ex-
5 pended for the following purposes:

6 (1) Acquisition, waste reduction and prevention,
7 and recycling programs as described in Executive
8 Order No. 12873 (October 20, 1993), including any
9 such programs adopted prior to the effective date of
10 the Executive order.

11 (2) Other Federal agency environmental man-
12 agement programs, including, but not limited to, the
13 development and implementation of hazardous waste
14 management and pollution prevention programs.

15 (3) Other employee programs as authorized by
16 law or as deemed appropriate by the head of the
17 Federal agency.

18 SEC. 609. Funds made available by this or any other
19 Act for administrative expenses in the current fiscal year
20 of the corporations and agencies subject to chapter 91 of
21 title 31, United States Code, shall be available, in addition
22 to objects for which such funds are otherwise available,
23 for rent in the District of Columbia; services in accordance
24 with 5 U.S.C. 3109; and the objects specified under this
25 head, all the provisions of which shall be applicable to the

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

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

12 SEC. 611. No part of any appropriation contained in
13 this or any other Act shall be available for interagency
14 financing of boards (except Federal Executive Boards),
15 commissions, councils, committees, or similar groups
16 (whether or not they are interagency entities) which do
17 not have a prior and specific statutory approval to receive
18 financial support from more than one agency or instru-
19 mentality.

20 SEC. 612. Funds made available by this or any other
21 Act to the Postal Service Fund (39 U.S.C. 2003) shall
22 be available for employment of guards for all buildings and
23 areas owned or occupied by the Postal Service and under
24 the charge and control of the Postal Service, and such
25 guards shall have, with respect to such property, the pow-

1 ers of special policemen provided by the first section of
2 the Act of June 1, 1948, as amended (62 Stat. 281; 40
3 U.S.C. 318), and, as to property owned or occupied by
4 the Postal Service, the Postmaster General may take the
5 same actions as the Administrator of General Services
6 may take under the provisions of sections 2 and 3 of the
7 Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C.
8 318a and 318b), attaching thereto penal consequences
9 under the authority and within the limits provided in sec-
10 tion 4 of the Act of June 1, 1948, as amended (62 Stat.
11 281; 40 U.S.C. 318c).

12 SEC. 613. None of the funds made available pursuant
13 to the provisions of this Act shall be used to implement,
14 administer, or enforce any regulation which has been dis-
15 approved pursuant to a resolution of disapproval duly
16 adopted in accordance with the applicable law of the
17 United States.

18 SEC. 614. (a) Notwithstanding any other provision
19 of law, and except as otherwise provided in this section,
20 no part of any of the funds appropriated for the fiscal
21 year ending on September 30, 1999, by this or any other
22 Act, may be used to pay any prevailing rate employee de-
23 scribed in section 5342(a)(2)(A) of title 5, United States
24 Code—

1 (1) during the period from the date of expira-
2 tion of the limitation imposed by section 614 of the
3 Treasury and General Government Appropriations
4 Act, 1998, until the normal effective date of the ap-
5 plicable wage survey adjustment that is to take ef-
6 fect in fiscal year 1999, in an amount that exceeds
7 the rate payable for the applicable grade and step of
8 the applicable wage schedule in accordance with
9 such section 614; and

10 (2) during the period consisting of the remain-
11 der of fiscal year 1999, in an amount that exceeds,
12 as a result of a wage survey adjustment, the rate
13 payable under paragraph (1) by more than the sum
14 of—

15 (A) the percentage adjustment taking ef-
16 fect in fiscal year 1999 under section 5303 of
17 title 5, United States Code, in the rates of pay
18 under the General Schedule; and

19 (B) the difference between the overall aver-
20 age percentage of the locality-based comparabil-
21 ity payments taking effect in fiscal year 1999
22 under section 5304 of such title (whether by
23 adjustment or otherwise), and the overall aver-
24 age percentage of such payments which was ef-
25 fective in fiscal year 1998 under such section.

1 (b) Notwithstanding any other provision of law, no
2 prevailing rate employee described in subparagraph (B) or
3 (C) of section 5342(a)(2) of title 5, United States Code,
4 and no employee covered by section 5348 of such title,
5 may be paid during the periods for which subsection (a)
6 is in effect at a rate that exceeds the rates that would
7 be payable under subsection (a) were subsection (a) appli-
8 cable to such employee.

9 (c) For the purposes of this section, the rates payable
10 to an employee who is covered by this section and who
11 is paid from a schedule not in existence on September 30,
12 1998, shall be determined under regulations prescribed by
13 the Office of Personnel Management.

14 (d) Notwithstanding any other provision of law, rates
15 of premium pay for employees subject to this section may
16 not be changed from the rates in effect on September 30,
17 1998, except to the extent determined by the Office of
18 Personnel Management to be consistent with the purpose
19 of this section.

20 (e) This section shall apply with respect to pay for
21 service performed after September 30, 1998.

22 (f) For the purpose of administering any provision
23 of law (including any rule or regulation that provides pre-
24 mium pay, retirement, life insurance, or any other em-
25 ployee benefit) that requires any deduction or contribu-

1 tion, or that imposes any requirement or limitation on the
2 basis of a rate of salary or basic pay, the rate of salary
3 or basic pay payable after the application of this section
4 shall be treated as the rate of salary or basic pay.

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

9 (h) The Office of Personnel Management may provide
10 for exceptions to the limitations imposed by this section
11 if the Office determines that such exceptions are necessary
12 to ensure the recruitment or retention of qualified employ-
13 ees.

14 SEC. 615. During the period in which the head of
15 any department or agency, or any other officer or civilian
16 employee of the Government appointed by the President
17 of the United States, holds office, no funds may be obli-
18 gated or expended in excess of \$5,000 to furnish or re-
19 decorate the office of such department head, agency head,
20 officer, or employee, or to purchase furniture or make im-
21 provements for any such office, unless advance notice of
22 such furnishing or redecoration is expressly approved by
23 the Committees on Appropriations of the House and Sen-
24 ate. For the purposes of this section, the word "office"
25 shall include the entire suite of offices assigned to the indi-

1 vidual, as well as any other space used primarily by the
2 individual or the use of which is directly controlled by the
3 individual.

4 SEC. 616. Notwithstanding any other provision of
5 law, no executive branch agency shall purchase, construct,
6 and/or lease any additional facilities, except within or con-
7 tiguous to existing locations, to be used for the purpose
8 of conducting Federal law enforcement training without
9 the advance approval of the House and Senate Committees
10 on Appropriations, except that the Federal Law Enforce-
11 ment Training Center is authorized to obtain the tem-
12 porary use of additional facilities by lease, contract, or
13 other agreement for training which cannot be accommo-
14 dated in existing Center facilities.

15 SEC. 617. Notwithstanding section 1346 of title 31,
16 United States Code, or section 611 of this Act, funds
17 made available for fiscal year 1999 by this or any other
18 Act shall be available for the interagency funding of na-
19 tional security and emergency preparedness telecommuni-
20 cations initiatives which benefit multiple Federal depart-
21 ments, agencies, or entities, as provided by Executive
22 Order No. 12472 (April 3, 1984).

23 SEC. 618. (a) None of the funds appropriated by this
24 or any other Act may be obligated or expended by any
25 Federal department, agency, or other instrumentality for

1 the salaries or expenses of any employee appointed to a
2 position of a confidential or policy-determining character
3 excepted from the competitive service pursuant to section
4 3302 of title 5, United States Code, without a certification
5 to the Office of Personnel Management from the head of
6 the Federal department, agency, or other instrumentality
7 employing the Schedule C appointee that the Schedule C
8 position was not created solely or primarily in order to
9 detail the employee to the White House.

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

13 (1) the Central Intelligence Agency;

14 (2) the National Security Agency;

15 (3) the Defense Intelligence Agency;

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

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

21 (6) any agency, office, or unit of the Army,
22 Navy, Air Force, and Marine Corps, the Federal Bu-
23 reau of Investigation and the Drug Enforcement Ad-
24 ministration of the Department of Justice, the De-
25 partment of Transportation, the Department of the

1 Treasury, and the Department of Energy perform-
2 ing intelligence functions; and

3 (7) the Director of Central Intelligence.

4 SEC. 619. No department, agency, or instrumentality
5 of the United States receiving appropriated funds under
6 this or any other Act for fiscal year 1999 shall obligate
7 or expend any such funds, unless such department, agen-
8 cy, or instrumentality has in place, and will continue to
9 administer in good faith, a written policy designed to en-
10 sure that all of its workplaces are free from discrimination
11 and sexual harassment and that all of its workplaces are
12 not in violation of title VII of the Civil Rights Act of 1964,
13 as amended, the Age Discrimination in Employment Act
14 of 1967, and the Rehabilitation Act of 1973.

15 SEC. 620. No part of any appropriation contained in
16 this Act may be used to pay for the expenses of travel
17 of employees, including employees of the Executive Office
18 of the President, not directly responsible for the discharge
19 of official governmental tasks and duties: *Provided*, That
20 this restriction shall not apply to the family of the Presi-
21 dent, Members of Congress or their spouses, Heads of
22 State of a foreign country or their designees, persons pro-
23 viding assistance to the President for official purposes, or
24 other individuals so designated by the President.

1 SEC. 621. Notwithstanding any provision of law, the
2 President, or his designee, must certify to Congress, annu-
3 ally, that no person or persons with direct or indirect re-
4 sponsibility for administering the Executive Office of the
5 President’s Drug-Free Workplace Plan are themselves
6 subject to a program of individual random drug testing.

7 SEC. 622. (a) None of the funds made available in
8 this or any other Act may be obligated or expended for
9 any employee training that—

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

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

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

19 (4) contains any methods or content associated
20 with religious or quasi-religious belief systems or
21 “new age” belief systems as defined in Equal Em-
22 ployment Opportunity Commission Notice N-
23 915.022, dated September 2, 1988; or

1 (5) is offensive to, or designed to change, par-
2 ticipants' personal values or lifestyle outside the
3 workplace.

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

7 SEC. 623. No funds appropriated in this or any other
8 Act for fiscal year 1999 may be used to implement or en-
9 force the agreements in Standard Forms 312 and 4355
10 of the Government or any other nondisclosure policy,
11 form, or agreement if such policy, form, or agreement does
12 not contain the following provisions: "These restrictions
13 are consistent with and do not supersede, conflict with,
14 or otherwise alter the employee obligations, rights, or li-
15 abilities created by Executive Order No. 12356; section
16 7211 of title 5, United States Code (governing disclosures
17 to Congress); section 1034 of title 10, United States Code,
18 as amended by the Military Whistleblower Protection Act
19 (governing disclosure to Congress by members of the mili-
20 tary); section 2302(b)(8) of title 5, United States Code,
21 as amended by the Whistleblower Protection Act (govern-
22 ing disclosures of illegality, waste, fraud, abuse or public
23 health or safety threats); the Intelligence Identities Pro-
24 tection Act of 1982 (50 U.S.C. 421 et seq.) (governing
25 disclosures that could expose confidential Government

1 agents); and the statutes which protect against disclosure
2 that may compromise the national security, including sec-
3 tions 641, 793, 794, 798, and 952 of title 18, United
4 States Code, and section 4(b) of the Subversive Activities
5 Act of 1950 (50 U.S.C. 783(b)). The definitions, require-
6 ments, obligations, rights, sanctions, and liabilities created
7 by said Executive order and listed statutes are incor-
8 porated into this agreement and are controlling.”: *Pro-*
9 *vided*, That notwithstanding the preceding paragraph, a
10 nondisclosure policy form or agreement that is to be exe-
11 cuted by a person connected with the conduct of an intel-
12 ligence or intelligence-related activity, other than an em-
13 ployee or officer of the United States Government, may
14 contain provisions appropriate to the particular activity
15 for which such document is to be used. Such form or
16 agreement shall, at a minimum, require that the person
17 will not disclose any classified information received in the
18 course of such activity unless specifically authorized to do
19 so by the United States Government. Such nondisclosure
20 forms shall also make it clear that they do not bar disclo-
21 sures to Congress or to an authorized official of an execu-
22 tive agency or the Department of Justice that are essential
23 to reporting a substantial violation of law.

24 SEC. 624. No part of any funds appropriated in this
25 or any other Act shall be used by an agency of the execu-

1 tive branch, other than for normal and recognized execu-
2 tive-legislative relationships, for publicity or propaganda
3 purposes, and for the preparation, distribution or use of
4 any kit, pamphlet, booklet, publication, radio, television or
5 film presentation designed to support or defeat legislation
6 pending before the Congress, except in presentation to the
7 Congress itself.

8 SEC. 625. (a) IN GENERAL.—No later than Septem-
9 ber 30, 1999, the Director of the Office of Management
10 and Budget shall submit to the Congress a report that
11 provides—

12 (1) estimates of the total annual costs and ben-
13 efits of Federal regulatory programs, including
14 quantitative and nonquantitative measures of regu-
15 latory costs and benefits;

16 (2) estimates of the costs and benefits (includ-
17 ing quantitative and nonquantitative measures) of
18 each rule that is likely to have a gross annual effect
19 on the economy of \$100,000,000 or more in in-
20 creased costs;

21 (3) an assessment of the direct and indirect im-
22 pacts of Federal rules on the private sector, State
23 and local government, and the Federal Government;
24 and

1 (4) recommendations from the Director and a
2 description of significant public comments to reform
3 or eliminate any Federal regulatory program or pro-
4 gram element that is inefficient, ineffective, or is not
5 a sound use of the Nation's resources.

6 (b) NOTICE.—The Director shall provide public no-
7 tice and an opportunity to comment on the report under
8 subsection (a) before the report is issued in final form.

9 SEC. 626. None of the funds appropriated by this Act
10 or any other Act, may be used by an agency to provide
11 a Federal employee's home address to any labor organiza-
12 tion except when it is made known to the Federal official
13 having authority to obligate or expend such funds that the
14 employee has authorized such disclosure or that such dis-
15 closure has been ordered by a court of competent jurisdic-
16 tion.

17 SEC. 627. The Secretary of the Treasury is author-
18 ized to establish scientific certification standards for explo-
19 sives detection canines, and shall provide, on a reimburs-
20 able basis, for the certification of explosives detection ca-
21 nines employed by Federal agencies, or other agencies pro-
22 viding explosives detection services at airports in the
23 United States.

24 SEC. 628. None of the funds made available in this
25 Act or any other Act may be used to provide any non-

1 public information such as mailing or telephone lists to
2 any person or any organization outside of the Federal
3 Government without the approval of the House and Senate
4 Committees on Appropriations.

5 SEC. 629. Notwithstanding section 611, interagency
6 financing is authorized to carry out the purposes of the
7 National Bioethics Advisory Commission.

8 SEC. 630. No part of any appropriation contained in
9 this or any other Act shall be used for publicity or propa-
10 ganda purposes within the United States not heretofore
11 authorized by the Congress.

12 SEC. 631. None of the funds appropriated in this or
13 any other Act shall be used to acquire information tech-
14 nologies which do not comply with part 39.106 (Year 2000
15 compliance) of the Federal Acquisition Regulation, unless
16 an agency's Chief Information Officer determines that
17 noncompliance with part 39.106 is necessary to the func-
18 tion and operation of the requesting agency or the acquisi-
19 tion is required by a signed contract with the agency in
20 effect before the date of enactment of this Act. Any waiver
21 granted by the Chief Information Officer shall be reported
22 to the Office of Management and Budget, and copies shall
23 be provided to Congress.

24 SEC. 632. None of the funds made available in this
25 Act for the United States Customs Service may be used

1 to allow the importation into the United States of any
2 good, ware, article, or merchandise mined, produced, or
3 manufactured by forced or indentured child labor, as de-
4 termined pursuant to section 307 of the Tariff Act of
5 1930 (19 U.S.C. 1307).

6 SEC. 633. No part of any appropriation contained in
7 this or any other Act shall be available for the payment
8 of the salary of any officer or employee of the Federal
9 Government, who—

10 (1) prohibits or prevents, or attempts or threat-
11 ens to prohibit or prevent, any other officer or em-
12 ployee of the Federal Government from having any
13 direct oral or written communication or contact with
14 any Member, committee, or subcommittee of the
15 Congress in connection with any matter pertaining
16 to the employment of such other officer or employee
17 or pertaining to the department or agency of such
18 other officer or employee in any way, irrespective of
19 whether such communication or contact is at the ini-
20 tiative of such other officer or employee or in re-
21 sponse to the request or inquiry of such Member,
22 committee, or subcommittee; or

23 (2) removes, suspends from duty without pay,
24 demotes, reduces in rank, seniority, status, pay, or
25 performance of efficiency rating, denies promotion

1 to, relocates, reassigns, transfers, disciplines, or dis-
2 criminates in regard to any employment right, enti-
3 tlement, or benefit, or any term or condition of em-
4 ployment of, any other officer or employee of the
5 Federal Government, or attempts or threatens to
6 commit any of the foregoing actions with respect to
7 such other officer or employee, by reason of any
8 communication or contact of such other officer or
9 employee with any Member, committee, or sub-
10 committee of the Congress as described in paragraph
11 (1).

12 SEC. 634. The Director of the United States Mar-
13 shals Service is directed to conduct a quarterly threat as-
14 sessment on the Director of the Office of National Drug
15 Control Policy.

16 SEC. 635. Section 636(c) of Public Law 104–208 is
17 amended as follows:

18 (1) In subparagraph (1) by inserting after
19 “United States Code” the following: “any agency or
20 court in the Judicial Branch,”;

21 (2) In subparagraph (2) by amending “prosecu-
22 tion, or detention” to read: “prosecution, detention,
23 or supervision”; and

24 (3) In subparagraph (3) by inserting after
25 “title 5,” the following: “and, with regard to the Ju-

1 dicial Branch, mean a justice or judge of the United
2 States as defined in 28 U.S.C. 451 in regular active
3 service or retired from regular active service, other
4 judicial officers as authorized by the Judicial Con-
5 ference of the United States, and supervisors and
6 managers within the Judicial Branch as authorized
7 by the Judicial Conference of the United States.”.

8 SEC. 636. Notwithstanding section 1346 of title 31,
9 United States Code, or section 611 of this Act, funds
10 made available for fiscal year 1999 by this or any other
11 Act shall be available for the interagency funding of spe-
12 cific projects, workshops, studies, and similar efforts to
13 carry out the purposes of the National Science and Tech-
14 nology Council (authorized by Executive Order No.
15 12881), which benefit multiple Federal departments,
16 agencies, or entities.

17 SEC. 637. Section 626(b) of the Treasury, Postal
18 Service, and General Government Appropriations Act,
19 1997, as contained in section 101(f) of Public Law 104-
20 208 (110 Stat. 3009-360), the Omnibus Appropriations
21 Act, 1997, is amended to read as follows: “(b) Until Sep-
22 tember 30, 1999, or until the end of the current FTS
23 2000 contracts, whichever is earlier, subsection (a) shall
24 continue to apply to the use of the funds appropriated by
25 this or any other Act.”.

1 SEC. 638. (a) In this section the term “agency”—

2 (1) means an Executive agency as defined
3 under section 105 of title 5, United States Code;

4 (2) includes a military department as defined
5 under section 102 of such title, the Postal Service,
6 and the Postal Rate Commission; and

7 (3) shall not include the General Accounting
8 Office.

9 (b) Unless authorized in accordance with law or regu-
10 lations to use such time for other purposes, an employee
11 of an agency shall use official time in an honest effort
12 to perform official duties. An employee not under a leave
13 system, including a Presidential appointee exempted under
14 section 6301(2) of title 5, United States Code, has an obli-
15 gation to expend an honest effort and a reasonable propor-
16 tion of such employee’s time in the performance of official
17 duties.

18 SEC. 639. (a) For purposes of each provision of law
19 described under subsection (b), no adjustment under sec-
20 tion 5303 of title 5, United States Code, shall be consid-
21 ered to have taken effect in the fiscal year beginning on
22 October 1, 1998, in the rates of basic pay for the statutory
23 pay systems.

1 (b) The provisions of law referred to under subsection
2 (a) are each provision of law amended by section 704(a)(2)
3 of the Ethics Reform Act of 1989 (5 U.S.C. 5318 note).

4 SEC. 640. Notwithstanding any other provision of
5 law, no part of any funds provided by this Act or any other
6 Act beginning in fiscal year 1999 and thereafter shall be
7 available for paying Sunday premium pay to any employee
8 unless such employee actually performed work during the
9 time corresponding to such premium pay.

10 SEC. 641. Notwithstanding any other provision of
11 law, the Secretary of the Treasury is authorized to, upon
12 submission of proper documentation (as determined by the
13 Secretary), reimburse importers of large capacity military
14 magazine rifles as defined in the Treasury Department's
15 April 6, 1998 "Study on the Sporting Suitability of Modi-
16 fied Semiautomatic Assault Rifles", for which authority
17 had been granted to import such firearms into the United
18 States on or before November 14, 1997, and released
19 under bond to the importer by the U.S. Customs Service
20 on or before February 10, 1998: *Provided*, That the im-
21 porter abandons title to the firearms to the United States:
22 *Provided further*, That reimbursements are submitted to
23 the Secretary for his approval within 120 days of enact-
24 ment of this provision. In no event shall reimbursements
25 under this provision exceed the importers cost for the

1 weapons, plus any shipping, transportation, duty, and
2 storage costs related to the importation of such weapons.
3 Money made available for expenditure under 31 U.S.C.
4 section 1304(a) in an amount not to exceed \$1,000,000
5 shall be available for reimbursements under this provision:
6 *Provided*, That accepting the compensation provided under
7 this provision is final and conclusive and constitutes a
8 complete release of any and all claims, demands, rights,
9 and causes of action whatsoever against the United States,
10 its agencies, officers, or employees arising from the denial
11 by the Department of the Treasury of the entry of such
12 firearms into the United States. Such compensation is not
13 otherwise required by law and is not intended to create
14 or recognize any legally enforceable right to any person.

15 SEC. 642. PROHIBITION OF ACQUISITION OF PROD-
16 UCTS PRODUCED BY FORCED OR INDENTURED CHILD
17 LABOR. (a) PROHIBITION.—The head of an executive
18 agency may not acquire an item that appears on a list
19 published under subsection (b) unless the source of the
20 item certifies to the head of the executive agency that
21 forced or indentured child labor was not used to mine,
22 produce, or manufacture the item.

23 (b) PUBLICATION OF LIST OF PROHIBITED ITEMS.—
24 (1) The Secretary of Labor, in consultation with the Sec-
25 retary of the Treasury and the Secretary of State, shall

1 publish in the Federal Register every other year a list of
2 items that such officials have identified that might have
3 been mined, produced, or manufactured by forced or in-
4 dentured child labor.

5 (2) The first list shall be published under paragraph
6 (1) not later than 120 days after the date of the enact-
7 ment of this Act.

8 (c) REQUIRED CONTRACT CLAUSES.—(1) The head
9 of an executive agency shall include in each solicitation
10 of offers for a contract for the procurement of an item
11 included on a list published under subsection (b) the fol-
12 lowing clauses:

13 (A) A clause that requires the contractor to cer-
14 tify to the contracting officer that the contractor or,
15 in the case of an incorporated contractor, a respon-
16 sible official of the contractor has made a good faith
17 effort to determine whether forced or indentured
18 child labor was used to mine, produce, or manufac-
19 ture any item furnished under the contract and that,
20 on the basis of those efforts, the contractor is un-
21 aware of any such use of child labor.

22 (B) A clause that obligates the contractor to co-
23 operate fully to provide access for any official of the
24 United States to the contractor's records, docu-
25 ments, persons, or premises if requested by the offi-

1 cial for the purpose of determining whether forced or
2 indentured child labor was used to mine, produce, or
3 manufacture any item furnished under the contract.

4 (2) This subsection applies with respect to acquisi-
5 tions for a total amount in excess of the micro-purchase
6 threshold (as defined in section 32(f) of the Office of Fed-
7 eral Procurement Policy Act (41 U.S.C. 428(f)), including
8 acquisitions of commercial items for such an amount not-
9 withstanding section 34 of the Office of Federal Procure-
10 ment Act (41 U.S.C. 430).

11 (d) INVESTIGATIONS.—Whenever a contracting offi-
12 cer of an executive agency has reason to believe that a
13 contractor has submitted a false certification under sub-
14 section (a) or (c)(1)(A) or has failed to provide coopera-
15 tion in accordance with the obligation imposed pursuant
16 to subsection (c)(1)(B), the head of the executive agency
17 shall refer the matter, for investigation, to the Inspector
18 General of the executive agency and, as the head of the
19 executive agency determines appropriate, to the Attorney
20 General and the Secretary of the Treasury.

21 (e) REMEDIES.—(1) The head of an executive agency
22 may impose remedies as provided in this subsection in the
23 case of a contractor under a contract of the executive
24 agency if the head of the executive agency finds that the
25 contractor—

1 (A) has furnished under the contract items that
2 have been mined, produced, or manufactured by
3 forced or indentured child labor or uses forced or in-
4 dentured child labor in mining, production, or manu-
5 facturing operations of the contractor;

6 (B) has submitted a false certification under
7 subparagraph (A) of subsection (c)(1); or

8 (C) has failed to provide cooperation in accord-
9 ance with the obligation imposed pursuant to sub-
10 paragraph (B) of such subsection.

11 (2) The head of the executive agency, in the sole dis-
12 cretion of the head of the executive agency, may terminate
13 a contract on the basis of any finding described in para-
14 graph (1).

15 (3) The head of an executive agency may debar or
16 suspend a contractor from eligibility for Federal contracts
17 on the basis of a finding that the contractor has engaged
18 in an act described in paragraph (1)(A). The period of
19 the debarment or suspension may not exceed three years.

20 (4) The Administrator of General Services shall in-
21 clude on the List of Parties Excluded from Federal Pro-
22 curement and Nonprocurement Programs (maintained by
23 the Administrator as described in the Federal Acquisition
24 Regulation) each person that is debarred, suspended, pro-
25 posed for debarment or suspension, or declared ineligible

1 by the head of an executive agency or the Comptroller
2 General on the basis that the person uses forced or inden-
3 tured child labor to mine, produce, or manufacture any
4 item.

5 (5) This subsection shall not be construed to limit
6 the use of other remedies available to the head of an execu-
7 tive agency or any other official of the Federal Govern-
8 ment on the basis of a finding described in paragraph (1).

9 (f) REPORT.—Each year, the Administrator of Gen-
10 eral Services, with the assistance of the heads of other
11 executive agencies, shall review the actions taken under
12 this section and submit to Congress a report on those ac-
13 tions.

14 (g) IMPLEMENTATION IN THE FEDERAL ACQUISI-
15 TION REGULATION.—(1) The Federal Acquisition Regula-
16 tion shall be revised within 180 days after the date of en-
17 actment of this Act—

18 (A) to provide for the implementation of this
19 section; and

20 (B) to include the use of forced or indentured
21 child labor in mining, production, or manufacturing
22 as a cause on the lists of causes for debarment and
23 suspension from contracting with executive agencies
24 that are set forth in the regulation.

1 (2) The revisions of the Federal Acquisition Regula-
2 tion shall be published in the Federal Register promptly
3 after the final revisions are issued.

4 (h) EXCEPTION.—

5 (1) IN GENERAL.—This section does not apply
6 to a contract that is for the procurement of any
7 product, or any article, material, or supply contained
8 in a product, that is mined, produced, or manufac-
9 tured in any foreign country or instrumentality, if—

10 (A) the foreign country or instrumentality
11 is—

12 (i) a party to the Agreement on Gov-
13 ernment Procurement annexed to the
14 WTO Agreement; or

15 (ii) a party to the North American
16 Free Trade Agreement; and

17 (B) the contract is of a value that is equal
18 to or greater than the United States threshold
19 specified in the Agreement on Government Pro-
20 curement annexed to the WTO Agreement or
21 the North American Free Trade Agreement,
22 whichever is applicable.

23 (2) WTO AGREEMENT.—For purposes of this
24 subsection, the term “WTO Agreement” means the

1 Agreement Establishing the World Trade Organiza-
2 tion, entered into on April 15, 1994.

3 (i) APPLICABILITY.—(1) Except as provided in sub-
4 section (c)(2), the requirements of this section apply on
5 and after the date determined under subsection (2) to any
6 solicitation that is issued, any unsolicited proposal that is
7 received, and any contract that is entered into by an execu-
8 tive agency pursuant to such a solicitation or proposal
9 on or after this date.

10 (2) The date referred to is paragraph (1) is the date
11 that is 30 days after the date of the publication of the
12 revisions of the Federal Acquisition Regulation under sub-
13 section (g)(2).

14 SEC. 643. (a) The adjustment in rates of basic pay
15 for the statutory pay systems that takes effect in fiscal
16 year 1999 under section 5303 and 5304 of title 5, United
17 States Code, shall be an increase of 3.6 percent.

18 (b) Funds used to carry out this section shall be paid
19 from appropriations which are made to each applicable de-
20 partment or agency for salaries and expenses for fiscal
21 year 1999.

22 This Act may be cited as the “Treasury and General
23 Government Appropriations Act, 1999”.

Calendar No. 470

105TH CONGRESS
2^D SESSION

S. 2312

[Report No. 105-251]

A BILL

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, 1999, and for other purposes.

JULY 15, 1998

Read twice and placed on the calendar