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107TH CONGRESS
1ST SESSION

S. 1398

[Report No. 107-57]

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, 2002, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 4, 2001

Mr. DORGAN, 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, 2002, 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 2002, 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 \$3,500,000 for official
 14 travel expenses; not to exceed \$3,813,000, to remain avail-
 15 able until expended for information technology moderniza-
 16 tion requirements; not to exceed \$150,000 for official re-
 17 ception and representation expenses; not to exceed
 18 \$258,000 for unforeseen emergencies of a confidential na-
 19 ture, to be allocated and expended under the direction of
 20 the Secretary of the Treasury and to be accounted for
 21 solely on his certificate, \$187,322,000: *Provided*, That the
 22 Office of Foreign Assets Control shall be funded at no less
 23 than \$19,732,000: *Provided further*, That of these
 24 amounts \$2,900,000 is available for grants to State and

1 local law enforcement groups to help fight money laun-
 2 dering.

3 DEPARTMENT-WIDE SYSTEMS AND CAPITAL

4 INVESTMENTS PROGRAMS

5 (INCLUDING TRANSFER OF FUNDS)

6 For development and acquisition of automatic data
 7 processing equipment, software, and services for the De-
 8 partment of the Treasury, \$69,028,000, to remain avail-
 9 able until expended: *Provided*, That these funds shall be
 10 transferred to accounts and in amounts as necessary to
 11 satisfy the requirements of the Department's offices, bu-
 12 reaus, and other organizations: *Provided further*, That this
 13 transfer authority shall be in addition to any other trans-
 14 fer authority provided in this Act: *Provided further*, That
 15 none of the funds appropriated shall be used to support
 16 or supplement the Internal Revenue Service appropria-
 17 tions for Information Systems.

18 OFFICE OF INSPECTOR GENERAL

19 SALARIES AND EXPENSES

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

1 cated and expended under the direction of the Inspector
2 General of the Treasury, \$35,150,000.

3 TREASURY INSPECTOR GENERAL FOR TAX

4 ADMINISTRATION

5 SALARIES AND EXPENSES

6 For necessary expenses of the Treasury Inspector
7 General for Tax Administration in carrying out the In-
8 spector General Act of 1978, as amended, including pur-
9 chase (not to exceed 150 for replacement only for police-
10 type use) and hire of passenger motor vehicles (31 U.S.C.
11 1343(b)); services authorized by 5 U.S.C. 3109, at such
12 rates as may be determined by the Inspector General for
13 Tax Administration; not to exceed \$6,000,000 for official
14 travel expenses; and not to exceed \$500,000 for unfore-
15 seen emergencies of a confidential nature, to be allocated
16 and expended under the direction of the Inspector General
17 for Tax Administration, \$123,799,000.

18 TREASURY BUILDING AND ANNEX REPAIR AND

19 RESTORATION

20 For the repair, alteration, and improvement of the
21 Treasury Building and Annex, \$32,932,000, to remain
22 available until expended.

EXPANDED ACCESS TO FINANCIAL SERVICES

(RESCISSION)

3 Of the funds appropriated under this heading in the
4 Department of Transportation and Related Agencies Ap-
5 propriations Act, 2001 (as enacted into law by Public Law
6 106–346), \$8,000,000 are rescinded effective September
7 30, 2001.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel expenses of non-Federal law enforcement personnel to attend meetings concerned with financial intelligence activities, law enforcement, and financial regulation; not to exceed \$14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement, \$45,702,000, of which not to exceed \$3,400,000 shall remain available until September 30, 2004; and of which \$7,790,000 shall remain available until September 30, 2003: *Provided*, That funds appropriated in this account may be used to procure personal services contracts.

COUNTERTERRORISM FUND

24 For necessary expenses, as determined by the Sec-
25 retary, \$44,879,000, to remain available until expended,

For necessary expenses of the Federal Law Enforcement Training Center, as a bureau of the Department of the Treasury, including materials and support costs of Federal law enforcement basic training; purchase (not to exceed 52 for police-type use, without regard to the general purchase price limitation) and hire of passenger motor vehicles; for expenses for student athletic and related activities; uniforms without regard to the general purchase price limitation for the current fiscal year; the conducting of and participating in firearms matches and presentation of awards; for public awareness and enhancing community support of law enforcement training; not to exceed \$11,500 for official reception and representation expenses; room and board for student interns; and services as authorized by 5 U.S.C. 3109, \$106,317,000, of which \$650,000 shall be available for an interagency effort to

1 establish written standards on accreditation of Federal law
2 enforcement training; and of which up to \$17,166,000 for
3 materials and support costs of Federal law enforcement
4 basic training shall remain available until September 30,
5 2004: *Provided*, That the Center is authorized to accept
6 and use gifts of property, both real and personal, and to
7 accept services, for authorized purposes, including funding
8 of a gift of intrinsic value which shall be awarded annually
9 by the Director of the Center to the outstanding student
10 who graduated from a basic training program at the Cen-
11 ter during the previous fiscal year, which shall be funded
12 only by gifts received through the Center's gift authority:
13 *Provided further*, That notwithstanding any other provi-
14 sion of law, students attending training at any Federal
15 Law Enforcement Training Center site shall reside in on-
16 Center or Center-provided housing, insofar as available
17 and in accordance with Center policy: *Provided further*,
18 That funds appropriated in this account shall be available,
19 at the discretion of the Director, for the following: training
20 United States Postal Service law enforcement personnel
21 and Postal police officers; State and local government law
22 enforcement training on a space-available basis; training
23 of foreign law enforcement officials on a space-available
24 basis with reimbursement of actual costs to this appropria-
25 tion, except that reimbursement may be waived by the Sec-

1 retary for law enforcement training activities in foreign
 2 countries undertaken pursuant to section 801 of the
 3 Antiterrorism and Effective Death Penalty Act of 1996,
 4 Public Law 104–32; training of private sector security of-
 5 ficials on a space-available basis with reimbursement of
 6 actual costs to this appropriation; and travel expenses of
 7 non-Federal personnel to attend course development meet-
 8 ings and training sponsored by the Center: *Provided fur-*
 9 *ther*, That the Center is authorized to obligate funds in
 10 anticipation of reimbursements from agencies receiving
 11 training sponsored by the Federal Law Enforcement
 12 Training Center, except that total obligations at the end
 13 of the fiscal year shall not exceed total budgetary re-
 14 sources available at the end of the fiscal year: *Provided*
 15 *further*, That the Federal Law Enforcement Training Cen-
 16 ter is authorized to provide training for the Gang Resist-
 17 ance Education and Training program to Federal and
 18 non-Federal personnel at any facility in partnership with
 19 the Bureau of Alcohol, Tobacco and Firearms: *Provided*
 20 *further*, That the Federal Law Enforcement Training Cen-
 21 ter is authorized to provide short-term medical services for
 22 students undergoing training at the Center.

23 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND
 24 RELATED EXPENSES

25 For expansion of the Federal Law Enforcement
 26 Training Center, for acquisition of necessary additional

1 real property and facilities, and for ongoing maintenance,
 2 facility improvements, and related expenses, \$33,434,000,
 3 to remain available until expended.

4 INTERAGENCY LAW ENFORCEMENT

5 INTERAGENCY CRIME AND DRUG ENFORCEMENT

6 For expenses necessary to conduct investigations and
 7 convict offenders involved in organized crime drug traf-
 8 ficking, including cooperative efforts with State and local
 9 law enforcement, as it relates to the Treasury Department
 10 law enforcement violations such as money laundering, vio-
 11 lent crime, and smuggling, \$106,965,000, of which
 12 \$7,827,000 shall remain available until expended.

13 FINANCIAL MANAGEMENT SERVICE

14 SALARIES AND EXPENSES

15 For necessary expenses of the Financial Management
 16 Service, \$212,316,000, of which not to exceed \$9,220,000
 17 shall remain available until September 30, 2004, for infor-
 18 mation systems modernization initiatives; and of which not
 19 to exceed \$2,500 shall be available for official reception
 20 and representation expenses.

21 BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

22 SALARIES AND EXPENSES

23 For necessary expenses of the Bureau of Alcohol, To-
 24 bacco and Firearms, including purchase of not to exceed
 25 812 vehicles for police-type use, of which 650 shall be for

1 replacement only, and hire of passenger motor vehicles;
2 hire of aircraft; services of expert witnesses at such rates
3 as may be determined by the Director; for payment of per
4 diem and/or subsistence allowances to employees where a
5 major investigative assignment requires an employee to
6 work 16 hours or more per day or to remain overnight
7 at his or her post of duty; not to exceed \$20,000 for offi-
8 cial reception and representation expenses; for training of
9 State and local law enforcement agencies with or without
10 reimbursement, including training in connection with the
11 training and acquisition of canines for explosives and fire
12 accelerants detection; not to exceed \$50,000 for coopera-
13 tive research and development programs for Laboratory
14 Services and Fire Research Center activities; and provi-
15 sion of laboratory assistance to State and local agencies,
16 with or without reimbursement, \$821,421,000, of which
17 \$3,500,000 shall be available for retrofitting and upgrades
18 of the National Tracing Center Facility in Martinsburg,
19 West Virginia; of which not to exceed \$1,000,000 shall
20 be available for the payment of attorneys' fees as provided
21 by 18 U.S.C. 924(d)(2); of which up to \$2,000,000 shall
22 be available for the equipping of any vessel, vehicle, equip-
23 ment, or aircraft available for official use by a State or
24 local law enforcement agency if the conveyance will be
25 used in joint law enforcement operations with the Bureau

1 of Alcohol, Tobacco and Firearms and for the payment
2 of overtime salaries including Social Security and Medi-
3 care, travel, fuel, training, equipment, supplies, and other
4 similar costs of State and local law enforcement personnel,
5 including sworn officers and support personnel, that are
6 incurred in joint operations with the Bureau of Alcohol,
7 Tobacco and Firearms, and of which \$16,000,000, to re-
8 main available until expended, shall be available for dis-
9 bursements through grants, cooperative agreements or
10 contracts to local governments for Gang Resistance Edu-
11 cation and Training: *Provided*, That no funds made avail-
12 able by this or any other Act may be used to transfer the
13 functions, missions, or activities of the Bureau of Alcohol,
14 Tobacco and Firearms to other agencies or Departments
15 in fiscal year 2002: *Provided further*, That no funds appro-
16 priated herein shall be available for salaries or administra-
17 tive expenses in connection with consolidating or central-
18 izing, within the Department of the Treasury, the records,
19 or any portion thereof, of acquisition and disposition of
20 firearms maintained by Federal firearms licensees: *Pro-*
21 *vided further*, That no funds appropriated herein shall be
22 used to pay administrative expenses or the compensation
23 of any officer or employee of the United States to imple-
24 ment an amendment or amendments to 27 CFR 178.118
25 or to change the definition of “Curios or relics” in 27 CFR

1 178.11 or remove any item from ATF Publication
 2 5300.11 as it existed on January 1, 1994: *Provided fur-*
 3 *ther*, That none of the funds appropriated herein shall be
 4 available to investigate or act upon applications for relief
 5 from Federal firearms disabilities under 18 U.S.C. 925(c):
 6 *Provided further*, That such funds shall be available to in-
 7 vestigate and act upon applications filed by corporations
 8 for relief from Federal firearms disabilities under 18
 9 U.S.C. 925(c): *Provided further*, That no funds under this
 10 Act may be used to electronically retrieve information
 11 gathered pursuant to 18 U.S.C. 923(g)(4) by name or any
 12 personal identification code.

13 UNITED STATES CUSTOMS SERVICE

14 SALARIES AND EXPENSES

15 For necessary expenses of the United States Customs
 16 Service, including purchase and lease of up to 1,050 motor
 17 vehicles of which 550 are for replacement only and of
 18 which 1,030 are for police-type use and commercial oper-
 19 ations; hire of motor vehicles; contracting with individuals
 20 for personal services abroad; not to exceed \$40,000 for
 21 official reception and representation expenses; and awards
 22 of compensation to informers, as authorized by any Act
 23 enforced by the United States Customs Service,
 24 \$2,022,453,000, of which such sums as become available
 25 in the Customs User Fee Account, except sums subject

1 to section 13031(f)(3) of the Consolidated Omnibus Budg-
2 et Reconciliation Act of 1985, as amended (19 U.S.C.
3 58c(f)(3)), shall be derived from that Account; of the total,
4 not to exceed \$150,000 shall be available for payment for
5 rental space in connection with preclearance operations;
6 not to exceed \$4,000,000 shall be available until expended
7 for research; of which not less than \$100,000 shall be
8 available to promote public awareness of the child pornog-
9 raphy tipline; of which not less than \$200,000 shall be
10 available for Project Alert; not to exceed \$5,000,000 shall
11 be available until expended for conducting special oper-
12 ations pursuant to 19 U.S.C. 2081; not to exceed
13 \$8,000,000 shall be available until expended for the pro-
14 curement of automation infrastructure items, including
15 hardware, software, and installation; and not to exceed
16 \$5,000,000 shall be available until expended for repairs
17 to Customs facilities: *Provided*, That uniforms may be
18 purchased without regard to the general purchase price
19 limitation for the current fiscal year: *Provided further*,
20 That notwithstanding any other provision of law, the fiscal
21 year aggregate overtime limitation prescribed in sub-
22 section 5(c)(1) of the Act of February 13, 1911 (19
23 U.S.C. 261 and 267) shall be \$30,000.

1 HARBOR MAINTENANCE FEE COLLECTION
2 (INCLUDING TRANSFER OF FUNDS)

3 For administrative expenses related to the collection
4 of the Harbor Maintenance Fee, pursuant to Public Law
5 103–182, \$3,000,000, to be derived from the Harbor
6 Maintenance Trust Fund and to be transferred to and
7 merged with the Customs “Salaries and Expenses” ac-
8 count for such purposes.

9 OPERATION, MAINTENANCE AND PROCUREMENT, AIR AND
10 MARINE INTERDICTION PROGRAMS

11 For expenses, not otherwise provided for, necessary
12 for the operation and maintenance of marine vessels, air-
13 craft, and other related equipment of the Air and Marine
14 Programs, including operational training and mission-re-
15 lated travel, and rental payments for facilities occupied by
16 the air or marine interdiction and demand reduction pro-
17 grams, the operations of which include the following: the
18 interdiction of narcotics and other goods; the provision of
19 support to Customs and other Federal, State, and local
20 agencies in the enforcement or administration of laws en-
21 forced by the Customs Service; and, at the discretion of
22 the Commissioner of Customs, the provision of assistance
23 to Federal, State, and local agencies in other law enforce-
24 ment and emergency humanitarian efforts, \$172,637,000,
25 which shall remain available until expended: *Provided,*
26 That no aircraft or other related equipment, with the ex-

1 ception of aircraft which is one of a kind and has been
2 identified as excess to Customs requirements and aircraft
3 which has been damaged beyond repair, shall be trans-
4 ferred to any other Federal agency, department, or office
5 outside of the Department of the Treasury, during fiscal
6 year 2002 without the prior approval of the Committee
7 on Appropriations.

8 AUTOMATION MODERNIZATION

9 For expenses not otherwise provided for Customs
10 automated systems, \$357,832,000, to remain available
11 until expended, of which \$5,400,000 shall be for the Inter-
12 national Trade Data System, and not less than
13 \$230,000,000 shall be for the development of the Auto-
14 mated Commercial Environment: *Provided*, That none of
15 the funds appropriated under this heading may be obli-
16 gated for the Automated Commercial Environment until
17 the United States Customs Service prepares and submits
18 to the Committee on Appropriations a plan for expendi-
19 ture that: (1) meets the capital planning and investment
20 control review requirements established by the Office of
21 Management and Budget, including OMB Circular A-11,
22 part 3; (2) complies with the United States Customs Serv-
23 ice's Enterprise Information Systems Architecture; (3)
24 complies with the acquisition rules, requirements, guide-
25 lines, and systems acquisition management practices of
26 the Federal Government; (4) is reviewed and approved by

1 the Customs Investment Review Board, the Department
 2 of the Treasury, and the Office of Management and Budget;
 3 et; and (5) is reviewed by the General Accounting Office:
 4 *Provided further*, That none of the funds appropriated
 5 under this heading may be obligated for the Automated
 6 Commercial Environment until that expenditure plan has
 7 been approved by the Committee on Appropriations.

8 BUREAU OF THE PUBLIC DEBT

9 ADMINISTERING THE PUBLIC DEBT

10 For necessary expenses connected with any public-
 11 debt issues of the United States, \$191,718,000, of which
 12 not to exceed \$15,000 shall be available for official recep-
 13 tion and representation expenses, and of which not to ex-
 14 ceed \$2,000,000 shall remain available until expended for
 15 systems modernization: *Provided*, That the sum appro-
 16 priated herein from the General Fund for fiscal year 2002
 17 shall be reduced by not more than \$4,400,000 as definitive
 18 security issue fees and Treasury Direct Investor Account
 19 Maintenance fees are collected, so as to result in a final
 20 fiscal year 2002 appropriation from the General Fund es-
 21 timated at \$187,318,000. In addition, \$40,000, to be de-
 22 rived from the Oil Spill Liability Trust Fund to reimburse
 23 the Bureau for administrative and personnel expenses for
 24 financial management of the Fund, as authorized by sec-
 25 tion 1012 of Public Law 101-380; and in addition, to be

1 appropriated from the General Fund, such sums as may
 2 be necessary for administrative expenses in association
 3 with the South Dakota Trust Fund and the Cheyenne
 4 River Sioux Tribe Terrestrial Wildlife Restoration and
 5 Lower Brule Sioux Tribe Terrestrial Restoration Trust
 6 Fund, as authorized by sections 603(f) and 604(f) of Pub-
 7 lic Law 106–53.

8 INTERNAL REVENUE SERVICE

9 PROCESSING, ASSISTANCE, AND MANAGEMENT

10 For necessary expenses of the Internal Revenue Serv-
 11 ice for pre-filing taxpayer assistance and education, filing
 12 and account services, shared services support, general
 13 management and administration; and services as author-
 14 ized by 5 U.S.C. 3109, at such rates as may be determined
 15 by the Commissioner, \$3,786,347,000, of which up to
 16 \$3,950,000 shall be for the Tax Counseling for the Elderly
 17 Program, of which \$8,000,000 shall be available for low-
 18 income taxpayer clinic grants, and of which not to exceed
 19 \$25,000 shall be for official reception and representation
 20 expenses.

21 TAX LAW ENFORCEMENT

22 For necessary expenses of the Internal Revenue Serv-
 23 ice for determining and establishing tax liabilities; pro-
 24 viding litigation support; conducting criminal investigation
 25 and enforcement activities; securing unfiled tax returns;
 26 collecting unpaid accounts; conducting a document match-

1 ing program; resolving taxpayer problems through prompt
 2 identification, referral and settlement; compiling statistics
 3 of income and conducting compliance research; purchase
 4 (for police-type use, not to exceed 850) and hire of pas-
 5 senger motor vehicles (31 U.S.C. 1343(b)); and services
 6 as authorized by 5 U.S.C. 3109, at such rates as may be
 7 determined by the Commissioner, \$3,535,198,000, of
 8 which not to exceed \$1,000,000 shall remain available
 9 until September 30, 2004, for research.

10 EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE

11 For funding essential earned income tax credit com-
 12 pliance and error reduction initiatives pursuant to section
 13 5702 of the Balanced Budget Act of 1997 (Public Law
 14 105-33), \$146,000,000, of which not to exceed
 15 \$10,000,000 may be used to reimburse the Social Security
 16 Administration for the costs of implementing section 1090
 17 of the Taxpayer Relief Act of 1997.

18 INFORMATION SYSTEMS

19 For necessary expenses of the Internal Revenue Serv-
 20 ice for information systems and telecommunications sup-
 21 port, including developmental information systems and
 22 operational information systems; the hire of passenger
 23 motor vehicles (31 U.S.C. 1343(b)); and services as au-
 24 thorized by 5 U.S.C. 3109, at such rates as may be deter-
 25 mined by the Commissioner, \$1,563,249,000 which shall
 26 remain available until September 30, 2003.

1 BUSINESS SYSTEMS MODERNIZATION

2 For necessary expenses of the Internal Revenue Serv-
3 ice, \$419,593,000, to remain available until September 30,
4 2004, for the capital asset acquisition of information tech-
5 nology systems, including management and related con-
6 tractual costs of said acquisitions, including contractual
7 costs associated with operations authorized by 5 U.S.C.
8 3109: *Provided*, That none of these funds may be obli-
9 gated until the Internal Revenue Service submits to the
10 Committees on Appropriations, and such Committees ap-
11 prove, a plan for expenditure that (1) meets the capital
12 planning and investment control review requirements es-
13 tablished by the Office of Management and Budget, in-
14 cluding Circular A-11, part 34; (2) complies with the In-
15 ternal Revenue Service's enterprise architecture, including
16 the modernization blueprint; (3) conforms with the Inter-
17 nal Revenue Service's enterprise life cycle methodology;
18 (4) is approved by the Internal Revenue Service, the De-
19 partment of the Treasury, and the Office of Management
20 and Budget; (5) has been reviewed by the General Ac-
21 counting Office; and (6) complies with the acquisition
22 rules, requirements, guidelines, and systems acquisition
23 management practices of the Federal Government.

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

SEC. 104. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 1-800 help line service for taxpayers. The Commissioner shall continue to make the improvement of the Internal Revenue Service 1-800 help line service a priority and allocate resources necessary to increase phone lines and staff to improve the Internal Revenue Service 1-800 help line service.

1 UNITED STATES SECRET SERVICE

2 SALARIES AND EXPENSES

3 For necessary expenses of the United States Secret
4 Service, including purchase of not to exceed 745 vehicles
5 for police-type use, of which 541 shall be for replacement
6 only, and hire of passenger motor vehicles; purchase of
7 American-made side-car compatible motorcycles; hire of
8 aircraft; training and assistance requested by State and
9 local governments, which may be provided without reim-
10 bursement; services of expert witnesses at such rates as
11 may be determined by the Director; rental of buildings in
12 the District of Columbia, and fencing, lighting, guard
13 booths, and other facilities on private or other property
14 not in Government ownership or control, as may be nec-
15 essary to perform protective functions; for payment of per
16 diem and/or subsistence allowances to employees where a
17 protective assignment during the actual day or days of the
18 visit of a protectee require an employee to work 16 hours
19 per day or to remain overnight at his or her post of duty;
20 the conducting of and participating in firearms matches;
21 presentation of awards; for travel of Secret Service em-
22 ployees on protective missions without regard to the limi-
23 tations on such expenditures in this or any other Act if
24 approval is obtained in advance from the Committees on
25 Appropriations; for research and development; for making

1 grants to conduct behavioral research in support of protec-
 2 tive research and operations; not to exceed \$25,000 for
 3 official reception and representation expenses; not to ex-
 4 ceed \$100,000 to provide technical assistance and equip-
 5 ment to foreign law enforcement organizations in counter-
 6 feit investigations; for payment in advance for commercial
 7 accommodations as may be necessary to perform protec-
 8 tive functions; and for uniforms without regard to the gen-
 9 eral purchase price limitation for the current fiscal year,
 10 \$899,615,000, of which \$1,633,000 shall be available for
 11 forensic and related support of investigations of missing
 12 and exploited children, and of which \$2,554,000 shall be
 13 available as a grant for activities related to the investiga-
 14 tions of exploited children and shall remain available until
 15 expended: *Provided*, That up to \$18,000,000 provided for
 16 protective travel shall remain available until September
 17 30, 2003.

18 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND
 19 RELATED EXPENSES

20 For necessary expenses of construction, repair, alter-
 21 ation, and improvement of facilities, \$3,352,000, to re-
 22 main available until expended.

23 GENERAL PROVISIONS—DEPARTMENT OF THE
 24 TREASURY

25 SEC. 110. Any obligation or expenditure by the Sec-
 26 retary of the Treasury in connection with law enforcement

1 activities of a Federal agency or a Department of the
2 Treasury law enforcement organization in accordance with
3 31 U.S.C. 9703(g)(4)(B) from unobligated balances re-
4 maining in the Fund on September 30, 2002, shall be
5 made in compliance with reprogramming guidelines.

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

18 SEC. 112. The funds provided to the Bureau of Alco-
19 hol, Tobacco and Firearms for fiscal year 2002 in this
20 Act for the enforcement of the Federal Alcohol Adminis-
21 tration Act shall be expended in a manner so as not to
22 diminish enforcement efforts with respect to section 105
23 of the Federal Alcohol Administration Act.

24 SEC. 113. Not to exceed 2 percent of any appropria-
25 tions in this Act made available to the Federal Law En-

1 enforcement Training Center, Financial Crimes Enforce-
2 ment Network, Bureau of Alcohol, Tobacco and Firearms,
3 United States Customs Service, Interagency Crime and
4 Drug Enforcement, and United States Secret Service may
5 be transferred between such appropriations upon the ad-
6 vance approval of the Committees on Appropriations. No
7 transfer may increase or decrease any such appropriation
8 by more than 2 percent.

9 SEC. 114. Not to exceed 2 percent of any appropria-
10 tions in this Act made available to the Departmental Of-
11 fices, Office of Inspector General, Treasury Inspector Gen-
12 eral for Tax Administration, Financial Management Serv-
13 ice, and Bureau of the Public Debt, may be transferred
14 between such appropriations upon the advance approval
15 of the Committees on Appropriations. No transfer may in-
16 crease or decrease any such appropriation by more than
17 2 percent.

18 SEC. 115. Not to exceed 2 percent of any appropria-
19 tion made available in this Act to the Internal Revenue
20 Service may be transferred to the Treasury Inspector Gen-
21 eral for Tax Administration's appropriation upon the ad-
22 vance approval of the Committees on Appropriations. No
23 transfer may increase or decrease any such appropriation
24 by more than 2 percent.

1 SEC. 116. Of the funds available for the purchase of
2 law enforcement vehicles, no funds may be obligated until
3 the Secretary of the Treasury certifies that the purchase
4 by the respective Treasury bureau is consistent with De-
5 partmental vehicle management principles: *Provided*, That
6 the Secretary may delegate this authority to the Assistant
7 Secretary for Management.

8 SEC. 117. The Secretary of the Treasury may trans-
9 fer funds from “Salaries and Expenses”, Financial Man-
10 agement Service, to the Debt Services Account as nec-
11 essary to cover the costs of debt collection: *Provided*, That
12 such amounts shall be reimbursed to such Salaries and
13 Expenses account from debt collections received in the
14 Debt Services Account.

15 SEC. 118. Funds appropriated by this Act, or made
16 available by the transfer of funds in this Act, for intel-
17 ligence and intelligence-related activities of the Depart-
18 ment of the Treasury are deemed to be specifically author-
19 ized by the Congress for purposes of section 504 of the
20 National Security Act of 1947 (50 U.S.C. 414) during fis-
21 cal year 2002 until enactment of the Intelligence Author-
22 ization Act for fiscal year 2002.

23 SEC. 119. Section 122 of Public Law 105–119, as
24 amended by Public Law 105–277, is further amended in
25 paragraph (g)(1), by striking “three years” and inserting

1 “four years”; and by striking “, the United States Cus-
 2 toms Service, and the United States Secret Service”.

3 SEC. 120. None of the funds appropriated or other-
 4 wise made available by this or any other Act may be used
 5 by the United States Mint to construct or operate any mu-
 6 seum without the explicit approval of the House Com-
 7 mittee on Financial Services and the Senate Committee
 8 on Banking, Housing, and Urban Affairs.

9 This title may be cited as the “Treasury Department
 10 Appropriations Act, 2002”.

11 TITLE II—POSTAL SERVICE

12 PAYMENT TO THE POSTAL SERVICE FUND

13 For payment to the Postal Service Fund for revenue
 14 forgone on free and reduced rate mail, pursuant to sub-
 15 sections (c) and (d) of section 2401 of title 39, United
 16 States Code, \$76,619,000: *Provided*, That mail for over-
 17 seas voting and mail for the blind shall continue to be free:
 18 *Provided further*, That 6-day delivery and rural delivery
 19 of mail shall continue at not less than the 1983 level: *Pro-*
 20 *vided further*, That none of the funds made available to
 21 the Postal Service by this Act shall be used to implement
 22 any rule, regulation, or policy of charging any officer or
 23 employee of any State or local child support enforcement
 24 agency, or any individual participating in a State or local
 25 program of child support enforcement, a fee for informa-

tion requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in fiscal year 2002.

This title may be cited as the “Postal Service Appropriations Act, 2002”.

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

COMPENSATION OF THE PRESIDENT AND THE WHITE HOUSE OFFICE

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of \$50,000 per annum as authorized by 3 U.S.C. 102, \$450,000: *Provided*, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code: *Provided further*, That none of the funds made available for official expenses shall be considered as taxable to the President.

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed \$3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105;

1 subsistence expenses as authorized by 3 U.S.C. 105, which
 2 shall be expended and accounted for as provided in that
 3 section; hire of passenger motor vehicles, newspapers,
 4 periodicals, teletype news service, and travel (not to exceed
 5 \$100,000 to be expended and accounted for as provided
 6 by 3 U.S.C. 103); and not to exceed \$19,000 for official
 7 entertainment expenses, to be available for allocation with-
 8 in the Executive Office of the President, \$54,165,000:
 9 *Provided*, That \$10,740,000 of the funds appropriated
 10 shall be available for reimbursements to the White House
 11 Communications Agency.

12 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

13 OPERATING EXPENSES

14 For the care, maintenance, repair and alteration, re-
 15 furnishing, improvement, heating, and lighting, including
 16 electric power and fixtures, of the Executive Residence at
 17 the White House and official entertainment expenses of
 18 the President, \$11,914,000, to be expended and accounted
 19 for as provided by 3 U.S.C. 105, 109, 110, and 112–114.

20 REIMBURSABLE EXPENSES

21 For the reimbursable expenses of the Executive Resi-
 22 dence at the White House, such sums as may be nec-
 23 essary: *Provided*, That all reimbursable operating expenses
 24 of the Executive Residence shall be made in accordance
 25 with the provisions of this paragraph: *Provided further*,
 26 That, notwithstanding any other provision of law, such

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

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

24 WHITE HOUSE REPAIR AND RESTORATION

25 For the repair, alteration, and improvement of the
 26 Executive Residence at the White House, \$8,625,000, to

1 remain available until expended, of which \$1,306,000 is
 2 for six projects for required maintenance, safety and
 3 health issues, and continued preventative maintenance;
 4 and of which \$7,319,000 is for 3 projects for required
 5 maintenance and continued preventative maintenance in
 6 conjunction with the General Services Administration, the
 7 United States Secret Service, the Office of the President,
 8 and other agencies charged with the administration and
 9 care of the White House.

10 SPECIAL ASSISTANCE TO THE PRESIDENT AND THE
 11 OFFICIAL RESIDENCE OF THE VICE PRESIDENT
 12 SALARIES AND EXPENSES

13 For necessary expenses to enable the Vice President
 14 to provide assistance to the President in connection with
 15 specially assigned functions; services as authorized by 5
 16 U.S.C. 3109 and 3 U.S.C. 106, including subsistence ex-
 17 penses as authorized by 3 U.S.C. 106, which shall be ex-
 18 pended and accounted for as provided in that section; and
 19 hire of passenger motor vehicles, \$3,896,000.

20 OPERATING EXPENSES
 21 (INCLUDING TRANSFER OF FUNDS)

22 For the care, operation, refurnishing, improvement,
 23 heating and lighting, including electric power and fixtures,
 24 of the official residence of the Vice President; the hire of
 25 passenger motor vehicles; and not to exceed \$90,000 for
 26 official entertainment expenses of the Vice President, to

1 be accounted for solely on his certificate, \$314,000: *Pro-*
 2 *vided*, That advances or repayments or transfers from this
 3 appropriation may be made to any department or agency
 4 for expenses of carrying out such activities.

5 COUNCIL OF ECONOMIC ADVISERS

6 SALARIES AND EXPENSES

7 For necessary expenses of the Council of Economic
 8 Advisers in carrying out its functions under the Employ-
 9 ment Act of 1946 (15 U.S.C. 1021), \$4,192,000.

10 OFFICE OF POLICY DEVELOPMENT

11 SALARIES AND EXPENSES

12 For necessary expenses of the Office of Policy Devel-
 13 opment, including services as authorized by 5 U.S.C. 3109
 14 and 3 U.S.C. 107, \$4,119,000.

15 NATIONAL SECURITY COUNCIL

16 SALARIES AND EXPENSES

17 For necessary expenses of the National Security
 18 Council, including services as authorized by 5 U.S.C.
 19 3109, \$7,447,000.

20 OFFICE OF ADMINISTRATION

21 SALARIES AND EXPENSES

22 For necessary expenses of the Office of Administra-
 23 tion, including services as authorized by 5 U.S.C. 3109
 24 and 3 U.S.C. 107, and hire of passenger motor vehicles,
 25 \$46,032,000, of which \$11,775,000 shall be available until

1 September 30, 2003 for a capital investment plan which
 2 provides for the continued modernization of the informa-
 3 tion technology infrastructure.

4 OFFICE OF MANAGEMENT AND BUDGET

5 SALARIES AND EXPENSES

6 For necessary expenses of the Office of Management
 7 and Budget, including hire of passenger motor vehicles
 8 and services as authorized by 5 U.S.C. 3109,
 9 \$70,519,000, of which not to exceed \$5,000,000 shall be
 10 available to carry out the provisions of chapter 35 of title
 11 44, United States Code, and of which not to exceed \$3,000
 12 shall be available for official representation expenses: *Pro-*
 13 *vided*, That, as provided in 31 U.S.C. 1301(a), appropria-
 14 tions shall be applied only to the objects for which appro-
 15 priations were made except as otherwise provided by law:
 16 *Provided further*, That none of the funds appropriated in
 17 this Act for the Office of Management and Budget may
 18 be used for the purpose of reviewing any agricultural mar-
 19 keting orders or any activities or regulations under the
 20 provisions of the Agricultural Marketing Agreement Act
 21 of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That
 22 none of the funds made available for the Office of Manage-
 23 ment and Budget by this Act may be expended for the
 24 altering of the transcript of actual testimony of witnesses,
 25 except for testimony of officials of the Office of Manage-

1 ment and Budget, before the Committees on Appropria-
 2 tions or the Committees on Veterans' Affairs or their sub-
 3 committees: *Provided further*, That the preceding shall not
 4 apply to printed hearings released by the Committees on
 5 Appropriations or the Committees on Veterans' Affairs.

6 OFFICE OF NATIONAL DRUG CONTROL POLICY

7 SALARIES AND EXPENSES

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses of the Office of National
 10 Drug Control Policy; for research activities pursuant to
 11 the Office of National Drug Control Policy Reauthoriza-
 12 tion Act of 1998 (title VII of division C of Public Law
 13 105–277); not to exceed \$8,000 for official reception and
 14 representation expenses; and for participation in joint
 15 projects or in the provision of services on matters of mu-
 16 tual interest with nonprofit, research, or public organiza-
 17 tions or agencies, with or without reimbursement,
 18 \$25,096,000, of which \$2,350,000 shall remain available
 19 until expended, consisting of \$1,350,000 for policy re-
 20 search and evaluation, and \$1,000,000 for the National
 21 Alliance for Model State Drug Laws: *Provided*, That the
 22 Office is authorized to accept, hold, administer, and utilize
 23 gifts, both real and personal, public and private, without
 24 fiscal year limitation, for the purpose of aiding or facili-
 25 tating the work of the Office.

1 COUNTERDRUG TECHNOLOGY ASSESSMENT CENTER
2 (INCLUDING TRANSFER OF FUNDS)

3 For necessary expenses for the Counterdrug Tech-
4 nology Assessment Center for research activities pursuant
5 to the Office of National Drug Control Policy Reauthor-
6 ization Act of 1998 (title VII of division C of Public Law
7 105–277), \$42,000,000, which shall remain available until
8 expended, consisting of \$20,000,000 for counternarcotics
9 research and development projects, and \$22,000,000 for
10 the continued operation of the technology transfer pro-
11 gram: *Provided*, That the \$20,000,000 for counter-nar-
12 cotics research and development projects shall be available
13 for transfer to other Federal departments or agencies.

14 FEDERAL DRUG CONTROL PROGRAMS

15 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM
16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses of the Office of National
18 Drug Control Policy’s High Intensity Drug Trafficking
19 Areas Program, \$226,350,000 for drug control activities
20 consistent with the approved strategy for each of the des-
21 ignated High Intensity Drug Trafficking Areas (HIDTA),
22 of which \$1,000,000 shall be for an additional amount for
23 the Rocky Mountain HIDTA; of which \$1,500,000 shall
24 be used for an additional amount for the Midwest HIDTA;
25 of which \$1,000,000 shall be for an additional amount for
26 the Gulf Coast HIDTA; of which \$1,000,000 shall be for

1 an additional amount for the Hawaii HIDTA; of which
2 \$500,000 shall be for an additional amount for the Mil-
3 waukee HIDTA; of which \$500,000 shall be for an addi-
4 tional amount for the Philadelphia/Camden HIDTA; of
5 which \$1,000,000 shall be for an additional amount for
6 the Northwest HIDTA; of which \$1,500,000 shall be for
7 an additional amount for the Southwest Border HIDTA;
8 of which no less than 51 percent shall be transferred to
9 State and local entities for drug control activities, which
10 shall be obligated within 120 days of the date of the enact-
11 ment of this Act: *Provided*, That up to 49 percent, to re-
12 main available until September 30, 2003, may be trans-
13 ferred to Federal agencies and departments at a rate to
14 be determined by the Director: *Provided further*, That, of
15 this latter amount, not less than \$2,100,000 shall be used
16 for auditing services and activities: *Provided further*, That
17 HIDTAs designated as of September 30, 2001, shall be
18 funded at no less than fiscal year 2001 levels unless the
19 Director submits to the Committees, and the Committees
20 approve, justification for changes in those levels based on
21 clearly articulated priorities for the HIDTA program, as
22 well as published ONDCP performance measures of effec-
23 tiveness.

1 SPECIAL FORFEITURE FUND

2 (INCLUDING TRANSFER OF FUNDS)

3 For activities to support a national anti-drug cam-
4 paign for youth, and for other purposes, authorized by
5 Public Law 105–277, \$249,400,000, to remain available
6 until expended, of which \$185,000,000 shall be to support
7 a national media campaign, as authorized in the Drug-
8 Free Media Campaign Act of 1998; of which \$4,800,000
9 shall be made available no later than 30 days after the
10 enactment of this Act to the United States Anti-Doping
11 Agency for their anti-doping efforts; of which \$50,600,000
12 shall be to continue a program of matching grants to drug-
13 free communities, as authorized in chapter 2 of the Na-
14 tional Narcotics Leadership Act of 1988, as amended; of
15 which \$1,000,000 shall be available to the National Drug
16 Court Institute; and of which \$3,000,000 shall be for the
17 Counterdrug Intelligence Executive Secretariat: *Provided*,
18 That such funds may be transferred to other Federal de-
19 partments and agencies to carry out such activities.

20 UNANTICIPATED NEEDS

21 For expenses necessary to enable the President to
22 meet unanticipated needs, in furtherance of the national
23 interest, security, or defense which may arise at home or
24 abroad during the current fiscal year, as authorized by
25 3 U.S.C. 108, \$1,000,000.

1 This title may be cited as the “Executive Office Ap-
2 propriations Act, 2002”.

3 TITLE IV—INDEPENDENT AGENCIES

4 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE
5 BLIND OR SEVERELY DISABLED

6 SALARIES AND EXPENSES

7 For necessary expenses of the Committee for Pur-
8 chase From People Who Are Blind or Severely Disabled
9 established by Public Law 92–28, \$4,498,000.

10 FEDERAL ELECTION COMMISSION

11 SALARIES AND EXPENSES

12 For necessary expenses to carry out the provisions
13 of the Federal Election Campaign Act of 1971, as amend-
14 ed, \$43,993,000, of which no less than \$4,453,000 shall
15 be available for internal automated data processing sys-
16 tems, and of which not to exceed \$5,000 shall be available
17 for reception and representation expenses of which
18 \$2,000,000 shall be available for administering a program
19 to award Federal matching grants to States and localities
20 to improve election systems and election administration
21 and for making such grants: *Provided*, That no funds for
22 the purpose of administering such program or for making
23 such grants shall be made available until the date of enact-
24 ment of a statute authorizing the expenditure of funds for
25 such a purpose.

1 FEDERAL LABOR RELATIONS AUTHORITY

2 SALARIES AND EXPENSES

3 For necessary expenses to carry out functions of the
4 Federal Labor Relations Authority, pursuant to Reorga-
5 nization Plan Numbered 2 of 1978, and the Civil Service
6 Reform Act of 1978, including services authorized by 5
7 U.S.C. 3109, including hire of experts and consultants,
8 hire of passenger motor vehicles, and rental of conference
9 rooms in the District of Columbia and elsewhere,
10 \$26,378,000: *Provided*, That public members of the Fed-
11 eral Service Impasses Panel may be paid travel expenses
12 and per diem in lieu of subsistence as authorized by law
13 (5 U.S.C. 5703) for persons employed intermittently in
14 the Government service, and compensation as authorized
15 by 5 U.S.C. 3109: *Provided further*, That notwithstanding
16 31 U.S.C. 3302, funds received from fees charged to non-
17 Federal participants at labor-management relations con-
18 ferences shall be credited to and merged with this account,
19 to be available without further appropriation for the costs
20 of carrying out these conferences.

1 GENERAL SERVICES ADMINISTRATION

2 REAL PROPERTY ACTIVITIES

3 FEDERAL BUILDINGS FUND

4 LIMITATIONS ON AVAILABILITY OF REVENUE

5 (INCLUDING TRANSFER OF FUNDS)

6 To carry out the purpose of the Fund established
7 pursuant to section 210(f) of the Federal Property and
8 Administrative Services Act of 1949, as amended (40
9 U.S.C. 490(f)), the revenues and collections deposited into
10 the Fund shall be available for necessary expenses of real
11 property management and related activities not otherwise
12 provided for, including operation, maintenance, and pro-
13 tection of federally owned and leased buildings; rental of
14 buildings in the District of Columbia; restoration of leased
15 premises; moving governmental agencies (including space
16 adjustments and telecommunications relocation expenses)
17 in connection with the assignment, allocation and transfer
18 of space; contractual services incident to cleaning or serv-
19 icing buildings, and moving; repair and alteration of feder-
20 ally owned buildings including grounds, approaches and
21 appurtenances; care and safeguarding of sites; mainte-
22 nance, preservation, demolition, and equipment; acquisi-
23 tion of buildings and sites by purchase, condemnation, or
24 as otherwise authorized by law; acquisition of options to
25 purchase buildings and sites; conversion and extension of
26 federally owned buildings; preliminary planning and de-

1 sign of projects by contract or otherwise; construction of
2 new buildings (including equipment for such buildings);
3 and payment of principal, interest, and any other obliga-
4 tions for public buildings acquired by installment purchase
5 and purchase contract; in the aggregate amount of
6 \$6,217,350,000, of which (1) \$477,544,000 shall remain
7 available until expended for construction (including funds
8 for sites and expenses and associated design and construc-
9 tion services) of additional projects at the following loca-
10 tions:

11 New Construction:

12 Alabama:

13 Mobile, U.S. Courthouse, \$11,290,000

14 Arkansas:

15 Little Rock, U.S. Courthouse Annex,
16 \$5,022,000

17 California:

18 Fresno, U.S. Courthouse, \$121,225,000

19 District of Columbia:

20 Washington, U.S. Courthouse Annex,
21 \$6,595,000

22 Washington, Southeast Federal Center
23 Site Remediation, \$5,000,000

24 Florida:

25 Ft. Pierce, Courthouse, \$4,314,000

1 Miami, Courthouse, \$15,282,000

2 Illinois:

3 Rockford, Courthouse, \$4,933,000

4 Iowa:

5 Cedar Rapids, Courthouse, \$14,795,000

6 Maine:

7 Jackman, Border Station, \$868,000

8 Maryland:

9 Montgomery County, FDA Consolidation,

10 \$19,060,000

11 Suitland, U.S. Census Bureau, \$2,813,000

12 Suitland, National Oceanic and Atmos-

13 pheric Administration II, \$34,083,000

14 Massachusetts:

15 Springfield, U.S. Courthouse, \$6,473,000

16 Mississippi:

17 Gulfport, U.S. Courthouse, \$3,000,000

18 Jackson, Mississippi, \$13,231,000

19 Michigan:

20 Detroit, Ambassador Bridge Border Sta-

21 tion, \$9,470,000

22 Montana:

23 Raymond, Border Station, \$693,000

24 New Mexico:

25 Las Cruces, U.S. Courthouse, \$4,110,000

1 New York:

2 Brooklyn, U.S. Courthouse Annex—GPO,
3 \$3,361,000

4 Buffalo, U.S. Courthouse Annex, \$716,000

5 New York, U.S. Mission to the United Na-
6 tions, \$4,617,000

7 Oregon:

8 Eugene, U.S. Courthouse, \$4,470,000

9 Pennsylvania:

10 Erie, U.S. Courthouse Annex, \$30,739,000

11 Tennessee:

12 Nashville, Courthouse, \$20,700,000

13 Texas:

14 Del Rio III, Border Station, \$1,869,000

15 Eagle Pass, Border Station, \$2,256,000

16 El Paso, U.S. Courthouse, \$11,193,000

17 Fort Hancock, Border Station, \$2,183,000

18 Houston, Federal Bureau of Investigation,
19 \$6,268,000

20 Utah:

21 Salt Lake City, Courthouse, \$5,000,000

22 Virginia:

23 Norfolk, U.S. Courthouse Annex,
24 \$11,609,000

25 Nationwide:

1 Judgment Fund Repayment, \$84,406,000

2 Non-prospectus construction, \$5,900,000:

3 *Provided*, That funding for any project identified above
4 may be exceeded to the extent that savings are effected
5 in other such projects, but not to exceed 10 percent of
6 the amounts included in an approved prospectus, if re-
7 quired, unless advance notice is transmitted to the Com-
8 mittees on Appropriations of a greater amount: *Provided*
9 *further*, That all funds for direct construction projects
10 shall expire on September 30, 2003, and remain in the
11 Federal Buildings Fund except for funds for projects as
12 to which funds for design or other funds have been obli-
13 gated in whole or in part prior to such date; (2)
14 \$844,880,000 shall remain available until expended for re-
15 pairs and alterations which includes associated design and
16 construction services: *Provided further*, That funds in the
17 Federal Buildings Fund for Repairs and Alterations shall,
18 for prospectus projects, be limited to the amount by
19 project, as follows, except each project may be increased
20 by an amount not to exceed 10 percent unless advance
21 notice is transmitted to the Committees on Appropriations
22 of a greater amount:

23 Repairs and Alterations:

24 Alabama:

1 Montgomery, Frank M. Johnson, Jr. Fed-
2 eral Building-Courthouse, \$4,000,000

3 California:

4 Laguna Niguel, Chet Holifield Federal
5 Building, \$11,711,000

6 San Diego, Edward J. Schwartz Federal
7 Building-U.S. Courthouse, \$13,070,000

8 Colorado:

9 Lakewood, Denver Federal Center, Build-
10 ing 67, \$8,484,000

11 District of Columbia:

12 Washington, 320 First Street, Federal
13 Building, \$8,260,000

14 Washington, Internal Revenue Service
15 Main Building, Phase 2, \$20,391,000

16 Washington, Main Interior Building,
17 \$22,739,000

18 Washington, Main Justice Building, Phase
19 3, \$45,974,000

20 Florida:

21 Jacksonville, Charles E. Bennett Federal
22 Building, \$23,552,000

23 Tallahassee, U.S. Courthouse, \$4,894,000

24 Illinois:

1 Chicago, Federal Building, 536 South
2 Clark Street, \$60,073,000

3 Chicago, Harold Washington Social Secu-
4 rity Center, \$13,692,000

5 Chicago, John C. Kluczynski Federal
6 Building, \$12,725,000

7 Iowa:

8 Des Moines, 210 Walnut Street, Federal
9 Building, \$11,992,000

10 Missouri:

11 Kansas City, Federal Building, 811 Grand
12 Boulevard, \$1,604,000

13 St. Louis, Federal Building, 104/105
14 Goodfellow, \$20,212,000

15 New Jersey:

16 Newark, Peter W. Rodino Federal Build-
17 ing, \$5,295,000

18 Nevada:

19 Las Vegas, Foley Federal Building-U.S.
20 Courthouse, \$26,978,000

21 Ohio:

22 Cleveland, Anthony J. Celebrezze Federal
23 Building, \$22,986,000

24 Cleveland, Howard M. Metzenbaum Court-
25 house, \$27,856,000

1 Oklahoma:

2 Muskogee, Federal Building-U.S. Court-
3 house, \$8,214,000

4 Oregon:

5 Portland, Pioneer Courthouse,
6 \$16,629,000

7 Pennsylvania:

8 Pittsburgh, Post Office-Courthouse,
9 \$12,600,000

10 Rhode Island:

11 Providence, Federal Building and Court-
12 house, \$5,039,000

13 Wisconsin:

14 Milwaukee, Federal Building-U.S. Court-
15 house, \$10,015,000

16 Nationwide:

17 Design Program, \$33,657,000

18 Heating, Ventilation and Air Conditioning

19 Modernization—Various Buildings, \$6,650,000

20 Transformers—Various Buildings,
21 \$15,588,000

22 Basic Repairs and Alterations, \$370,000,000:

23 *Provided further,* That additional projects for which
24 prospectuses have been fully approved may be funded
25 under this category only if advance notice is transmitted

1 to the Committees on Appropriations: *Provided further*,
2 That the amounts provided in this or any prior Act for
3 “Repairs and Alterations” may be used to fund costs asso-
4 ciated with implementing security improvements to build-
5 ings necessary to meet the minimum standards for secu-
6 rity in accordance with current law and in compliance with
7 the reprogramming guidelines of the appropriate Commit-
8 tees of the House and Senate: *Provided further*, That the
9 difference between the funds appropriated and expended
10 on any projects in this or any prior Act, under the heading
11 “Repairs and Alterations”, may be transferred to Basic
12 Repairs and Alterations or used to fund authorized in-
13 creases in prospectus projects: *Provided further*, That all
14 funds for repairs and alterations prospectus projects shall
15 expire on September 30, 2003, and remain in the Federal
16 Buildings Fund except funds for projects as to which
17 funds for design or other funds have been obligated in
18 whole or in part prior to such date: *Provided further*, That
19 the amount provided in this or any prior Act for Basic
20 Repairs and Alterations may be used to pay claims against
21 the Government arising from any projects under the head-
22 ing “Repairs and Alterations” or used to fund authorized
23 increases in prospectus projects; (3) \$186,427,000 for in-
24 stallment acquisition payments including payments on
25 purchase contracts which shall remain available until ex-

1 pending; (4) \$2,959,550,000 for rental of space which shall
2 remain available until expended; and (5) \$1,748,949,000
3 for building operations which shall remain available until
4 expended: *Provided further*, That funds available to the
5 General Services Administration shall not be available for
6 expenses of any construction, repair, alteration and acqui-
7 sition project for which a prospectus, if required by the
8 Public Buildings Act of 1959, as amended, has not been
9 approved, except that necessary funds may be expended
10 for each project for required expenses for the development
11 of a proposed prospectus: *Provided further*, That funds
12 available in the Federal Buildings Fund may be expended
13 for emergency repairs when advance notice is transmitted
14 to the Committees on Appropriations: *Provided further*,
15 That amounts necessary to provide reimbursable special
16 services to other agencies under section 210(f)(6) of the
17 Federal Property and Administrative Services Act of
18 1949, as amended (40 U.S.C. 490(f)(6)) and amounts to
19 provide such reimbursable fencing, lighting, guard booths,
20 and other facilities on private or other property not in
21 Government ownership or control as may be appropriate
22 to enable the United States Secret Service to perform its
23 protective functions pursuant to 18 U.S.C. 3056, shall be
24 available from such revenues and collections: *Provided fur-*
25 *ther*, That revenues and collections and any other sums

1 accruing to this Fund during fiscal year 2002, excluding
2 reimbursements under section 210(f)(6) of the Federal
3 Property and Administrative Services Act of 1949 (40
4 U.S.C. 490(f)(6)) in excess of \$6,217,350,000 shall re-
5 main in the Fund and shall not be available for expendi-
6 ture except as authorized in appropriations Acts.

7 POLICY AND OPERATIONS

8 For expenses authorized by law, not otherwise pro-
9 vided for, for Government-wide policy and oversight activi-
10 ties associated with asset management activities; utiliza-
11 tion and donation of surplus personal property; transpor-
12 tation; procurement and supply; Government-wide respon-
13 sibilities relating to automated data management, tele-
14 communications, information resources management, and
15 related technology activities; utilization survey, deed com-
16 pliance inspection, appraisal, environmental and cultural
17 analysis, and land use planning functions pertaining to ex-
18 cess and surplus real property; agency-wide policy direc-
19 tion; Board of Contract Appeals; accounting, records man-
20 agement, and other support services incident to adjudica-
21 tion of Indian Tribal Claims by the United States Court
22 of Federal Claims; services as authorized by 5 U.S.C.
23 3109; and not to exceed \$7,500 for official reception and
24 representation expenses, \$145,749,000, of which
25 \$27,887,000 shall remain available until expended.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses of the Office of Inspector
3 General and services authorized by 5 U.S.C. 3109,
4 \$36,025,000: *Provided*, That not to exceed \$15,000 shall
5 be available for payment for information and detection of
6 fraud against the Government, including payment for re-
7 covery of stolen Government property: *Provided further*,
8 That not to exceed \$2,500 shall be available for awards
9 to employees of other Federal agencies and private citizens
10 in recognition of efforts and initiatives resulting in en-
11 hanced Office of Inspector General effectiveness.

12 ELECTRONIC GOVERNMENT (E-GOV) FUND

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses in support of interagency
15 projects that enable the Federal Government to expand
16 its ability to conduct activities electronically, through the
17 development and implementation of innovative uses of the
18 Internet and other electronic methods, \$5,000,000 to re-
19 main available until expended: *Provided*, That these funds
20 may be transferred to Federal agencies to carry out the
21 purposes of the Fund: *Provided further*, That this transfer
22 authority shall be in addition to any other transfer author-
23 ity provided in this Act: *Provided further*, That such trans-
24 fers may not be made until 10 days after a proposed
25 spending plan and justification for each project to be un-

1 dertaken has been submitted to the Senate Committee on
2 Appropriations.

3 ALLOWANCES AND OFFICE STAFF FOR FORMER
4 PRESIDENTS
5 (INCLUDING TRANSFER OF FUNDS)

6 For carrying out the provisions of the Act of August
7 25, 1958, as amended (3 U.S.C. 102 note), and Public
8 Law 95–138, \$3,376,000: *Provided*, That the Adminis-
9 trator of General Services shall transfer to the Secretary
10 of the Treasury such sums as may be necessary to carry
11 out the provisions of such Acts.

12 GENERAL SERVICES ADMINISTRATION—GENERAL
13 PROVISIONS

14 SEC. 401. The appropriate appropriation or fund
15 available to the General Services Administration shall be
16 credited with the cost of operation, protection, mainte-
17 nance, upkeep, repair, and improvement, included as part
18 of rentals received from Government corporations pursu-
19 ant to law (40 U.S.C. 129).

20 SEC. 402. Funds available to the General Services
21 Administration shall be available for the hire of passenger
22 motor vehicles.

23 SEC. 403. Funds in the Federal Buildings Fund
24 made available for fiscal year 2002 for Federal Buildings
25 Fund activities may be transferred between such activities
26 only to the extent necessary to meet program require-

1 ments: *Provided*, That any proposed transfers shall be ap-
2 proved in advance by the Committees on Appropriations.

3 SEC. 404. No funds made available by this Act shall
4 be used to transmit a fiscal year 2003 request for United
5 States Courthouse construction that: (1) does not meet
6 the design guide standards for construction as established
7 and approved by the General Services Administration, the
8 Judicial Conference of the United States, and the Office
9 of Management and Budget; and (2) does not reflect the
10 priorities of the Judicial Conference of the United States
11 as set out in its approved 5-year construction plan: *Pro-*
12 *vided*, That the fiscal year 2003 request must be accom-
13 panied by a standardized courtroom utilization study of
14 each facility to be constructed, replaced, or expanded.

15 SEC. 405. None of the funds provided in this Act may
16 be used to increase the amount of occupiable square feet,
17 provide cleaning services, security enhancements, or any
18 other service usually provided through the Federal Build-
19 ings Fund, to any agency that does not pay the rate per
20 square foot assessment for space and services as deter-
21 mined by the General Services Administration in compli-
22 ance with the Public Buildings Amendments Act of 1972
23 (Public Law 92–313).

24 SEC. 406. Funds provided to other Government agen-
25 cies by the Information Technology Fund, General Serv-

ices Administration, under 40 U.S.C. 757 and sections 5124(b) and 5128 of Public Law 104–106, Information Technology Management Reform Act of 1996, for performance of pilot information technology projects which have potential for Governmentwide benefits and savings, may be repaid to this Fund from any savings actually incurred by these projects or other funding, to the extent feasible.

SEC. 407. From funds made available under the heading “Federal Buildings Fund, Limitations on Availability of Revenue”, claims against the Government of less than \$250,000 arising from direct construction projects and acquisition of buildings may be liquidated from savings effected in other construction projects with prior notification to the Committees on Appropriations.

SEC. 408. Section 408 of Public Law 106–554 is amended by striking “April 30, 2002” and inserting “September 30, 2002”.

SEC. 409. Notwithstanding any other provision of law, the General Services Administration is directed to maintain the vehicle rental rates and per mile rates charged for buses used by schools and dormitories funded by the Bureau of Indian Affairs that were in effect on April 30, 2001 until such time as appropriations to the Bureau of Indian Affairs funding for the Student Trans-

1 portation Program for schools and dormitories funded by
 2 the Bureau of Indian Affairs equals or exceeds \$3 per
 3 mile.

4 SEC. 410. DESIGNATION OF JUDGE BRUCE M. VAN
 5 SICKLE FEDERAL BUILDING AND UNITED STATES
 6 COURTHOUSE. (a) The Federal building and courthouse
 7 located at 100 1st Street, SW, Minot, North Dakota, shall
 8 be known and designated as the “Judge Bruce M. Van
 9 Sickle Federal Building and United States Courthouse.”

10 (b) Any reference in law, map, regulation, document,
 11 paper, or other record of the United States to the Federal
 12 building and courthouse referred to in section (a) shall be
 13 deemed to be a reference to the Judge Bruce M. Van Sick-
 14 le Federal Building and United States Courthouse.

15 MERIT SYSTEMS PROTECTION BOARD

16 SALARIES AND EXPENSES

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses to carry out functions of the
 19 Merit Systems Protection Board pursuant to Reorganiza-
 20 tion Plan Numbered 2 of 1978 and the Civil Service Re-
 21 form Act of 1978, including services as authorized by 5
 22 U.S.C. 3109, rental of conference rooms in the District
 23 of Columbia and elsewhere, hire of passenger motor vehi-
 24 cles, and direct procurement of survey printing,
 25 \$30,375,000 together with not to exceed \$2,520,000 for

1 administrative expenses to adjudicate retirement appeals
 2 to be transferred from the Civil Service Retirement and
 3 Disability Fund in amounts determined by the Merit Sys-
 4 tems Protection Board.

5 MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN
 6 NATIONAL ENVIRONMENTAL POLICY FOUNDATION

7 MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN
 8 NATIONAL ENVIRONMENTAL POLICY TRUST FUND

9 For payment to the Morris K. Udall Scholarship and
 10 Excellence in National Environmental Policy Trust Fund,
 11 pursuant to the Morris K. Udall Scholarship and Excel-
 12 lence in National Environmental and Native American
 13 Public Policy Act of 1992 (20 U.S.C. 5601 et seq.),
 14 \$1,996,000, to remain available until expended: *Provided*,
 15 That up to 60 percent of such funds may be transferred
 16 by the Morris K. Udall Scholarship and Excellence in Na-
 17 tional Environmental Policy Foundation for the necessary
 18 expenses of the Native Nations Institute: *Provided further*,
 19 That not later than 90 days after the date of the enact-
 20 ment of this Act, the Morris K. Udall Scholarship and Ex-
 21 cellence in National Environmental Policy Foundation
 22 shall submit to the Committee on Appropriations a report
 23 describing the distribution of such funds.

24 ENVIRONMENTAL DISPUTE RESOLUTION FUND

25 For payment to the Environmental Dispute Resolu-
 26 tion Fund to carry out activities authorized in the Envi-

1 ronmental Policy and Conflict Resolution Act of 1998,
 2 \$1,309,000, to remain available until expended.

3 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
 4 OPERATING EXPENSES

5 For necessary expenses in connection with the admin-
 6 istration of the National Archives (including the Informa-
 7 tion Security Oversight Office) and archived Federal
 8 records and related activities, as provided by law, and for
 9 expenses necessary for the review and declassification of
 10 documents, and for the hire of passenger motor vehicles,
 11 \$244,247,000: *Provided*, That the Archivist of the United
 12 States is authorized to use any excess funds available from
 13 the amount borrowed for construction of the National Ar-
 14 chives facility, for expenses necessary to provide adequate
 15 storage for holdings: *Provided further*, That of the funds
 16 made available, \$22,302,000 is for the electronic records
 17 archive, \$16,337,000 of which shall be available until Sep-
 18 tember 30, 2004: *Provided further*, That the Archivist of
 19 the United States is authorized, pursuant to 44 U.S.C.
 20 2903, to construct a new Southeast Regional Archives on
 21 land to be acquired (Federal site), by direct payment or
 22 the provision of site improvements, from the State of
 23 Georgia or Clayton County or some other governmental
 24 authority thereof; such Federal site to be located near the
 25 campus of Clayton College and State University in Clayton

1 County, Georgia, and abut land designated for construc-
2 tion of the Georgia State Archives facility, with both archi-
3 val facilities co-located on a combined site. There is hereby
4 appropriated \$30,500,000 which shall be available until
5 expended to be used for acquiring the Federal site, con-
6 struction, and related services for building the new Fed-
7 eral archival facility, other related costs for improvement
8 of the combined site which may also indirectly benefit the
9 Georgia State Archives facility, and other necessary ex-
10 penses.

11 REPAIRS AND RESTORATION

12 For the repair, alteration, and improvement of ar-
13 chives facilities, and to provide adequate storage for hold-
14 ings, \$41,143,000, to remain available until expended.

15 NATIONAL HISTORICAL PUBLICATIONS AND RECORDS

16 COMMISSION

17 GRANTS PROGRAM

18 For necessary expenses for allocations and grants for
19 historical publications and records as authorized by 44
20 U.S.C. 2504, as amended, \$6,436,000, to remain available
21 until expended.

22 OFFICE OF GOVERNMENT ETHICS

23 SALARIES AND EXPENSES

24 For necessary expenses to carry out functions of the
25 Office of Government Ethics pursuant to the Ethics in
26 Government Act of 1978, as amended and the Ethics Re-

1 form Act of 1989, including services as authorized by 5
2 U.S.C. 3109, rental of conference rooms in the District
3 of Columbia and elsewhere, hire of passenger motor vehi-
4 cles, and not to exceed \$1,500 for official reception and
5 representation expenses, \$10,060,000.

6 OFFICE OF PERSONNEL MANAGEMENT

7 SALARIES AND EXPENSES

8 (INCLUDING TRANSFER OF TRUST FUNDS)

9 For necessary expenses to carry out functions of the
10 Office of Personnel Management pursuant to Reorganiza-
11 tion Plan Numbered 2 of 1978 and the Civil Service Re-
12 form Act of 1978, including services as authorized by 5
13 U.S.C. 3109; medical examinations performed for veterans
14 by private physicians on a fee basis; rental of conference
15 rooms in the District of Columbia and elsewhere; hire of
16 passenger motor vehicles; not to exceed \$2,500 for official
17 reception and representation expenses; advances for reim-
18 bursements to applicable funds of the Office of Personnel
19 Management and the Federal Bureau of Investigation for
20 expenses incurred under Executive Order No. 10422 of
21 January 9, 1953, as amended; and payment of per diem
22 and/or subsistence allowances to employees where Voting
23 Rights Act activities require an employee to remain over-
24 night at his or her post of duty, \$99,036,000, of which
25 \$3,200,000 shall remain available until expended for the
26 cost of the governmentwide human resources data network

1 project; and in addition \$115,928,000 for administrative
2 expenses, to be transferred from the appropriate trust
3 funds of the Office of Personnel Management without re-
4 gard to other statutes, including direct procurement of
5 printed materials, for the retirement and insurance pro-
6 grams, of which \$21,777,000 shall remain available until
7 expended for the cost of automating the retirement record-
8 keeping systems: *Provided*, That the provisions of this ap-
9 propriation shall not affect the authority to use applicable
10 trust funds as provided by sections 8348(a)(1)(B),
11 8909(g), and 9004(f)(1)(A) and (2)(A) of title 5, United
12 States Code: *Provided further*, That no part of this appro-
13 priation shall be available for salaries and expenses of the
14 Legal Examining Unit of the Office of Personnel Manage-
15 ment established pursuant to Executive Order No. 9358
16 of July 1, 1943, or any successor unit of like purpose:
17 *Provided further*, That the President's Commission on
18 White House Fellows, established by Executive Order No.
19 11183 of October 3, 1964, may, during fiscal year 2002,
20 accept donations of money, property, and personal services
21 in connection with the development of a publicity brochure
22 to provide information about the White House Fellows, ex-
23 cept that no such donations shall be accepted for travel
24 or reimbursement of travel expenses, or for the salaries
25 of employees of such Commission.

1 OFFICE OF INSPECTOR GENERAL
2 SALARIES AND EXPENSES
3 (INCLUDING TRANSFER OF TRUST FUNDS)

4 For necessary expenses of the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act, as amended, including services as authorized
7 by 5 U.S.C. 3109, hire of passenger motor vehicles,
8 \$1,398,000; and in addition, not to exceed \$10,016,000
9 for administrative expenses to audit, investigate, and pro-
10 vide other oversight of the Office of Personnel Manage-
11 ment's retirement and insurance programs, to be trans-
12 ferred from the appropriate trust funds of the Office of
13 Personnel Management, as determined by the Inspector
14 General: *Provided*, That the Inspector General is author-
15 ized to rent conference rooms in the District of Columbia
16 and elsewhere.

17 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES
18 HEALTH BENEFITS

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

1 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE
2 LIFE INSURANCE

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

7 PAYMENT TO CIVIL SERVICE RETIREMENT AND
8 DISABILITY FUND

9 For financing the unfunded liability of new and in-
10 creased annuity benefits becoming effective on or after Oc-
11 tober 20, 1969, as authorized by 5 U.S.C. 8348, and an-
12 nuities under special Acts to be credited to the Civil Serv-
13 ice Retirement and Disability Fund, such sums as may
14 be necessary: *Provided*, That annuities authorized by the
15 Act of May 29, 1944, as amended, and the Act of August
16 19, 1950, as amended (33 U.S.C. 771–775), may here-
17 after be paid out of the Civil Service Retirement and Dis-
18 ability Fund.

19 OFFICE OF SPECIAL COUNSEL
20 SALARIES AND EXPENSES

21 For necessary expenses to carry out functions of the
22 Office of Special Counsel pursuant to Reorganization Plan
23 Numbered 2 of 1978, the Civil Service Reform Act of
24 1978 (Public Law 95–454), the Whistleblower Protection
25 Act of 1989 (Public Law 101–12), Public Law 103–424,
26 and the Uniformed Services Employment and Reemploy-

1 ment Act of 1994 (Public Law 103–353), including serv-
2 ices as authorized by 5 U.S.C. 3109, payment of fees and
3 expenses for witnesses, rental of conference rooms in the
4 District of Columbia and elsewhere, and hire of passenger
5 motor vehicles, \$11,784,000.

6 UNITED STATES TAX COURT

7 SALARIES AND EXPENSES

8 For necessary expenses, including contract reporting
9 and other services as authorized by 5 U.S.C. 3109,
10 \$37,305,000: *Provided*, That travel expenses of the judges
11 shall be paid upon the written certificate of the judge.

12 This title may be cited as the “Independent Agencies
13 Appropriations Act, 2002”.

14 TITLE V—GENERAL PROVISIONS

15 THIS ACT

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

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

1 SEC. 503. None of the funds made available by this
2 Act shall be available for any activity or for paying the
3 salary of any Government employee where funding an ac-
4 tivity or paying a salary to a Government employee would
5 result in a decision, determination, rule, regulation, or pol-
6 icy that would prohibit the enforcement of section 307 of
7 the Tariff Act of 1930.

8 SEC. 504. None of the funds made available by this
9 Act shall be available in fiscal year 2002 for the purpose
10 of transferring control over the Federal Law Enforcement
11 Training Center located at Glynco, Georgia, and Artesia,
12 New Mexico, out of the Department of the Treasury.

13 SEC. 505. No part of any appropriation contained in
14 this Act shall be available to pay the salary for any person
15 filling a position, other than a temporary position, for-
16 merly held by an employee who has left to enter the Armed
17 Forces of the United States and has satisfactorily com-
18 pleted his period of active military or naval service, and
19 has within 90 days after his release from such service or
20 from hospitalization continuing after discharge for a pe-
21 riod of not more than 1 year, made application for restora-
22 tion to his former position and has been certified by the
23 Office of Personnel Management as still qualified to per-
24 form the duties of his former position and has not been
25 restored thereto.

1 SEC. 506. No funds appropriated pursuant to this
2 Act may be expended by an entity unless the entity agrees
3 that in expending the assistance the entity will comply
4 with sections 2 through 4 of the Act of March 3, 1933
5 (41 U.S.C. 10a–10c, popularly known as the “Buy Amer-
6 ican Act”).

7 SEC. 507. (a) PURCHASE OF AMERICAN-MADE
8 EQUIPMENT AND PRODUCTS.—In the case of any equip-
9 ment or products that may be authorized to be purchased
10 with financial assistance provided under this Act, it is the
11 sense of the Congress that entities receiving such assist-
12 ance should, in expending the assistance, purchase only
13 American-made equipment and products.

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

19 SEC. 508. If it has been finally determined by a court
20 or Federal agency that any person intentionally affixed a
21 label bearing a “Made in America” inscription, or any in-
22 scription with the same meaning, to any product sold in
23 or shipped to the United States that is not made in the
24 United States, such person shall be ineligible to receive
25 any contract or subcontract made with funds provided

1 pursuant to this Act, pursuant to the debarment, suspen-
2 sion, and ineligibility procedures described in sections
3 9.400 through 9.409 of title 48, Code of Federal Regula-
4 tions.

5 SEC. 509. Except as otherwise specifically provided
6 by law, not to exceed 50 percent of unobligated balances
7 remaining available at the end of fiscal year 2002 from
8 appropriations made available for salaries and expenses
9 for fiscal year 2002 in this Act, shall remain available
10 through September 30, 2003, for each such account for
11 the purposes authorized: *Provided*, That a request shall
12 be submitted to the Committees on Appropriations for ap-
13 proval prior to the expenditure of such funds: *Provided*
14 *further*, That these requests shall be made in compliance
15 with reprogramming guidelines.

16 SEC. 510. None of the funds made available in this
17 Act may be used by the Executive Office of the President
18 to request from the Federal Bureau of Investigation any
19 official background investigation report on any individual,
20 except when—

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

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

3 SEC. 511. The cost accounting standards promul-
4 gated under section 26 of the Office of Federal Procure-
5 ment Policy Act (Public Law 93–400; 41 U.S.C. 422)
6 shall not apply with respect to a contract under the Fed-
7 eral Employees Health Benefits Program established
8 under chapter 89 of title 5, United States Code.

9 SEC. 512. For the purpose of resolving litigation and
10 implementing any settlement agreements regarding the
11 nonforeign area cost-of-living allowance program, the Of-
12 fice of Personnel Management may accept and utilize
13 (without regard to any restriction on unanticipated travel
14 expenses imposed in an Appropriations Act) funds made
15 available to the Office pursuant to court approval.

16 SEC. 513. Not later than July 1, 2001, the Director
17 of the Office of Management and Budget shall submit a
18 report to the Committee on Appropriations and the Com-
19 mittee on Governmental Affairs of the Senate and the
20 Committee on Appropriations and the Committee on Gov-
21 ernment Reform of the House of Representatives that: (1)
22 evaluates, for each agency, the extent to which implemen-
23 tation of chapter 35 of title 31, United States Code, as
24 amended by the Paperwork Reduction Act of 1995 (Public
25 Law 104–13), has reduced burden imposed by rules issued

1 by the agency, including the burden imposed by each
2 major rule issued by the agency; (2) includes a determina-
3 tion, based on such evaluation, of the need for additional
4 procedures to ensure achievement of the purposes of that
5 chapter, as set forth in section 3501 of title 31, United
6 States Code, and evaluates the burden imposed by each
7 major rule that imposes more than 10,000,000 hours of
8 burden, and identifies specific reductions expected to be
9 achieved in each of fiscal years 2002 and 2003 in the bur-
10 den imposed by all rules issued by each agency that issued
11 such a major rule.

12 SEC. 514. (a) PROHIBITION OF FEDERAL AGENCY
13 MONITORING OF PERSONAL INFORMATION ON USE OF
14 INTERNET.—None of the funds made available in the
15 Treasury and General Government Appropriations Act,
16 2002 may be used by any Federal agency—

17 (1) to collect, review, or create any aggregate
18 list, derived from any means, that includes the col-
19 lection of any personally identifiable information re-
20 lating to an individual's access to or use of any Fed-
21 eral government Internet site of the agency; or

22 (2) to enter into any agreement with a third
23 party (including another government agency) to col-
24 lect, review, or obtain any aggregate list, derived
25 from any means, that includes the collection of any

1 personally identifiable information relating to an in-
2 dividual's access to or use of any nongovernmental
3 Internet site.

4 (b) EXCEPTIONS.—The limitations established in
5 subsection (a) shall not apply to—

6 (1) any record of aggregate data that does not
7 identify particular persons;

8 (2) any voluntary submission of personally iden-
9 tifiable information;

10 (3) any action taken for law enforcement, regu-
11 latory, or supervisory purposes, in accordance with
12 applicable law; or

13 (4) any action described in subsection (a)(1)
14 that is a system security action taken by the oper-
15 ator of an Internet site and is necessarily incident
16 to the rendition of the Internet site services or to the
17 protection of the rights or property of the provider
18 of the Internet site.

19 (c) DEFINITIONS.—For the purposes of this section:

20 (1) The term “regulatory” means agency ac-
21 tions to implement, interpret or enforce authorities
22 provided in law.

23 (2) The term “supervisory” means examina-
24 tions of the agency's supervised institutions, includ-
25 ing assessing safety and soundness, overall financial

1 condition, management practices and policies and
2 compliance with applicable standards as provided in
3 law.

4 TITLE VI—GENERAL PROVISIONS

5 DEPARTMENTS, AGENCIES, AND CORPORATIONS

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

10 SEC. 602. No department, agency, or instrumentality
11 of the United States receiving appropriated funds under
12 this or any other Act for fiscal year 2002 shall obligate
13 or expend any such funds, unless such department, agen-
14 cy, or instrumentality has in place, and will continue to
15 administer in good faith, a written policy designed to en-
16 sure that all of its workplaces are free from the illegal
17 use, possession, or distribution of controlled substances
18 (as defined in the Controlled Substances Act) by the offi-
19 cers and employees of such department, agency, or instru-
20 mentality.

21 SEC. 603. 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. 604. 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. 605. 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 the 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. 606. 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. 607. 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. 13101 (September 14, 1998), including
9 any such programs adopted prior to the effective
10 date of 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. 608. 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. 609. 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. 610. 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. 611. 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. 612. 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. 613. (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 fiscal year
21 2002, by this or any other Act, may be used to pay any
22 prevailing rate employee described in section
23 5342(a)(2)(A) of title 5, United States Code—

24 (1) during the period from the date of expira-
25 tion of the limitation imposed by section 613 of the

1 Treasury and General Government Appropriations
2 Act, 2001, until the normal effective date of the ap-
3 plicable wage survey adjustment that is to take ef-
4 fect in fiscal year 2002, in an amount that exceeds
5 the rate payable for the applicable grade and step of
6 the applicable wage schedule in accordance with
7 such section 613; and

8 (2) during the period consisting of the remain-
9 der of fiscal year 2002, in an amount that exceeds,
10 as a result of a wage survey adjustment, the rate
11 payable under paragraph (1) by more than the sum
12 of—

13 (A) the percentage adjustment taking ef-
14 fect in fiscal year 2002 under section 5303 of
15 title 5, United States Code, in the rates of pay
16 under the General Schedule; and

17 (B) the difference between the overall aver-
18 age percentage of the locality-based com-
19 parability payments taking effect in fiscal year
20 2002 under section 5304 of such title (whether
21 by adjustment or otherwise), and the overall av-
22 erage percentage of such payments which was
23 effective in fiscal year 2001 under such section.

24 (b) Notwithstanding any other provision of law, no
25 prevailing rate employee described in subparagraph (B) or

1 (C) of section 5342(a)(2) of title 5, United States Code,
2 and no employee covered by section 5348 of such title,
3 may be paid during the periods for which subsection (a)
4 is in effect at a rate that exceeds the rates that would
5 be payable under subsection (a) were subsection (a) appli-
6 cable to such employee.

7 (c) For the purposes of this section, the rates payable
8 to an employee who is covered by this section and who
9 is paid from a schedule not in existence on September 30,
10 2001, shall be determined under regulations prescribed by
11 the Office of Personnel Management.

12 (d) Notwithstanding any other provision of law, rates
13 of premium pay for employees subject to this section may
14 not be changed from the rates in effect on September 30,
15 2001, except to the extent determined by the Office of
16 Personnel Management to be consistent with the purpose
17 of this section.

18 (e) This section shall apply with respect to pay for
19 service performed after September 30, 2001.

20 (f) For the purpose of administering any provision
21 of law (including any rule or regulation that provides pre-
22 mium pay, retirement, life insurance, or any other em-
23 ployee benefit) that requires any deduction or contribu-
24 tion, or that imposes any requirement or limitation on the
25 basis of a rate of salary or basic pay, the rate of salary

1 or basic pay payable after the application of this section
2 shall be treated as the rate of salary or basic pay.

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

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

12 SEC. 614. During the period in which the head of
13 any department or agency, or any other officer or civilian
14 employee of the Government appointed by the President
15 of the United States, holds office, no funds may be obli-
16 gated or expended in excess of \$5,000 to furnish or re-
17 decorate the office of such department head, agency head,
18 officer, or employee, or to purchase furniture or make im-
19 provements for any such office, unless advance notice of
20 such furnishing or redecoration is expressly approved by
21 the Committees on Appropriations. For the purposes of
22 this section, the word “office” shall include the entire suite
23 of offices assigned to the individual, as well as any other
24 space used primarily by the individual or the use of which
25 is directly controlled by the individual.

1 SEC. 615. Notwithstanding any other provision of
2 law, no executive branch agency shall purchase, construct,
3 and/or lease any additional facilities, except within or con-
4 tiguous to existing locations, to be used for the purpose
5 of conducting Federal law enforcement training without
6 the advance approval of the Committees on Appropria-
7 tions, except that the Federal Law Enforcement Training
8 Center is authorized to obtain the temporary use of addi-
9 tional facilities by lease, contract, or other agreement for
10 training which cannot be accommodated in existing Center
11 facilities.

12 SEC. 616. Notwithstanding section 1346 of title 31,
13 United States Code, or section 610 of this Act, funds
14 made available for fiscal year 2002 by this or any other
15 Act shall be available for the interagency funding of na-
16 tional security and emergency preparedness telecommuni-
17 cations initiatives which benefit multiple Federal depart-
18 ments, agencies, or entities, as provided by Executive
19 Order No. 12472 (April 3, 1984).

20 SEC. 617. (a) None of the funds appropriated by this
21 or any other Act may be obligated or expended by any
22 Federal department, agency, or other instrumentality for
23 the salaries or expenses of any employee appointed to a
24 position of a confidential or policy-determining character
25 excepted from the competitive service pursuant to section

1 3302 of title 5, United States Code, without a certification
2 to the Office of Personnel Management from the head of
3 the Federal department, agency, or other instrumentality
4 employing the Schedule C appointee that the Schedule C
5 position was not created solely or primarily in order to
6 detail the employee to the White House.

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

10 (1) the Central Intelligence Agency;

11 (2) the National Security Agency;

12 (3) the Defense Intelligence Agency;

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

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

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

25 (7) the Director of Central Intelligence.

1 SEC. 618. No department, agency, or instrumentality
2 of the United States receiving appropriated funds under
3 this or any other Act for fiscal year 2002 shall obligate
4 or expend any such funds, unless such department, agen-
5 cy, or instrumentality has in place, and will continue to
6 administer in good faith, a written policy designed to en-
7 sure that all of its workplaces are free from discrimination
8 and sexual harassment and that all of its workplaces are
9 not in violation of title VII of the Civil Rights Act of 1964,
10 as amended, the Age Discrimination in Employment Act
11 of 1967, and the Rehabilitation Act of 1973.

12 SEC. 619. None of the funds made available in this
13 Act for the United States Customs Service may be used
14 to allow the importation into the United States of any
15 good, ware, article, or merchandise mined, produced, or
16 manufactured by forced or indentured child labor, as de-
17 termined pursuant to section 307 of the Tariff Act of
18 1930 (19 U.S.C. 1307).

19 SEC. 620. No part of any appropriation contained in
20 this or any other Act shall be available for the payment
21 of the salary of any officer or employee of the Federal
22 Government, who—

23 (1) prohibits or prevents, or attempts or threat-
24 ens to prohibit or prevent, any other officer or em-
25 ployee of the Federal Government from having any

1 direct oral or written communication or contact with
2 any Member, committee, or subcommittee of the
3 Congress in connection with any matter pertaining
4 to the employment of such other officer or employee
5 or pertaining to the department or agency of such
6 other officer or employee in any way, irrespective of
7 whether such communication or contact is at the ini-
8 tiative of such other officer or employee or in re-
9 sponse to the request or inquiry of such Member,
10 committee, or subcommittee; or

11 (2) removes, suspends from duty without pay,
12 demotes, reduces in rank, seniority, status, pay, or
13 performance of efficiency rating, denies promotion
14 to, relocates, reassigns, transfers, disciplines, or dis-
15 criminate in regard to any employment right, enti-
16 tlement, or benefit, or any term or condition of em-
17 ployment of, any other officer or employee of the
18 Federal Government, or attempts or threatens to
19 commit any of the foregoing actions with respect to
20 such other officer or employee, by reason of any
21 communication or contact of such other officer or
22 employee with any Member, committee, or sub-
23 committee of the Congress as described in paragraph
24 (1).

1 SEC. 621. (a) None of the funds made available in
2 this or any other Act may be obligated or expended for
3 any employee training that—

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

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

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

13 (4) contains any methods or content associated
14 with religious or quasi-religious belief systems or
15 “new age” belief systems as defined in Equal Em-
16 ployment Opportunity Commission Notice N-
17 915.022, dated September 2, 1988; or

18 (5) is offensive to, or designed to change, par-
19 ticipants’ personal values or lifestyle outside the
20 workplace.

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

24 SEC. 622. No funds appropriated in this or any other
25 Act may be used to implement or enforce the agreements

1 in Standard Forms 312 and 4414 of the Government or
2 any other nondisclosure policy, form, or agreement if such
3 policy, form, or agreement does not contain the following
4 provisions: “These restrictions are consistent with and do
5 not supersede, conflict with, or otherwise alter the em-
6 ployee obligations, rights, or liabilities created by Execu-
7 tive Order No. 12958; section 7211 of title 5, U.S.C. (gov-
8 erning disclosures to Congress); section 1034 of title 10,
9 United States Code, as amended by the Military Whistle-
10 blower Protection Act (governing disclosure to Congress
11 by members of the military); section 2302(b)(8) of title
12 5, United States Code, as amended by the Whistleblower
13 Protection Act (governing disclosures of illegality, waste,
14 fraud, abuse or public health or safety threats); the Intel-
15 ligence Identities Protection Act of 1982 (50 U.S.C. 421
16 et seq.) (governing disclosures that could expose confiden-
17 tial Government agents); and the statutes which protect
18 against disclosure that may compromise the national secu-
19 rity, including sections 641, 793, 794, 798, and 952 of
20 title 18, United States Code, and section 4(b) of the Sub-
21 versive Activities Act of 1950 (50 U.S.C. 783(b)). The
22 definitions, requirements, obligations, rights, sanctions,
23 and liabilities created by said Executive order and listed
24 statutes are incorporated into this agreement and are con-
25 trolling.”: *Provided*, That notwithstanding the preceding

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

15 SEC. 623. No part of any funds appropriated in this
16 or any other Act shall be used by an agency of the execu-
17 tive branch, other than for normal and recognized execu-
18 tive-legislative relationships, for publicity or propaganda
19 purposes, and for the preparation, distribution or use of
20 any kit, pamphlet, booklet, publication, radio, television or
21 film presentation designed to support or defeat legislation
22 pending before the Congress, except in presentation to the
23 Congress itself.

24 SEC. 624. None of the funds appropriated by this or
25 any other Act may be used by an agency to provide a Fed-

1 eral employee's home address to any labor organization
2 except when the employee has authorized such disclosure
3 or when such disclosure has been ordered by a court of
4 competent jurisdiction.

5 SEC. 625. None of the funds made available in this
6 Act or any other Act may be used to provide any non-
7 public information such as mailing or telephone lists to
8 any person or any organization outside of the Federal
9 Government without the approval of the Committees on
10 Appropriations.

11 SEC. 626. No part of any appropriation contained in
12 this or any other Act shall be used for publicity or propa-
13 ganda purposes within the United States not heretofore
14 authorized by the Congress.

15 SEC. 627. (a) In this section the term "agency"—

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

18 (2) includes a military department as defined
19 under section 102 of such title, the Postal Service,
20 and the Postal Rate Commission; and

21 (3) shall not include the General Accounting
22 Office.

23 (b) Unless authorized in accordance with law or regu-
24 lations to use such time for other purposes, an employee
25 of an agency shall use official time in an honest effort

1 to perform official duties. An employee not under a leave
2 system, including a Presidential appointee exempted under
3 section 6301(2) of title 5, United States Code, has an obli-
4 gation to expend an honest effort and a reasonable propor-
5 tion of such employee's time in the performance of official
6 duties.

7 SEC. 628. (a) None of the funds appropriated by this
8 Act may be used to enter into or renew a contract which
9 includes a provision providing prescription drug coverage,
10 except where the contract also includes a provision for con-
11 traceptive coverage.

12 (b) Nothing in this section shall apply to a contract
13 with—

14 (1) any of the following religious plans:

15 (A) Personal Care's HMO;

16 (B) OSF Health Plans, Inc.; and

17 (2) any existing or future plan, if the carrier
18 for the plan objects to such coverage on the basis of
19 religious beliefs.

20 (c) In implementing this section, any plan that enters
21 into or renews a contract under this section may not sub-
22 ject any individual to discrimination on the basis that the
23 individual refuses to prescribe or otherwise provide for
24 contraceptives because such activities would be contrary
25 to the individual's religious beliefs or moral convictions.

1 (d) Nothing in this section shall be construed to re-
2 quire coverage of abortion or abortion-related services.

3 SEC. 629. Notwithstanding 31 U.S.C. 1346 and sec-
4 tion 610 of this Act, funds made available for fiscal year
5 2002 by this or any other Act to any department or agen-
6 cy, which is a member of the Joint Financial Management
7 Improvement Program (JFMIP), shall be available to fi-
8 nance an appropriate share of JFMIP administrative
9 costs, as determined by the JFMIP, but not to exceed a
10 total of \$800,000 including the salary of the Executive
11 Director and staff support.

12 SEC. 630. Notwithstanding 31 U.S.C. 1346 and sec-
13 tion 610 of this Act, the head of each Executive depart-
14 ment and agency is hereby authorized to transfer to the
15 “Policy and Operations” account, General Services Ad-
16 ministration, with the approval of the Director of the Of-
17 fice of Management and Budget, funds made available for
18 fiscal year 2002 by this or any other Act, including rebates
19 from charge card and other contracts. These funds shall
20 be administered by the Administrator of General Services
21 to support Government-wide financial, information tech-
22 nology, procurement, and other management innovations,
23 initiatives, and activities, as approved by the Director of
24 the Office of Management and Budget, in consultation
25 with the appropriate interagency groups designated by the

1 Director (including the Chief Financial Officers Council
2 and the Joint Financial Management Improvement Pro-
3 gram for financial management initiatives, the Chief In-
4 formation Officers Council for information technology ini-
5 tiatives, and the Procurement Executives Council for pro-
6 curement initiatives). The total funds transferred shall not
7 exceed \$17,000,000. Such transfers may only be made 15
8 days following notification of the Committees on Appro-
9 priations by the Director of the Office of Management and
10 Budget.

11 SEC. 631. (a) IN GENERAL.—Hereafter, in accord-
12 ance with regulations promulgated by the Office of Per-
13 sonnel Management, an Executive agency which provides
14 or proposes to provide child care services for Federal em-
15 ployees may use appropriated funds (otherwise available
16 to such agency for salaries and expenses) to provide child
17 care, in a Federal or leased facility, or through contract,
18 for civilian employees of such agency.

19 (b) AFFORDABILITY.—Amounts so provided with re-
20 spect to any such facility or contractor shall be applied
21 to improve the affordability of child care for lower income
22 Federal employees using or seeking to use the child care
23 services offered by such facility or contractor.

24 (c) ADVANCES.—Notwithstanding 31 U.S.C. 3324,
25 amounts paid to licensed or regulated child care providers

1 may be in advance of services rendered, covering agreed
2 upon periods, as appropriate.

3 (d) DEFINITION.—For purposes of this section, the
4 term “Executive agency” has the meaning given such term
5 by section 105 of title 5, United States Code, but does
6 not include the General Accounting Office.

7 (e) NOTIFICATION.—None of the funds made avail-
8 able in this or any other Act may be used to implement
9 the provisions of this section absent advance notification
10 to the Committees on Appropriations.

11 SEC. 632. Notwithstanding any other provision of
12 law, a woman may breastfeed her child at any location
13 in a Federal building or on Federal property, if the woman
14 and her child are otherwise authorized to be present at
15 the location.

16 SEC. 633. Notwithstanding section 1346 of title 31,
17 United States Code, or section 610 of this Act, funds
18 made available for fiscal year 2002 by this or any other
19 Act shall be available for the interagency funding of spe-
20 cific projects, workshops, studies, and similar efforts to
21 carry out the purposes of the National Science and Tech-
22 nology Council (authorized by Executive Order No.
23 12881), which benefit multiple Federal departments,
24 agencies, or entities: *Provided*, That the Office of Manage-
25 ment and Budget shall provide a report describing the

1 budget of and resources connected with the National
2 Science and Technology Council to the Committees on Ap-
3 propriations, the House Committee on Science; and the
4 Senate Committee on Commerce, Science, and Transpor-
5 tation 90 days after enactment of this Act.

6 SEC. 634. FEDERAL FUNDS IDENTIFIED. Any re-
7 quest for proposals, solicitation, grant application, form,
8 notification, press release, or other publications involving
9 the distribution of Federal funds shall indicate the agency
10 providing the funds and the amount provided. This provi-
11 sion shall apply to direct payments, formula funds, and
12 grants received by a State receiving Federal funds.

13 SEC. 635. Subsection (f) of section 403 of Public Law
14 103–356 is amended by deleting “October 1, 2001” and
15 inserting “October 1, 2002”.

16 SEC. 636. Section 6 of Public Law 93–346 as amend-
17 ed (3 U.S.C. 111 note) is amended by inserting “, or for
18 use at official functions in or about,” after “about”.

19 SEC. 637. During fiscal year 2002 and thereafter, the
20 head of an entity named in 3 U.S.C. 112 may, with respect
21 to civilian personnel of any branch of the Federal govern-
22 ment performing duties in such entity, exercise authority
23 comparable to the authority that may by law (including
24 chapter 57 and sections 8344 and 8468 of title 5, United
25 States Code) be exercised with respect to the employees

1 of an Executive agency (as defined in 5 U.S.C. 105) by
2 the head of such Executive agency, and the authority
3 granted by this section shall be in addition to any other
4 authority available in law.

5 SEC. 638. Section 3 of Public Law 93–346 as amend-
6 ed (3 U.S.C. 111 note) is amended by inserting “, utilities
7 (including electrical) for,” after “military staffing”.

8 SEC. 639. The Congress of the United States recog-
9 nizes the United States Anti-Doping Agency (USADA) as
10 the official anti-doping agency for Olympic, Pan Amer-
11 ican, and Paralympic sport in the United States.

12 SEC. 640. (a) Section 1238(e)(3) of the Floyd D.
13 Spence National Defense Authorization Act for Fiscal
14 Year 2001 (as enacted by Public Law 106–398) is amend-
15 ed by adding at the end the following: “The executive di-
16 rector and any personnel who are employees of the United
17 States-China Security Review Commission shall be em-
18 ployees under section 2105 of title 5, United States Code,
19 for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and
20 90 of that title.”.

21 (b) The amendment made by this section shall take
22 effect on January 3, 2001.

23 SEC. 641. (a) The adjustment in rates of basic pay
24 for the statutory pay systems that takes effect in fiscal

1 year 2002 under sections 5303 and 5304 of title 5, United
2 States Code, shall be an increase of 4.6 percent.

3 (b) Funds used to carry out this section shall be paid
4 from appropriations which are made to each applicable de-
5 partment or agency for salaries and expenses for fiscal
6 year 2002.

7 SEC. 642. Not later than six months after the date
8 of enactment of this Act, the Inspector General of each
9 applicable department or agency shall submit to the Com-
10 mittee on Appropriations a report detailing what policies
11 and procedures are in place for each department or agency
12 to give first priority to the location of new offices and
13 other facilities in rural areas, as directed by the Rural De-
14 velopment Act of 1972.

15 This Act may be cited as the “Treasury and General
16 Government Appropriations Act, 2002”.

Calendar No. 146

107TH CONGRESS
1ST SESSION

S. 1398

[Report No. 107-57]

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, 2002, and for other purposes.

SEPTEMBER 4, 2001

Read twice and placed on the calendar