

105TH CONGRESS  
2D SESSION

# H. R. 4104

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 3 (legislative day, AUGUST 31), 1998

Ordered to be printed with the amendments of the Senate numbered

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## AN ACT

Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1999, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       ~~(1) That the following sums are appropriated, out of any~~  
4       ~~money in the Treasury not otherwise appropriated, for the~~  
5       ~~Treasury Department, the United States Postal Service,~~  
6       ~~the Executive Office of the President, and certain Inde-~~  
7       ~~pendent Agencies, for the fiscal year ending September 30,~~  
8       ~~1999, and for other purposes, namely:~~

## 1 TITLE I—DEPARTMENT OF THE TREASURY

## 2 DEPARTMENTAL OFFICES

## 3 SALARIES AND EXPENSES

4 For necessary expenses of the Departmental Offices  
5 including operation and maintenance of the Treasury  
6 Buildings and Annex; hire of passenger motor vehicles;  
7 maintenance, repairs, and improvements of; and purchase  
8 of commercial insurance policies for; real properties leased  
9 or owned overseas; when necessary for the performance  
10 of official business; not to exceed \$2,900,000 for official  
11 travel expenses; not to exceed \$150,000 for official recep-  
12 tion and representation expenses; not to exceed \$258,000  
13 for unforeseen emergencies of a confidential nature; to be  
14 allocated and expended under the direction of the Sec-  
15 retary of the Treasury and to be accounted for solely on  
16 his certificate, \$122,889,000: *Provided*, That the Office of  
17 Foreign Assets Control shall be funded at no less than  
18 \$5,517,000: *Provided further*, That of the funds provided  
19 under this heading, \$2,000,000 shall be available only for  
20 the provision of compensation for losses incurred due to  
21 the denial of entry into the United States of any firearms  
22 as defined in section 921(a)(3) of title 18, United States  
23 Code that: (1) as of the date of the enactment of this Act,  
24 could lawfully be manufactured and sold in the United  
25 States; (2) that is of a type that was determined by the

1 Secretary of the Treasury on April 6, 1998, to be not im-  
 2 portable into the United States; and (3) as of February  
 3 10, 1998, was conditionally released under bond to the  
 4 importer by the United States Customs Service. The losses  
 5 compensated under the preceding sentence shall be only  
 6 for the cost of the weapons and any shipping, transpor-  
 7 tation, duty, and storage costs incurred by the importer,  
 8 as determined by the Secretary of the Treasury.

#### 9 OFFICE OF PROFESSIONAL RESPONSIBILITY

##### 10 SALARIES AND EXPENSES

11 For necessary expenses of the Office of Professional  
 12 Responsibility, including the purchase and hire of pas-  
 13 senger motor vehicles, \$1,250,000.

##### 14 AUTOMATION ENHANCEMENT

##### 15 (INCLUDING TRANSFER OF FUNDS)

16 For the development and acquisition of automatic  
 17 data processing equipment, software, and services for the  
 18 Department of the Treasury, \$31,190,000: *Provided*, That  
 19 these funds shall remain available until September 30,  
 20 2000: *Provided further*, That these funds shall be trans-  
 21 ferred to accounts and in amounts as necessary to satisfy  
 22 the requirements of the Department's offices, bureaus,  
 23 and other organizations: *Provided further*, That this trans-  
 24 fer authority shall be in addition to any other transfer au-  
 25 thority provided in this Act: *Provided further*, That none

1 of the funds appropriated shall be used to support or sup-  
 2 plement Internal Revenue Service appropriations for In-  
 3 formation Systems: *Provided further*, That no funds may  
 4 be obligated for the Automated Commercial Environment  
 5 project until the Commissioner of Customs has submitted  
 6 to the Committees on Appropriations an enterprise infor-  
 7 mation systems architecture plan for the U.S. Customs  
 8 Service consistent with the Treasury Information Systems  
 9 Architecture Framework and approved by the Treasury  
 10 Investment Review Board.

11 ~~OFFICE OF INSPECTOR GENERAL~~

12 ~~SALARIES AND EXPENSES~~

13 For necessary expenses of the Office of Inspector  
 14 General in carrying out the provisions of the Inspector  
 15 General Act of 1978, not to exceed \$2,000,000 for official  
 16 travel expenses; including hire of passenger motor vehicles;  
 17 and not to exceed \$100,000 for unforeseen emergencies  
 18 of a confidential nature, to be allocated and expended  
 19 under the direction of the Inspector General of the Treas-  
 20 ury, \$30,678,000.

21 ~~TREASURY BUILDING AND ANNEX REPAIR AND~~

22 ~~RESTORATION~~

23 For the repair, alteration, and improvement of the  
 24 Treasury Building and Annex, \$27,000,000, to remain

1 available until expended: *Provided*, That these funds shall  
 2 not be available for obligation until September 30, 1999.

### 3 FINANCIAL CRIMES ENFORCEMENT NETWORK

#### 4 SALARIES AND EXPENSES

5 For necessary expenses of the Financial Crimes En-  
 6 forcement Network, including hire of passenger motor ve-  
 7 hicles; travel expenses of non-Federal law enforcement  
 8 personnel to attend meetings concerned with financial in-  
 9 telligence activities; law enforcement; and financial regula-  
 10 tion; not to exceed \$14,000 for official reception and rep-  
 11 resentation expenses; and for assistance to Federal law en-  
 12 forcement agencies; with or without reimbursement,  
 13 \$24,000,000: *Provided*, That funds appropriated in this  
 14 account may be used to procure personal services con-  
 15 tracts.

### 16 VIOLENT CRIME REDUCTION PROGRAMS

#### 17 (INCLUDING TRANSFER OF FUNDS)

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

21 (1) As authorized by section 190001(c),  
 22 \$122,000,000; of which \$3,000,000 shall be available to  
 23 the Bureau of Alcohol, Tobacco and Firearms for admin-  
 24 istering the Gang Resistance Education and Training pro-  
 25 gram; of which \$14,528,000 shall be available to the

1 United States Secret Service, including \$6,700,000 for ve-  
 2 hicle replacement, \$5,000,000 for investigations of coun-  
 3 terfeiting, and \$2,828,000 for forensic and related support  
 4 of investigations of missing and exploited children, of  
 5 which \$828,000 shall be available not earlier than Septem-  
 6 ber 30, 1999, as a grant for activities related to the inves-  
 7 tigation of exploited children and shall remain available  
 8 until expended; of which \$66,472,000 shall be available  
 9 for the United States Customs Service, including  
 10 \$54,000,000 for narcotics detection technology,  
 11 \$9,500,000 for the passenger processing initiative,  
 12 \$972,000 for construction of canopies for inspection of  
 13 outbound vehicles along the Southwest border, and  
 14 \$2,000,000 for the Customs Cyber-Smuggling Center in  
 15 support of the anti-child pornography program; of which  
 16 \$14,000,000 shall be available to the Office of National  
 17 Drug Control Policy, including \$13,000,000 to the  
 18 Counter-Drug Technology Assessment Center to continue  
 19 the program to transfer technology to State and local law  
 20 enforcement agencies, and \$1,000,000 for Model State  
 21 Drug Law Conferences; and of which \$24,000,000 shall  
 22 be available for Interagency Crime and Drug Enforce-  
 23 ment.

24 (2) As authorized by section 32401, \$10,000,000 to  
 25 the Bureau of Alcohol, Tobacco and Firearms for dis-

1 bursement through grants, cooperative agreements, or  
 2 contracts to local governments for Gang Resistance Edu-  
 3 cation and Training: *Provided*, That notwithstanding sec-  
 4 tions 32401 and 310001, such funds shall be allocated to  
 5 State and local law enforcement and prevention organiza-  
 6 tions.

## 7 FEDERAL LAW ENFORCEMENT TRAINING CENTER

### 8 SALARIES AND EXPENSES

9 For necessary expenses of the Federal Law Enforce-  
 10 ment Training Center, as a bureau of the Department of  
 11 the Treasury, including materials and support costs of  
 12 Federal law enforcement basic training; purchase (not to  
 13 exceed 52 for police-type use, without regard to the gen-  
 14 eral purchase price limitation) and hire of passenger  
 15 motor vehicles; uniforms without regard to the general  
 16 purchase price limitation for the current fiscal year; the  
 17 conducting of and participating in firearms matches and  
 18 presentation of awards; for public awareness and enhance-  
 19 ing community support of law enforcement training; not  
 20 to exceed \$9,500 for official reception and representation  
 21 expenses; and services as authorized by 5 U.S.C. 3109,  
 22 \$71,923,000, of which up to \$13,843,000 for materials  
 23 and support costs of Federal law enforcement basic train-  
 24 ing shall remain available until September 30, 2001: *Pro-*  
 25 *vided*, That the Center is authorized to accept and use

1 gifts of property, both real and personal, and to accept  
2 services, for authorized purposes, including funding of a  
3 gift of intrinsic value which shall be awarded annually by  
4 the Director of the Center to the outstanding student who  
5 graduated from a basic training program at the Center  
6 during the previous fiscal year, which shall be funded only  
7 by gifts received through the Center's gift authority: *Pro-*  
8 *vided further*, That notwithstanding any other provision  
9 of law, students attending training at any Federal Law  
10 Enforcement Training Center site shall reside in on-Cen-  
11 ter or Center-provided housing, insofar as available and  
12 in accordance with Center policy: *Provided further*, That  
13 funds appropriated in this account shall be available, at  
14 the discretion of the Director, for the following: training  
15 United States Postal Service law enforcement personnel  
16 and Postal police officers; State and local government law  
17 enforcement training on a space-available basis; training  
18 of foreign law enforcement officials on a space-available  
19 basis with reimbursement of actual costs to this appropria-  
20 tion, except that reimbursement may be waived by the Sec-  
21 retary for law enforcement training activities in foreign  
22 countries undertaken pursuant to section 801 of the  
23 Antiterrorism and Effective Death Penalty Act of 1996,  
24 Public Law 104-32; training of private sector security of-  
25 ficials on a space-available basis with reimbursement of



1 actual costs to this appropriation; travel expenses of non-  
 2 Federal personnel to attend course development meetings  
 3 and training at the Center; for expenses for student ath-  
 4 letic and related activities; and room and board for stu-  
 5 dent interns: *Provided further*, That the Center is author-  
 6 ized to obligate funds in anticipation of reimbursements  
 7 from agencies receiving training at the Federal Law En-  
 8 forcement Training Center, except that total obligations  
 9 at the end of the fiscal year shall not exceed total budg-  
 10 etary resources available at the end of the fiscal year: *Pro-*  
 11 *vided further*, That the Federal Law Enforcement Train-  
 12 ing Center is authorized to provide short-term medical  
 13 services for students undergoing training at the Center.

14 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND  
 15 RELATED EXPENSES

16 For expansion of the Federal Law Enforcement  
 17 Training Center, for acquisition of necessary additional  
 18 real property and facilities, and for ongoing maintenance,  
 19 facility improvements, and related expenses, \$28,360,000,  
 20 to remain available until expended.

21 INTERAGENCY LAW ENFORCEMENT

22 INTERAGENCY CRIME AND DRUG ENFORCEMENT

23 For expenses necessary for the detection and inves-  
 24 tigation of individuals involved in organized crime drug  
 25 trafficking, including cooperative efforts with State and

1 local law enforcement, \$51,900,000, of which \$7,827,000  
 2 shall remain available until expended.

### 3 FINANCIAL MANAGEMENT SERVICE

#### 4 SALARIES AND EXPENSES

5 For necessary expenses of the Financial Management  
 6 Service, \$198,510,000, of which not to exceed  
 7 \$13,235,000 shall remain available until September 30,  
 8 2001 for information systems modernization initiatives.

### 9 BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

#### 10 SALARIES AND EXPENSES

11 For necessary expenses of the Bureau of Alcohol, To-  
 12 bacco and Firearms, including purchase of not to exceed  
 13 812 vehicles for police-type use, of which 650 shall be for  
 14 replacement only, and hire of passenger motor vehicles;  
 15 hire of aircraft; services of expert witnesses at such rates  
 16 as may be determined by the Director; for payment of per  
 17 diem and/or subsistence allowances to employees where a  
 18 major investigative assignment requires an employee to  
 19 work 16 hours or more per day or to remain overnight  
 20 at his or her post of duty; not to exceed \$20,000 for offi-  
 21 cial reception and representation expenses; for training of  
 22 State and local law enforcement agencies with or without  
 23 reimbursement, including training in connection with the  
 24 training and acquisition of canines for explosives and fire  
 25 accelerants detection; and provision of laboratory assist-

1 anee to State and local agencies, with or without reim-  
2 bursement, \$530,624,000; of which \$2,206,000 shall not  
3 be available until September 30, 1999; of which not to  
4 exceed \$1,000,000 shall be available for the payment of  
5 attorneys' fees as provided by 18 U.S.C. 924(d)(2); and  
6 of which \$1,000,000 shall be available for the equipping  
7 of any vessel, vehicle, equipment, or aircraft available for  
8 official use by a State or local law enforcement agency  
9 if the conveyance will be used in joint law enforcement  
10 operations with the Bureau of Alcohol, Tobacco and Fire-  
11 arms and for the payment of overtime salaries, travel, fuel,  
12 training, equipment, supplies, and other similar costs of  
13 State and local law enforcement personnel, including  
14 sworn officers and support personnel, that are incurred  
15 in joint operations with the Bureau of Alcohol, Tobacco  
16 and Firearms: *Provided*, That no funds made available by  
17 this or any other Act may be used to transfer the func-  
18 tions, missions, or activities of the Bureau of Alcohol, To-  
19 bacco and Firearms to other agencies or Departments in  
20 fiscal year 1999: *Provided further*, That no funds appro-  
21 priated herein shall be available for salaries or administra-  
22 tive expenses in connection with consolidating or centraliz-  
23 ing, within the Department of the Treasury, the records,  
24 or any portion thereof, of acquisition and disposition of  
25 firearms maintained by Federal firearms licensees: *Pro-*

1 *vided further*, That no funds appropriated herein shall be  
2 used to pay administrative expenses or the compensation  
3 of any officer or employee of the United States to imple-  
4 ment an amendment or amendments to 27 CFR 178.118  
5 or to change the definition of “Curios or relics” in 27 CFR  
6 178.11 or remove any item from ATF Publication  
7 5300.11 as it existed on January 1, 1994: *Provided fur-*  
8 *ther*, That none of the funds appropriated herein shall be  
9 available to investigate or act upon applications for relief  
10 from Federal firearms disabilities under 18 U.S.C. 925(e):  
11 *Provided further*, That such funds shall be available to in-  
12 vestigate and act upon applications filed by corporations  
13 for relief from Federal firearms disabilities under 18  
14 U.S.C. 925(e): *Provided further*, That no funds in this Act  
15 may be used to provide ballistics imaging equipment to  
16 any State or local authority who has obtained similar  
17 equipment through a Federal grant or subsidy unless the  
18 State or local authority agrees to return that equipment  
19 or to repay that grant or subsidy to the Federal Govern-  
20 ment: *Provided further*, That no funds under this Act may  
21 be used to electronically retrieve information gathered pur-  
22 suant to 18 U.S.C. 923(g)(4) by name or any personal  
23 identification code.

## 1 UNITED STATES CUSTOMS SERVICE

## 2 SALARIES AND EXPENSES

3 For necessary expenses of the United States Customs  
4 Service, including purchase and lease of up to 1,050 motor  
5 vehicles of which 550 are for replacement only and of  
6 which 1,030 are for police-type use and commercial oper-  
7 ations; hire of motor vehicles; contracting with individuals  
8 for personal services abroad; not to exceed \$30,000 for  
9 official reception and representation expenses; and awards  
10 of compensation to informers, as authorized by any Act  
11 enforced by the United States Customs Service,  
12 \$1,638,065,000, of which such sums as become available  
13 in the Customs User Fee Account, except sums subject  
14 to section 13031(f)(3) of the Consolidated Omnibus Budg-  
15 et Reconciliation Act of 1985 (19 U.S.C. 58c(f)(3)), shall  
16 be derived from that Account; of the total, not to exceed  
17 \$150,000 shall be available for payment for rental space  
18 in connection with preclearance operations; not to exceed  
19 \$4,000,000 shall be available until expended for research;  
20 not to exceed \$5,000,000 shall be available until expended  
21 for conducting special operations pursuant to 19 U.S.C.  
22 2081, and up to \$8,000,000 shall be available until ex-  
23 pended for the procurement of automation infrastructure  
24 items, including hardware, software, and installation: *Pro-*  
25 *vided further,* That uniforms may be purchased without

1 regard to the general purchase price limitation for the cur-  
2 rent fiscal year: *Provided further*, That notwithstanding  
3 any other provision of law, the fiscal year aggregate over-  
4 time limitation prescribed in subsection 5(c)(1) of the Act  
5 of February 13, 1911 (19 U.S.C. 261 and 267) shall be  
6 \$30,000: *Provided further*, That \$7,000,000 of these funds  
7 shall not be available for obligation until September 30,  
8 1999.

9 OPERATION AND MAINTENANCE, AIR AND MARINE

10 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, \$100,688,000,  
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 1999 without the prior approval of the Committees  
 7 on Appropriations.

8 HARBOR MAINTENANCE FEE COLLECTION

9 (INCLUDING TRANSFER OF FUNDS)

10 For administrative expenses related to the collection  
 11 of the Harbor Maintenance Fee, pursuant to Public Law  
 12 ~~103-182~~, \$3,000,000, to be derived from the Harbor  
 13 Maintenance Trust Fund and to be transferred to and  
 14 merged with the Customs "Salaries and Expenses" ac-  
 15 count for such purposes.

16 BUREAU OF THE PUBLIC DEBT

17 ADMINISTERING THE PUBLIC DEBT

18 For necessary expenses connected with any public-  
 19 debt issues of the United States, \$176,500,000, of which  
 20 not to exceed \$2,500 shall be available for official recep-  
 21 tion and representation expenses, and of which not to ex-  
 22 ceed \$2,000,000 shall remain available until September  
 23 30, 2001 for information systems modernization initia-  
 24 tives: *Provided*, That the sum appropriated herein from  
 25 the General Fund for fiscal year 1999 shall be reduced  
 26 by not more than \$4,400,000 as definitive security issue

1 fees and Treasury Direct Investor Account Maintenance  
 2 fees are collected, so as to result in a final fiscal year 1999  
 3 appropriation from the General Fund estimated at  
 4 \$172,100,000, and in addition, \$20,000, to be derived  
 5 from the Oil Spill Liability Trust Fund to reimburse the  
 6 Bureau for administrative and personnel expenses for fi-  
 7 nancial management of the Fund, as authorized by section  
 8 102 of Public Law 101-380: *Provided further*, That not-  
 9 withstanding any other provisions of law, effective upon  
 10 enactment and thereafter, the Bureau of the Public Debt  
 11 shall be fully and directly reimbursed by the funds de-  
 12 scribed in section 104 of Public Law 101-136 (103 Stat.  
 13 789) for costs and services performed by the Bureau in  
 14 the administration of such funds.

## 15 INTERNAL REVENUE SERVICE

### 16 PROCESSING, ASSISTANCE, AND MANAGEMENT

17 For necessary expenses of the Internal Revenue Serv-  
 18 ice for tax return processing; revenue accounting; tax law  
 19 and account assistance to taxpayers by telephone and cor-  
 20 respondence; programs to match information returns and  
 21 tax returns; management services; rent and utilities; and  
 22 inspection; including purchase (not to exceed 150 for re-  
 23 placement only for police-type use) and hire of passenger  
 24 motor vehicles (31 U.S.C. 1343(b)); and services as au-  
 25 thorized by 5 U.S.C. 3109, at such rates as may be deter-



1 mined by the Commissioner, ~~\$3,025,013,000~~, of which up  
 2 to ~~\$3,700,000~~ shall be for the Tax Counseling for the El-  
 3 derly Program, and of which not to exceed ~~\$25,000~~ shall  
 4 be for official reception and representation expenses.

#### 5 TAX LAW ENFORCEMENT

6 For necessary expenses of the Internal Revenue Serv-  
 7 ice for determining and establishing tax liabilities; provid-  
 8 ing litigation support; issuing technical rulings; examining  
 9 employee plans and exempt organizations; conducting  
 10 criminal investigation and enforcement activities; securing  
 11 unfiled tax returns; collecting unpaid accounts; compiling  
 12 statistics of income; and conducting compliance research;  
 13 including purchase (for police-type use, not to exceed \$50)  
 14 and hire of passenger motor vehicles (31 U.S.C. 1343(b));  
 15 and services as authorized by 5 U.S.C. 3109, at such rates  
 16 as may be determined by the Commissioner,  
 17 ~~\$3,164,189,000~~.

#### 18 EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE

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

## 1 INFORMATION SYSTEMS

2 For necessary expenses of the Internal Revenue Serv-  
3 ice for information systems and telecommunications sup-  
4 port, including developmental information systems and  
5 operational information systems; the hire of passenger  
6 motor vehicles (~~31 U.S.C. 1343(b)~~); and services as au-  
7 thorized by ~~5 U.S.C. 3109~~, at such rates as may be deter-  
8 mined by the Commissioner, \$1,224,032,000, which shall  
9 be available until September 30, 2000, and of which  
10 \$125,000,000 shall be available only for improvements to  
11 customer service and restructuring and reform of the In-  
12 ternal Revenue Service.

## 13 INFORMATION TECHNOLOGY INVESTMENTS

14 For necessary expenses of the Internal Revenue Serv-  
15 ice, \$210,000,000, to remain available until expended, for  
16 the capital asset acquisition of information technology sys-  
17 tems, including management and related contractual costs  
18 of such acquisition, and including contractual costs associ-  
19 ated with operations authorized by ~~5 U.S.C. 3109~~: *Pro-*  
20 *vided*, That none of these funds is available for obligation  
21 until September 30, 1999: *Provided further*, That none of  
22 these funds shall be obligated until the Internal Revenue  
23 Service and the Department of the Treasury submit to  
24 Congress for approval, a plan for expenditure that: (1) im-  
25 plements the Internal Revenue Service's Modernization  
26 Blueprint submitted to Congress on May 15, 1997; (2)

1 meets the information systems investment guidelines es-  
 2 tablished by the Office of Management and Budget and  
 3 in the fiscal year 1998 budget; (3) is reviewed and ap-  
 4 proved by the Office of Management and Budget, the De-  
 5 partment of the Treasury's IRS Management Board, and  
 6 is reviewed by the General Accounting Office; (4) meets  
 7 the requirements of the May 15, 1997 Internal Revenue  
 8 Service's Systems Life Cycle program; and (5) is in com-  
 9 pliance with acquisition rules, requirements, guidelines,  
 10 and systems acquisition management practices of the Fed-  
 11 eral Government.

12 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE  
 13 SERVICE

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

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

24 SEC. 103. The funds provided in this Act for the In-  
 25 ternal Revenue Service shall be used to provide, as a mini-

1 mum, the fiscal year 1995 level of service, staffing, and  
2 funding for Taxpayer Services.

3       ~~SEC. 104.~~ None of the funds appropriated by this  
4 title shall be used in connection with the collection of any  
5 underpayment of any tax imposed by the Internal Revenue  
6 Code of 1986 unless the conduct of officers and employees  
7 of the Internal Revenue Service in connection with such  
8 collection, including any private sector employees under  
9 contract to the Internal Revenue Service, complies with  
10 subsection (a) of section 805 (relating to communications  
11 in connection with debt collection), and section 806 (relat-  
12 ing to harassment or abuse), of the Fair Debt Collection  
13 Practices Act (15 U.S.C. 1692).

14       ~~SEC. 105.~~ The Internal Revenue Service shall insti-  
15 tute and enforce policies and procedures which will safe-  
16 guard the confidentiality of taxpayer information.

17       ~~SEC. 106.~~ Funds made available by this or any other  
18 Act to the Internal Revenue Service shall be available for  
19 improved facilities and increased manpower to provide suf-  
20 ficient and effective 1-800 help line for taxpayers. The  
21 Commissioner shall continue to make the improvement of  
22 the Internal Revenue Service 1-800 help line service a pri-  
23 ority and allocate resources necessary to increase phone  
24 lines and staff to improve the Internal Revenue Service  
25 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 739 vehicles  
5 for police-type use, of which 675 shall be for replacement  
6 only, and hire of passenger motor vehicles; hire of aircraft;  
7 training and assistance requested by State and local gov-  
8 ernments, which may be provided without reimbursement;  
9 services of expert witnesses at such rates as may be deter-  
10 mined by the Director; rental of buildings in the District  
11 of Columbia, and fencing, lighting, guard booths, and  
12 other facilities on private or other property not in Govern-  
13 ment ownership or control, as may be necessary to per-  
14 form protective functions; for payment of per diem and/  
15 or subsistence allowances to employees where a protective  
16 assignment during the actual day or days of the visit of  
17 a protectee require an employee to work 16 hours per day  
18 or to remain overnight at his or her post of duty; the con-  
19 ducting of and participating in firearms matches; presen-  
20 tation of awards; for travel of Secret Service employees  
21 on protective missions without regard to the limitations  
22 on such expenditures in this or any other Act if approval  
23 is obtained in advance from the Committees on Appropria-  
24 tions; for repairs, alterations, and minor construction at  
25 the James J. Rowley Secret Service Training Center; for

For necessary expenses of construction, repair, alteration, and improvement of facilities, \$6,445,000, to remain available until expended.

18 SEC. 110. Any obligation or expenditure by the Sec-  
19 retary of the Treasury in connection with law enforcement  
20 activities of a Federal agency or a Department of the  
21 Treasury law enforcement organization in accordance with  
22 31 U.S.C. 9703(g)(4)(B) from unobligated balances re-  
23 maining in the Fund on September 30, 1998, shall be  
24 made in compliance with reprogramming guidelines.

25 SEC. 111. Appropriations to the Department of the  
26 Treasury in this Act shall be available for uniforms or al-

1 lowances therefor, as authorized by law (~~5 U.S.C. 5901~~),  
2 including maintenance, repairs, and cleaning; purchase of  
3 insurance for official motor vehicles operated in foreign  
4 countries; purchase of motor vehicles without regard to the  
5 general purchase price limitations for vehicles purchased  
6 and used overseas for the current fiscal year; entering into  
7 contracts with the Department of State for the furnishing  
8 of health and medical services to employees and their de-  
9 pendants serving in foreign countries; and services author-  
10 ized by ~~5 U.S.C. 3109~~.

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

17       ~~SEC. 113.~~ Not to exceed 2 percent of any appropria-  
18 tions in this Act made available to the Federal Law En-  
19 forcement Training Center, Financial Crimes Enforce-  
20 ment Network, Bureau of Alcohol, Tobacco and Firearms,  
21 United States Customs Service, and United States Secret  
22 Service may be transferred between such appropriations  
23 upon the advance approval of the Committees on Appro-  
24 priations. No transfer may increase or decrease any such  
25 appropriation by more than 2 percent.

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

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

21       SEC. 116. (a) The Bureau of Engraving and Printing  
22 and the Department of the Treasury shall not award a  
23 contract for Solicitation No. BEP-97-13 (TN) until such  
24 time as the Committee on Banking and Financial Services  
25 and the Committee on Appropriations of the House of



1 Representatives authorize the Bureau of Engraving and  
 2 Printing, in writing, to proceed with the award of Solicita-  
 3 tion No. ~~BEP-97-13~~ (TN).

4 (b) The Bureau of Engraving and Printing may ex-  
 5 tend the distinctive currency paper “bridge” contract  
 6 (~~TEP-97-10~~) up to 6 (six) months beginning on the date  
 7 the contract expires, if, by such date, the Congress has  
 8 not authorized the awarding of a new contract or if the  
 9 Congress takes action based on the report submitted by  
 10 the General Accounting Office pursuant to section  
 11 9003(a) of Public Law 105-18. The Bureau of Engraving  
 12 and Printing must notify Congress prior to taking any ac-  
 13 tion with respect to the extension of ~~TEP-97-10~~.

## 14 TITLE H—POSTAL SERVICE

### 15 PAYMENT TO THE POSTAL SERVICE FUND

16 For payment to the Postal Service Fund for revenue  
 17 forgone on free and reduced rate mail, pursuant to sub-  
 18 sections (c) and (d) of section 2401 of title 39, United  
 19 States Code, \$71,195,000: *Provided*, That mail for over-  
 20 seas voting and mail for the blind shall continue to be free:  
 21 *Provided further*, That 6-day delivery and rural delivery  
 22 of mail shall continue at not less than the 1983 level: *Pro-*  
 23 *vided further*, That none of the funds made available to  
 24 the Postal Service by this Act shall be used to implement  
 25 any rule, regulation, or policy of charging any officer or

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

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

12 COMPENSATION OF THE PRESIDENT AND THE WHITE  
 13 HOUSE OFFICE

14 COMPENSATION OF THE PRESIDENT

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

24 SALARIES AND EXPENSES

25 For necessary expenses for the White House as au-  
 26 thorized by law, including not to exceed \$3,850,000 for

1 services as authorized by ~~5 U.S.C. 3109~~ and ~~3 U.S.C. 105~~;  
 2 subsistence expenses as authorized by ~~3 U.S.C. 105~~, which  
 3 shall be expended and accounted for as provided in that  
 4 section; hire of passenger motor vehicles; newspapers;  
 5 periodicals; teletype news service; and travel (not to exceed  
 6 \$100,000 to be expended and accounted for as provided  
 7 by ~~3 U.S.C. 103~~); and not to exceed \$19,000 for official  
 8 entertainment expenses; to be available for allocation with-  
 9 in the Executive Office of the President, ~~\$52,344,000~~.  
 10 *Provided*, That \$10,100,000 of the funds appropriated  
 11 shall be available for reimbursements to the White House  
 12 Communications Agency.

#### 13 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

##### 14 OPERATING EXPENSES

15 For the care, maintenance, repair and alteration, re-  
 16 furnishing, improvement, heating, and lighting, including  
 17 electric power and fixtures, of the Executive Residence at  
 18 the White House and official entertainment expenses of  
 19 the President, ~~\$8,061,000~~, to be expended and accounted  
 20 for as provided by ~~3 U.S.C. 105, 109, 110, and 112–114~~.  
 21 *Provided*, That such amount shall not be available for ex-  
 22 penses for domestic staff overtime.

##### 23 REIMBURSABLE EXPENSES

24 For the reimbursable expenses of the Executive Resi-  
 25 dence at the White House, such sums as may be nec-  
 26 essary: *Provided*, That all reimbursable operating expenses

1 of the Executive Residence shall be made in accordance  
2 with the provisions of this paragraph: *Provided further,*  
3 That, notwithstanding any other provision of law, such  
4 amount for reimbursable operating expenses shall be the  
5 exclusive authority of the Executive Residence to incur ob-  
6 ligations and to receive offsetting collections, for such ex-  
7 penses: *Provided further,* That the Executive Residence  
8 shall require each person sponsoring a reimbursable politi-  
9 cal event to pay in advance an amount equal to the esti-  
10 mated cost of the event, and all such advance payments  
11 shall be credited to this account and remain available until  
12 expended: *Provided further,* That the Executive Residence  
13 shall require the national committee of the political party  
14 of the President to maintain on deposit \$25,000, to be  
15 separately accounted for and available for expenses relat-  
16 ing to reimbursable political events sponsored by such  
17 committee during such fiscal year: *Provided further,* That  
18 the Executive Residence shall ensure that a written notice  
19 of any amount owed for a reimbursable operating expense  
20 under this paragraph is submitted to the person owing  
21 such amount within 60 days after such expense is in-  
22 curred, and that such amount is collected within 30 days  
23 after the submission of such notice: *Provided further,* That  
24 the Executive Residence shall charge interest and assess  
25 penalties and other charges on any such amount that is

1 not reimbursed within such 30 days, in accordance with  
2 the interest and penalty provisions applicable to an out-  
3 standing debt on a United States Government claim under  
4 section 3717 of title 31, United States Code: *Provided fur-*  
5 *ther*, That each such amount that is reimbursed, and any  
6 accompanying interest and charges, shall be deposited in  
7 the Treasury as miscellaneous receipts: *Provided further*,  
8 That the Executive Residence shall prepare and submit  
9 to the Committees on Appropriations, by not later than  
10 90 days after the end of the fiscal year covered by this  
11 Act, a report setting forth the reimbursable operating ex-  
12 penses of the Executive Residence during the preceding  
13 fiscal year, including the total amount of such expenses,  
14 the amount of such total that consists of reimbursable offi-  
15 cial and ceremonial events, the amount of such total that  
16 consists of reimbursable political events, and the portion  
17 of each such amount that has been reimbursed as of the  
18 date of the report: *Provided further*, That the Executive  
19 Residence shall maintain a system for the tracking of ex-  
20 penses related to reimbursable events within the Executive  
21 Residence that includes a standard for the classification  
22 of any such expense as political or nonpolitical: *Provided*  
23 *further*, That no provision of this paragraph may be con-  
24 strued to exempt the Executive Residence from any other

1 applicable requirement of subchapter I or II of chapter  
 2 37 of title 31, United States Code.

3 SPECIAL ASSISTANCE TO THE PRESIDENT AND THE  
 4 OFFICIAL RESIDENCE OF THE VICE PRESIDENT  
 5 SALARIES AND EXPENSES

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

13 OPERATING EXPENSES  
 14 (INCLUDING TRANSFER OF FUNDS)

15 For the care, operation, refurnishing, improvement,  
 16 heating, and lighting, including electric power and fix-  
 17 tures, of the official residence of the Vice President; the  
 18 hire of passenger motor vehicles; and not to exceed  
 19 \$90,000 for official entertainment expenses of the Vice  
 20 President, to be accounted for solely on his certificate,  
 21 \$334,000: *Provided*, That advances or repayments or  
 22 transfers from this appropriation may be made to any de-  
 23 partment or agency for expenses of carrying out such ac-  
 24 tivities.

1 COUNCIL OF ECONOMIC ADVISERS

2 SALARIES AND EXPENSES

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

6 OFFICE OF POLICY DEVELOPMENT

7 SALARIES AND EXPENSES

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

11 NATIONAL SECURITY COUNCIL

12 SALARIES AND EXPENSES

13 For necessary expenses of the National Security  
14 Council, including services as authorized by 5 U.S.C.  
15 3109, \$6,806,000.

16 OFFICE OF ADMINISTRATION

17 SALARIES AND EXPENSES

18 For necessary expenses of the Office of Administra-  
19 tion, including services as authorized by 5 U.S.C. 3109  
20 and 3 U.S.C. 107, and hire of passenger motor vehicles,  
21 \$28,350,000.

22 OFFICE OF MANAGEMENT AND BUDGET

23 SALARIES AND EXPENSES

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

1 and services as authorized by 5 U.S.C. 3109,  
 2 \$59,017,000, of which not to exceed \$5,000,000 shall be  
 3 available to carry out the provisions of chapter 35 of title  
 4 44, United States Code: *Provided*, That, of the amounts  
 5 appropriated, not to exceed \$5,229,000 shall be available  
 6 to the Office of Information and Regulatory Affairs, of  
 7 which \$1,200,000 shall not be obligated until the Office  
 8 of Management and Budget submits a report to the House  
 9 Committee on Appropriations and the House Committee  
 10 on Government Reform and Oversight that: (1) identifies  
 11 annual five percent reductions in paperwork expected in  
 12 fiscal year 1999 and fiscal year 2000; and (2) issues guid-  
 13 ance on the requirements of 5 U.S.C. 801(a)(1) and (3),  
 14 804(3), and 808(2), including a standard new rule report-  
 15 ing form for use under section 801(a)(1)(A)–(B): *Provided*  
 16 *further*, That, as provided in 31 U.S.C. 1301(a), appro-  
 17 priations shall be applied only to the objects for which ap-  
 18 propriations were made except as otherwise provided by  
 19 law: *Provided further*, That none of the funds appropriated  
 20 in this Act for the Office of Management and Budget may  
 21 be used for the purpose of reviewing any agricultural mar-  
 22 keting orders or any activities or regulations under the  
 23 provisions of the Agricultural Marketing Agreement Act  
 24 of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That  
 25 none of the funds made available for the Office of Manage-



1 ment and Budget by this Act may be expended for the  
 2 altering of the transcript of actual testimony of witnesses;  
 3 except for testimony of officials of the Office of Manage-  
 4 ment and Budget, before the House and Senate Commit-  
 5 tees on Appropriations or the House and Senate Commit-  
 6 tees on Veterans' Affairs or their subcommittees: *Provided*  
 7 *further*, That the preceding shall not apply to printed hear-  
 8 ings released by the House and Senate Committees on Ap-  
 9 propriations or the House and Senate Committees on Vet-  
 10 erans' Affairs.

11 OFFICE OF NATIONAL DRUG CONTROL POLICY

12 SALARIES AND EXPENSES

13 (INCLUDING TRANSFER OF FUNDS)

14 For necessary expenses of the Office of National  
 15 Drug Control Policy; for research activities pursuant to  
 16 title I of Public Law 100-690; not to exceed \$20,000 for  
 17 official reception and representation expenses; and for par-  
 18 ticipation in joint projects or in the provision of services  
 19 on matters of mutual interest with nonprofit, research, or  
 20 public organizations or agencies, with or without reim-  
 21 bursement, \$36,442,000, of which \$17,000,000 shall re-  
 22 main available until expended, consisting of \$1,000,000  
 23 for policy research and evaluation and \$16,000,000 for the  
 24 Counter-Drug Technology Assessment Center for counter-  
 25 narcotics research and development projects: *Provided*,  
 26 That the \$16,000,000 for the Counter-Drug Technology

1 Assessment Center shall be available for transfer to other  
 2 Federal departments or agencies: *Provided further*, That  
 3 the Office is authorized to accept, hold, administer, and  
 4 utilize gifts, both real and personal, public and private,  
 5 without fiscal year limitation, for the purpose of aiding  
 6 or facilitating the work of the Office.

## 7 FEDERAL DRUG CONTROL PROGRAMS

### 8 HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

#### 9 (INCLUDING TRANSFER OF FUNDS)

10 For necessary expenses of the Office of National  
 11 Drug Control Policy's High Intensity Drug Trafficking  
 12 Areas Program, \$162,007,000 for drug control activities  
 13 consistent with the approved strategy for each of the des-  
 14 ignated High Intensity Drug Trafficking Areas, of which  
 15 no less than \$81,007,000 shall be transferred to State and  
 16 local entities for drug control activities, which shall be ob-  
 17 ligated within 120 days of the date of enactment of this  
 18 Act and up to \$81,000,000 may be transferred to Federal  
 19 agencies and departments at a rate to be determined by  
 20 the Director: *Provided*, That funding shall be provided at  
 21 no less than the fiscal year 1998 level for those High In-  
 22 tensity Drug Trafficking Areas that had been designated  
 23 by the Director of the Office of National Drug Control  
 24 Policy on or before February 2, 1994: *Provided further*,  
 25 That any new High Intensity Drug Trafficking Areas to

1 be designated shall be funded from within the existing ap-  
2 propriation for this account.

3 SPECIAL FORFEITURE FUND

4 (INCLUDING TRANSFER OF FUNDS)

5 For activities to support a national anti-drug cam-  
6 paign for youth, and other purposes, authorized by Public  
7 Law 100-690, as amended, \$215,000,000, to remain  
8 available until expended: *Provided*, That such funds may  
9 be transferred to other Federal departments and agencies  
10 to carry out such activities: *Provided further*, That, of the  
11 funds provided in this paragraph, \$195,000,000 shall be  
12 to support a national media campaign to reduce and pre-  
13 vent drug use among young Americans: *Provided further*,  
14 That none of the funds provided for the support of a na-  
15 tional media campaign may be obligated for the following  
16 purposes: to supplant current anti-drug community based  
17 coalitions; to supplant current pro bono public service time  
18 donated by national and local broadcasting networks; for  
19 partisan political purposes; or to fund media campaigns  
20 that feature any elected officials, persons seeking elected  
21 office, cabinet-level officials, or other Federal officials em-  
22 ployed pursuant to Schedule C of title 5, Code of Federal  
23 Regulations, section 213, absent advance notice to the  
24 Committees on Appropriations and the Senate Judiciary  
25 Committee: *Provided further*, That funds provided for the  
26 support of a national media campaign may be used to fund

1 the purchase of media time and space, talent re-use pay-  
 2 ments, reimbursement of out of pocket advertising produc-  
 3 tion costs for agencies that provide all creative develop-  
 4 ment on a pro bono basis, and the negotiated fee for the  
 5 contract buying agency: *Provided further*, That the Direc-  
 6 tor of the Office of National Drug Control Policy shall  
 7 report to Congress quarterly on the obligation of funds  
 8 as well as on the specific parameters of the national media  
 9 campaign, and shall report to Congress within one year  
 10 on the effectiveness of the national media campaign based  
 11 upon the measurable outcomes provided to Congress pre-  
 12 viously: *Provided further*, That, of the funds provided in  
 13 this paragraph, \$20,000,000 shall be to continue a pro-  
 14 gram of matching grants to drug-free communities, as au-  
 15 thorized in the Drug-Free Communities Act of 1997.

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

#### 18 TITLE IV—INDEPENDENT AGENCIES

##### 19 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE

##### 20 BLIND OR SEVERELY DISABLED

##### 21 SALARIES AND EXPENSES

22 For necessary expenses of the Committee for Pur-  
 23 chase From People Who Are Blind or Severely Disabled  
 24 established by the Act of June 23, 1971, Public Law 92-  
 25 28, \$2,464,000.

## FEDERAL ELECTION COMMISSION

## SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended, \$33,700,000 (increased by \$2,800,000, to be used for enforcement activities), of which no less than \$4,402,500 shall be available for internal automated data processing systems, and of which not to exceed \$5,000 shall be available for reception and representation expenses: *Provided*, That of the amounts appropriated for salaries and expenses, \$1,120,000 may not be obligated until the Federal Election Commission submits a plan for approval to the House Committee on Appropriations for the expenditure of such funds.

## FEDERAL LABOR RELATIONS AUTHORITY

## SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services authorized by 5 U.S.C. 3109, including hire of experts and consultants, hire of passenger motor vehicles, and rental of conference rooms in the District of Columbia and elsewhere, \$22,586,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses

1 and per diem in lieu of subsistence as authorized by law  
 2 (~~5 U.S.C. 5703~~) for persons employed intermittently in  
 3 the Government service, and compensation as authorized  
 4 by ~~5 U.S.C. 3109~~: *Provided further*, That notwithstanding  
 5 ~~31 U.S.C. 3302~~, funds received from fees charged to non-  
 6 Federal participants at labor-management relations con-  
 7 ferences shall be credited to and merged with this account,  
 8 to be available without further appropriation for the costs  
 9 of carrying out these conferences.

10 GENERAL SERVICES ADMINISTRATION

11 FEDERAL BUILDINGS FUND

12 LIMITATIONS ON AVAILABILITY OF REVENUE

13 (INCLUDING TRANSFER OF FUNDS)

14 For additional expenses necessary to carry out the  
 15 purpose of the Federal Buildings Fund established pursu-  
 16 ant to section 210(f) of the Federal Property and Admin-  
 17 istrative Services Act of 1949 (~~40 U.S.C. 490(f)~~),  
 18 \$482,100,000 (reduced by \$2,800,000), to be deposited  
 19 into the Fund. The revenues and collections deposited into  
 20 the Fund shall be available for necessary expenses of real  
 21 property management and related activities not otherwise  
 22 provided for, including operation, maintenance, and pro-  
 23 tection of federally owned and leased buildings; rental of  
 24 buildings in the District of Columbia; restoration of leased  
 25 premises; moving governmental agencies (including space  
 26 adjustments and telecommunications relocation expenses)

1 in connection with the assignment, allocation, and transfer  
2 of space; contractual services incident to cleaning or serv-  
3 icing buildings; and moving; repair and alteration of feder-  
4 ally owned buildings; including grounds, approaches, and  
5 appurtenances; care and safeguarding of sites; mainte-  
6 nance; preservation, demolition, and equipment; acquisi-  
7 tion of buildings and sites by purchase, condemnation, or  
8 as otherwise authorized by law; acquisition of options to  
9 purchase buildings and sites; conversion and extension of  
10 federally owned buildings; preliminary planning and de-  
11 sign of projects by contract or otherwise; construction of  
12 new buildings (including equipment for such buildings);  
13 and payment of principal, interest, and any other obliga-  
14 tions for public buildings acquired by installment purchase  
15 and purchase contract; in the aggregate amount of  
16 \$5,626,928,000 (reduced by \$2,800,000), of which: (1)  
17 \$527,100,000 shall remain available until expended for  
18 construction of additional projects at locations and at  
19 maximum construction improvement costs (including  
20 funds for sites and expenses and associated design and  
21 construction services); (2) \$655,031,000, of which  
22 \$19,000,000 shall be available for obligation on September  
23 30, 1999, shall remain available until expended for repairs  
24 and alterations; which includes associated design and con-  
25 struction services; for the following projects and activities:

1       Repairs and alterations:

2           California:

3               San Francisco, Appraisers Building

4           District of Columbia:

5               Federal Office Building, 10B

6               Interstate Commerce Commission, Con-  
7           necting Wing Complex, Customs Buildings,  
8           Phase 3/3

9               Old Executive Office Building

10              State Department Building, Phase I

11          Colorado:

12              Lakewood, Denver Federal Center, Build-  
13          ing 25

14          New York:

15              Brookhaven, Internal Revenue Service,  
16          Service Center

17              New York, U.S. Courthouse, 40 Foley  
18          Square

19          Pennsylvania:

20              Philadelphia, Byrne-Green, Federal Build-  
21          ing-U.S. Courthouse

22          Virginia:

23              Reston, J.W. Powell Building

24          Nationwide:

25              Chlorofluorocarbons Program



1 Energy Program

2 Design Program

3 Basic Repairs and Alterations:

4 *Provided further,* That additional projects for which  
5 prospectuses have been fully approved may be funded  
6 under this category only if advance approval is obtained  
7 from the Committees on Appropriations: *Provided further,*  
8 That the amounts provided in this or any prior Act for  
9 “Repairs and Alterations” may be used to fund costs asso-  
10 ciated with implementing security improvements to build-  
11 ings: *Provided further,* That the difference between the  
12 funds appropriated and expended on any projects in this  
13 or any prior Act, under the heading “Repairs and Alter-  
14 ations”, may be transferred to Basic Repairs and Alter-  
15 ations or used to fund authorized increases in prospectus  
16 projects: *Provided further,* That all funds for repairs and  
17 alterations prospectus projects shall expire on September  
18 30, 2000, and remain in the Federal Buildings Fund, ex-  
19 cept funds for projects as to which funds for design or  
20 other funds have been obligated in whole or in part prior  
21 to such date: *Provided further,* That \$5,700,000 of the  
22 funds provided under this heading in Public Law 103-329  
23 for the Holtsville, New York, IRS Service Center shall re-  
24 main available until September 30, 1999: *Provided further,*  
25 That the amount provided in this or any prior Act for

1 Basic Repairs and Alterations may be used to pay claims  
2 against the Government arising from any projects under  
3 the heading “Repairs and Alterations” or used to fund  
4 authorized increases in prospectus projects; ~~(3)~~  
5 \$215,764,000 for installment acquisition payments includ-  
6 ing payments on purchase contracts, which shall remain  
7 available until expended; ~~(4)~~ \$2,583,261,000 (reduced by  
8 \$2,800,000) for rental of space, which shall remain avail-  
9 able until expended; and ~~(5)~~ \$1,554,772,000 for building  
10 operations, of which \$223,000,000 shall be available for  
11 obligation on September 30, 1999, which shall remain  
12 available until expended: *Provided further*, That funds  
13 available to the General Services Administration shall not  
14 be available for expenses of any construction, repair, alter-  
15 ation and acquisition project for which a prospectus, if re-  
16 quired by the Public Buildings Act of 1959 (40 U.S.C.  
17 601 et seq.), has not been approved, except that necessary  
18 funds may be expended for each project for required ex-  
19 penses of the development of a proposed prospectus: *Pro-*  
20 *vided further*, That for the purposes of this authorization,  
21 and hereafter, buildings constructed pursuant to the pur-  
22 chase contract authority of the Public Buildings Amend-  
23 ments of 1972 (40 U.S.C. 602a), buildings occupied pur-  
24 suant to installment purchase contracts, and buildings  
25 under the control of another department or agency where

1 alterations of such buildings are required in connection  
2 with the moving of such other department or agency from  
3 buildings then, or thereafter to be, under the control of  
4 the General Services Administration shall be considered  
5 to be federally owned buildings: *Provided further*, That  
6 funds available in the Federal Buildings Fund may be ex-  
7 pended for emergency repairs when advance approval is  
8 obtained from the Committees on Appropriations: *Pro-*  
9 *vided further*, That amounts necessary to provide reim-  
10 bursable special services to other agencies under section  
11 210(f)(6) of the Federal Property and Administrative  
12 Services Act of 1949 (40 U.S.C. 490(f)(6)), and amounts  
13 to provide such reimbursable fencing, lighting, guard  
14 booths, and other facilities on private or other property  
15 not in Government ownership or control as may be appro-  
16 priate to enable the United States Secret Service to per-  
17 form its protective functions pursuant to 18 U.S.C. 3056,  
18 shall be available from such revenues and collections: *Pro-*  
19 *vided further*, That the remaining balances and associated  
20 assets and liabilities of the Pennsylvania Avenue Activities  
21 account are hereby transferred to the Federal Buildings  
22 Fund to be effective October 1, 1998, and all income  
23 earned after that effective date that would otherwise have  
24 been deposited to the Pennsylvania Avenue Activities ac-  
25 count shall thereafter be deposited to the Fund, to be

1 available for the purposes authorized by Public Laws 104–  
 2 134 and 104–208, notwithstanding subsection 210(f)(2)  
 3 of the Federal Property and Administrative Services Act  
 4 of 1949 (40 U.S.C. 490(f)(2)). *Provided further*, That rev-  
 5 enues and collections and any other sums accruing to the  
 6 Federal Buildings Fund during fiscal year 1999, excluding  
 7 reimbursements under section 210(f)(6) of the Federal  
 8 Property and Administrative Services Act of 1949 (40  
 9 U.S.C. 490(f)(6)), in excess of \$5,626,928,000 (reduced  
 10 by \$2,800,000) shall remain in the Fund and shall not  
 11 be available for expenditure except as authorized in appro-  
 12 priations Acts.

#### 13 POLICY AND OPERATIONS

14 For expenses authorized by law, not otherwise pro-  
 15 vided for, for Government-wide policy and oversight activi-  
 16 ties associated with asset management activities; utiliza-  
 17 tion and donation of surplus personal property; transpor-  
 18 tation; procurement and supply; Government-wide and in-  
 19 ternal responsibilities relating to automated data manage-  
 20 ment; telecommunications; information resources manage-  
 21 ment; and related technology activities; utilization survey,  
 22 deed compliance inspection; appraisal; environmental and  
 23 cultural analysis; and land use planning functions pertain-  
 24 ing to excess and surplus real property; agency-wide policy  
 25 direction; Board of Contract Appeals; accounting; records  
 26 management, and other support services incident to adju-

1 dication of Indian Tribal Claims by the United States  
 2 Court of Federal Claims; services as authorized by 5  
 3 U.S.C. 3109; and not to exceed \$5,000 for official recep-  
 4 tion and representation expenses, \$108,494,000.

5 OFFICE OF INSPECTOR GENERAL

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

16 ALLOWANCES AND OFFICE STAFF FOR FORMER  
 17 PRESIDENTS  
 18 (INCLUDING TRANSFER OF FUNDS)

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

## 1           GENERAL PROVISIONS—GENERAL SERVICES

## 2                           ADMINISTRATION

3           SEC. 401. Notwithstanding any other provision of  
4 law, the requirement under section 407 of Public Law  
5 104-208 (110 Stat. 3009-337-38), that the Adminis-  
6 trator of General Services charge user fees for flexiplace  
7 telecommuting centers that approximate commercial  
8 charges for comparable space and services but in no in-  
9 stance less than the amount necessary to pay the cost of  
10 establishing and operating such centers, shall not apply  
11 to the user fees charged for the period beginning October  
12 1, 1996, and ending September 30, 1998, for the tele-  
13 commuting centers established as part of a pilot tele-  
14 commuting demonstration program in the Washington,  
15 D.C. metropolitan area by Public Laws 102-393, 103-  
16 123, 103-329, 104-52, and 104-298: *Provided*, That for  
17 these centers in the pilot demonstration program for the  
18 period beginning October 1, 1998, and ending September  
19 30, 2000, the Administrator shall charge fees for Federal  
20 agency use of a telecenter based on 50 percent of the Ad-  
21 ministrator's annual costs of operating the center, includ-  
22 ing the reasonable cost of replacement for furniture, fix-  
23 tures, and equipment: *Provided further*, That effective Oc-  
24 tober 1, 2000, the Administrator shall charge fees for Fed-  
25 eral agency use of the demonstration telecommuting cen-

ters based on 100 percent of the annual operating costs,  
 including the reasonable cost of replacement for furniture,  
 fixtures, and equipment: *Provided further*, That, to the ex-  
 tent such user charges do not cover the Administrator's  
 costs in operating these centers, appropriations to the  
 General Service Administration are authorized to reim-  
 burse the Federal Buildings Fund for any loss of revenue.

#### ENVIRONMENTAL DISPUTE RESOLUTION FUND

For payment to the Environmental Dispute Resolu-  
 tion Fund to carry out activities authorized in the Envi-  
 ronmental Policy and Conflict Resolution Act of 1997,  
 \$4,250,000, to remain available until expended, of which  
 \$3,000,000 will be for capitalization of the Fund, and  
 \$1,250,000 will be for annual operating expenses.

#### MERIT SYSTEMS PROTECTION BOARD

##### SALARIES AND EXPENSES

##### (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the  
 Merit Systems Protection Board pursuant to Reorganiza-  
 tion Plan Numbered 2 of 1978 and the Civil Service Re-  
 form Act of 1978, including services as authorized by 5  
 U.S.C. 3109, rental of conference rooms in the District  
 of Columbia and elsewhere, hire of passenger motor vehi-  
 cles, and direct procurement of survey printing,  
 \$25,805,000, together with not to exceed \$2,430,000 for  
 administrative expenses to adjudicate retirement appeals

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

4 NATIONAL ARCHIVES AND RECORDS ADMINISTRATION  
 5 OPERATING EXPENSES

6 For necessary expenses in connection with the admin-  
 7 istration of the National Archives (including the Informa-  
 8 tion Security Oversight Office) and records and related ac-  
 9 tivities, as provided by law, and for expenses necessary  
 10 for the review and declassification of documents, and for  
 11 the hire of passenger motor vehicles, \$216,753,000 (re-  
 12 duced by \$2,000,000) (increased by \$2,000,000): *Pro-*  
 13 *vided*, That the Archivist of the United States is author-  
 14 ized to use any excess funds available, from the amount  
 15 borrowed for construction of the National Archives facil-  
 16 ity, for expenses necessary to provide adequate storage for  
 17 holdings.

18 REPAIRS AND RESTORATION

19 For the repair, alteration, and improvement of ar-  
 20 chives facilities and Presidential Libraries, and to provide  
 21 adequate storage for holdings, \$10,450,000, to remain  
 22 available until expended, of which \$2,000,000 is for an  
 23 architectural and engineering study for the renovation of  
 24 the Archives I facility and of which \$4,000,000 is for en-  
 25 easement of the Charters of Freedom.



1     NATIONAL HISTORICAL PUBLICATIONS AND RECORDS  
2  
3                                 COMMISSION  
4  
5                                 GRANTS PROGRAM

6             For necessary expenses for allocations and grants for  
7 historical publications and records as authorized by 44  
8 U.S.C. 2504, \$6,000,000, to remain available until ex-  
9 pended.

10                                 OFFICE OF GOVERNMENT ETHICS  
11  
12                                 SALARIES AND EXPENSES

13             For necessary expenses to carry out functions of the  
14 Office of Government Ethics pursuant to the Ethics in  
15 Government Act of 1978, and the Ethics Reform Act of  
16 1989, including services as authorized by 5 U.S.C. 3109,  
17 rental of conference rooms in the District of Columbia and  
18 elsewhere, hire of passenger motor vehicles, and not to ex-  
19 ceed \$1,500 for official reception and representation ex-  
20 penses, \$8,492,000.

21                                 OFFICE OF PERSONNEL MANAGEMENT  
22  
23                                 SALARIES AND EXPENSES  
24  
25                                 (INCLUDING TRANSFER OF TRUST FUNDS)

26             For necessary expenses to carry out functions of the  
27 Office of Personnel Management pursuant to Reorganiza-  
28 tion Plan Numbered 2 of 1978 and the Civil Service Re-  
29 form Act of 1978, including services as authorized by 5  
30 U.S.C. 3109; medical examinations performed for veterans  
31 by private physicians on a fee basis; rental of conference

1 rooms in the District of Columbia and elsewhere; hire of  
2 passenger motor vehicles; not to exceed \$2,500 for official  
3 reception and representation expenses; advances for reim-  
4 bursements to applicable funds of the Office of Personnel  
5 Management and the Federal Bureau of Investigation for  
6 expenses incurred under Executive Order No. 10422 of  
7 January 9, 1953, as amended; and payment of per diem  
8 and/or subsistence allowances to employees where Voting  
9 Rights Act activities require an employee to remain over-  
10 night at his or her post of duty; ~~\$85,350,000~~; and in addi-  
11 tion ~~\$91,236,000~~ for administrative expenses; to be trans-  
12 ferred from the appropriate trust funds of the Office of  
13 Personnel Management without regard to other statutes;  
14 including direct procurement of printed materials; for the  
15 retirement and insurance programs: *Provided*, That the  
16 provisions of this appropriation shall not affect the author-  
17 ity to use applicable trust funds as provided by section  
18 ~~8348(a)(1)(B)~~ of title ~~5~~, United States Code: *Provided*  
19 *further*, That, except as may be consistent with ~~5~~ U.S.C.  
20 ~~8902a(f)(1)~~ and (i), no payment may be made from the  
21 Employees Health Benefits Fund to any physician, hos-  
22 pital, or other provider of health care services or supplies  
23 who is, at the time such services or supplies are provided  
24 to an individual covered under chapter ~~89~~ of title ~~5~~,  
25 United States Code; excluded; pursuant to section 1128

1 or 1128A of the Social Security Act (42 U.S.C. 1320a-  
 2 7 through 1320a-7a), from participation in any program  
 3 under title XVIII of the Social Security Act (42 U.S.C.  
 4 1395 et seq.): *Provided further*, That no part of this ap-  
 5 propriation shall be available for salaries and expenses of  
 6 the Legal Examining Unit of the Office of Personnel Man-  
 7 agement established pursuant to Executive Order No.  
 8 9358 of July 1, 1943, or any successor unit of like pur-  
 9 pose: *Provided further*, That the President's Commission  
 10 on White House Fellows, established by Executive Order  
 11 No. 11183 of October 3, 1964, may, during fiscal year  
 12 1999, accept donations of money, property, and personal  
 13 services in connection with the development of a publicity  
 14 brochure to provide information about the White House  
 15 Fellows, except that no such donations shall be accepted  
 16 for travel or reimbursement of travel expenses, or for the  
 17 salaries of employees of such Commission.

18 OFFICE OF INSPECTOR GENERAL

19 SALARIES AND EXPENSES

20 (INCLUDING TRANSFER OF TRUST FUNDS)

21 For necessary expenses of the Office of Inspector  
 22 General in carrying out the provisions of the Inspector  
 23 General Act, as amended, including services as authorized  
 24 by 5 U.S.C. 3109, hire of passenger motor vehicles,  
 25 \$960,000; and in addition, not to exceed \$9,145,000 for  
 26 administrative expenses to audit the Office of Personnel

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

7 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES  
 8 HEALTH BENEFITS

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

14 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE  
 15 LIFE INSURANCE

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

20 PAYMENT TO CIVIL SERVICE RETIREMENT AND  
 21 DISABILITY FUND

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

1 be necessary: *Provided*, That annuities authorized by the  
 2 Act of May 29, 1944, as amended, and the Act of August  
 3 19, 1950, as amended (~~33 U.S.C. 771-775~~), may here-  
 4 after be paid out of the Civil Service Retirement and Dis-  
 5 ability Fund.

# 6 OFFICE OF SPECIAL COUNSEL

## 7 SALARIES AND EXPENSES

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

# 19 UNITED STATES TAX COURT

## 20 SALARIES AND EXPENSES

21 For necessary expenses, including contract reporting  
 22 and other services as authorized by 5 U.S.C. 3109,  
 23 \$34,490,000: *Provided*, That travel expenses of the judges  
 24 shall be paid upon the written certificate of the judge.

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

3                   TITLE V—GENERAL PROVISIONS

4                               THIS ACT

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

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

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

22       SEC. 504. None of the funds made available by this  
23 Act shall be available in fiscal year 1999 for the purpose  
24 of transferring control over the Federal Law Enforcement

1 Training Center located at Glynnco, Georgia, and Artesia,  
2 New Mexico, out of the Department of the Treasury.

3       ~~SEC. 505.~~ No funds appropriated pursuant to this  
4 Act may be expended by an entity unless the entity agrees  
5 that in expending the assistance the entity will comply  
6 with sections 2 through 4 of the Buy American Act (41  
7 U.S.C. 10a–10c).

8       ~~SEC. 506.~~ (a) ~~PURCHASE OF AMERICAN-MADE~~  
9 ~~EQUIPMENT AND PRODUCTS.~~—In the case of any equip-  
10 ment or products that may be authorized to be purchased  
11 with financial assistance provided under this Act, it is the  
12 sense of the Congress that entities receiving such assist-  
13 ance should, in expending the assistance, purchase only  
14 American-made equipment and products.

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

20       ~~SEC. 507.~~ If it has been finally determined by a court  
21 or Federal agency that any person intentionally affixed a  
22 label bearing a “Made in America” inscription, or any in-  
23 scription with the same meaning, to any product sold in  
24 or shipped to the United States that is not made in the  
25 United States, such person shall be ineligible to receive

1 any contract or subcontract made with funds provided  
2 pursuant to this Act, pursuant to the debarment, suspen-  
3 sion, and ineligibility procedures described in sections  
4 9.400 through 9.409 of title 48, Code of Federal Regula-  
5 tions.

6       SEC. 508. No funds appropriated by this Act shall  
7 be available to pay for an abortion, or the administrative  
8 expenses in connection with any health plan under the  
9 Federal employees health benefit program which provides  
10 any benefits or coverage for abortions.

## 11           TITLE VI—GENERAL PROVISIONS

### 12       DEPARTMENTS, AGENCIES, AND CORPORATIONS

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

17       SEC. 602. Notwithstanding 31 U.S.C. 1345, any  
18 agency, department, or instrumentality of the United  
19 States which provides or proposes to provide child care  
20 services for Federal employees may, in fiscal year 1999  
21 and thereafter, reimburse any Federal employee or any  
22 person employed to provide such services for travel, trans-  
23 portation, and subsistence expenses incurred for training  
24 classes, conferences, or other meetings in connection with  
25 the provision of such services: *Provided*, That any per



1 diem allowance made pursuant to this section shall not  
2 exceed the rate specified in regulations prescribed pursu-  
3 ant to section 5707 of title 5, United States Code.

4       ~~SEC. 603.~~ Unless otherwise specified during the cur-  
5 rent fiscal year, no part of any appropriation contained  
6 in this or any other Act shall be used to pay the compensa-  
7 tion of any officer or employee of the Government of the  
8 United States (including any agency the majority of the  
9 stock of which is owned by the Government of the United  
10 States) whose post of duty is in the continental United  
11 States unless such person: (1) is a citizen of the United  
12 States; (2) is a person in the service of the United States  
13 on the date of enactment of this Act who, being eligible  
14 for citizenship, has filed a declaration of intention to be-  
15 come a citizen of the United States prior to such date and  
16 is actually residing in the United States; (3) is a person  
17 who owes allegiance to the United States; (4) is an alien  
18 from Cuba, Poland, South Vietnam, the countries of the  
19 former Soviet Union, or the Baltic countries lawfully ad-  
20 mitted to the United States for permanent residence; (5)  
21 is a South Vietnamese, Cambodian, or Laotian refugee pa-  
22 roled in the United States after January 1, 1975; or (6)  
23 is a national of the People's Republic of China who quali-  
24 fies for adjustment of status pursuant to the Chinese Stu-  
25 dent Protection Act of 1992: *Provided*, That for the pur-

pose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: *Provided further*, That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than \$4,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, or the Republic of the Philippines, or to nationals of those countries allied with the United States in a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 604. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services

1 and those expenses of renovation and alteration of build-  
2 ings and facilities which constitute public improvements  
3 performed in accordance with the Public Buildings Act of  
4 1959 (73 Stat. 749), the Public Buildings Amendments  
5 of 1972 (87 Stat. 216), or other applicable law.

6       SEC. 605. Funds made available by this or any other  
7 Act to the Postal Service Fund (39 U.S.C. 2003) shall  
8 be available for employment of guards for all buildings and  
9 areas owned or occupied by the Postal Service and under  
10 the charge and control of the Postal Service, and such  
11 guards shall have, with respect to such property, the pow-  
12 ers of special policemen provided by the first section of  
13 the Act of June 1, 1948, as amended (62 Stat. 281; 40  
14 U.S.C. 318), and, as to property owned or occupied by  
15 the Postal Service, the Postmaster General may take the  
16 same actions as the Administrator of General Services  
17 may take under the provisions of sections 2 and 3 of the  
18 Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C.  
19 318a and 318b), attaching thereto penal consequences  
20 under the authority and within the limits provided in sec-  
21 tion 4 of the Act of June 1, 1948, as amended (62 Stat.  
22 281; 40 U.S.C. 318c).

23       SEC. 606. None of the funds made available pursuant  
24 to the provisions of this Act shall be used to implement,  
25 administer, or enforce any regulation which has been dis-

1 approved pursuant to a resolution of disapproval duly  
 2 adopted in accordance with the applicable law of the  
 3 United States.

4 SEC. 607. (a) Notwithstanding any other provision  
 5 of law, and except as otherwise provided in this section,  
 6 no part of any of the funds appropriated for fiscal year  
 7 1999 by this or any other Act, may be used to pay any  
 8 prevailing rate employee described in section  
 9 5342(a)(2)(A) of title 5, United States Code—

10 (1) during the period from the date of expira-  
 11 tion of the limitation imposed by section 614 of the  
 12 Treasury, Postal Service and General Government  
 13 Appropriations Act, 1998, until the normal effective  
 14 date of the applicable wage survey adjustment that  
 15 is to take effect in fiscal year 1999, in an amount  
 16 that exceeds the rate payable for the applicable  
 17 grade and step of the applicable wage schedule in  
 18 accordance with such section 614; and

19 (2) during the period consisting of the remain-  
 20 der of fiscal year 1999, in an amount that exceeds,  
 21 as a result of a wage survey adjustment, the rate  
 22 payable under paragraph (1) by more than the sum  
 23 of—

24 (A) the percentage adjustment taking ef-  
 25 fect in fiscal year 1999 under section 5303 of

1 title 5, United States Code, in the rates of pay  
2 under the General Schedule; and

3 ~~(B) the difference between the overall aver-~~  
4 ~~age percentage of the locality-based comparabil-~~  
5 ~~ity payments taking effect in fiscal year 1999~~  
6 ~~under section 5304 of such title (whether by~~  
7 ~~adjustment or otherwise), and the overall aver-~~  
8 ~~age percentage of such payments which was ef-~~  
9 ~~fective in fiscal year 1998 under such section.~~

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

18 (c) For the purposes of this section, the rates payable  
19 to an employee who is covered by this section and who  
20 is paid from a schedule not in existence on September 30,  
21 1998, shall be determined under regulations prescribed by  
22 the Office of Personnel Management.

23 (d) Notwithstanding any other provision of law, rates  
24 of premium pay for employees subject to this section may  
25 not be changed from the rates in effect on September 30,

1 1998, except to the extent determined by the Office of  
2 Personnel Management to be consistent with the purpose  
3 of this section.

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

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

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

19 (h) The Office of Personnel Management may provide  
20 for exceptions to the limitations imposed by this section  
21 if the Office determines that such exceptions are necessary  
22 to ensure the recruitment or retention of qualified employ-  
23 ees.

24 SEC. 608. No department, agency, or instrumentality  
25 of the United States receiving appropriated funds under

1 this or any other Act for fiscal year 1999 shall obligate  
2 or expend any such funds, unless such department, agen-  
3 cy, or instrumentality has in place, and will continue to  
4 administer in good faith, a written policy designed to en-  
5 sure that all of its workplaces are free from discrimination  
6 and sexual harassment and that all of its workplaces are  
7 not in violation of title VII of the Civil Rights Act of 1964,  
8 as amended, the Age Discrimination in Employment Act  
9 of 1967, and the Rehabilitation Act of 1973.

10       SEC. 609. No part of any appropriation contained in  
11 this Act may be used to pay for the expenses of travel  
12 of employees, including employees of the Executive Office  
13 of the President, not directly responsible for the discharge  
14 of official governmental tasks and duties: *Provided*, That  
15 this restriction shall not apply to the family of the Presi-  
16 dent, Members of Congress or their spouses, Heads of  
17 State of a foreign country or their designees, persons pro-  
18 viding assistance to the President for official purposes, or  
19 other individuals so designated by the President.

20       SEC. 610. For purposes of each provision of law  
21 amended by section 704(a)(2) of the Ethics Reform Act  
22 of 1989 (5 U.S.C. 5318 note), no adjustment under sec-  
23 tion 5303 of title 5, United States Code, shall be consid-  
24 ered to have taken effect in fiscal year 1999 in the rates  
25 of basic pay for the statutory pay systems.

1       ~~SEC. 611.~~ None of the funds appropriated in this or  
2 any other Act shall be used to acquire information tech-  
3 nologies which do not comply with part ~~39.106~~ (Year 2000  
4 compliance) of the Federal Acquisition Regulation, unless  
5 an agency's Chief Information Officer determines that  
6 noncompliance with part ~~39.106~~ is necessary to the func-  
7 tion and operation of the requesting agency or the acquisi-  
8 tion is required by a signed contract with the agency in  
9 effect before the date of enactment of this Act. Any waiver  
10 granted by the Chief Information Officer shall be reported  
11 to the Office of Management and Budget, and copies shall  
12 be provided to Congress.

13       ~~SEC. 612.~~ None of the funds made available in this  
14 Act for the United States Customs Service may be used  
15 to allow the importation into the United States of any  
16 good, ware, article, or merchandise mined, produced, or  
17 manufactured by forced or indentured child labor, as de-  
18 termined pursuant to section ~~307~~ of the Tariff Act of  
19 ~~1930~~ (19 U.S.C. ~~1307~~).

20       ~~SEC. 613.~~ Notwithstanding any other provision of  
21 law, no part of any funds provided by this Act or any other  
22 Act beginning in fiscal year 1999 and thereafter shall be  
23 available for paying Sunday premium pay to any employee  
24 unless such employee actually performed work during the  
25 time corresponding to such premium pay.



1       SEC. 614. No part of any appropriation contained in  
2 this or any other Act shall be available for the payment  
3 of the salary of any officer or employee of the Federal  
4 Government, who—

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

18           (2) removes, suspends from duty without pay,  
19 demotes, reduces in rank, seniority, status, pay, or  
20 performance of efficiency rating, denies promotion  
21 to, relocates, reassigns, transfers, disciplines, or dis-  
22 criminate in regard to any employment right, enti-  
23 tlement, or benefit, or any term or condition of em-  
24 ployment of, any other officer or employee of the  
25 Federal Government, or attempts or threatens to

1       commit any of the foregoing actions with respect to  
 2       such other officer or employee, by reason of any  
 3       communication or contact of such other officer or  
 4       employee with any Member, committee, or sub-  
 5       committee of the Congress as described in paragraph  
 6       (1).

7       ~~SEC. 615.~~ Section 626(b) of the Treasury, Postal  
 8       Service, and General Government Appropriations Act,  
 9       1997, as contained in section 101(f) of Public Law 104-  
 10      208 (110 Stat. 3009-360), the Omnibus Consolidated Ap-  
 11      propriations Act, 1997, is amended to read as follows:

12       “(b) Until the end of the current FTS 2000 con-  
 13      tracts, or September 30, 1999, whichever is sooner, sub-  
 14      section (a) shall continue to apply to the use of the funds  
 15      appropriated by this or any other Act.”.

16       ~~SEC. 616.~~ (a) ~~DEFINITIONS.~~—In this section—

17               (1) the term “crime of violence” has the mean-  
 18      ing given that term in section 16 of title 18, United  
 19      States Code; and

20               (2) the term “law enforcement officer” means  
 21      any employee described in subparagraph (A), (B), or  
 22      (C) of section 8401(17) of title 5, United States  
 23      Code; and any special agent in the Diplomatic Secu-  
 24      rity Service of the Department of State.

1       (b) **RULE OF CONSTRUCTION.**—Notwithstanding any  
 2 other provision of law, for purposes of chapter 171 of title  
 3 28, United States Code, or any other provision of law re-  
 4 lating to tort liability, a law enforcement officer shall be  
 5 construed to be acting within the scope of his or her office  
 6 or employment, if the officer takes any action, including  
 7 the use of force, that is determined by the officer to be  
 8 necessary to—

9           (1) protect an individual in the presence of the  
 10 officer from a crime of violence;

11           (2) provide immediate assistance to an individ-  
 12 ual who has suffered or who is threatened with bod-  
 13 ily harm; or

14           (3) prevent the escape of any individual who the  
 15 officer reasonably believes to have committed in the  
 16 presence of the officer a crime of violence.

17       **SEC. 617. FEDERAL FIREFIGHTERS OVERTIME PAY**  
 18 **REFORM ACT OF 1998.**—(a) Subchapter V of chapter 55  
 19 of title 5, United States Code, is amended—

20           (1) in section 5542 by adding the following new  
 21 subsection at the end thereof:

22       “(f) In applying subsection (a) of this section with  
 23 respect to a firefighter who is subject to section 5545b—

24           “(1) such subsection (a) shall be deemed to  
 25 apply to hours of work officially ordered or approved

1 in excess of 106 hours in a biweekly pay period; or,  
 2 if the agency establishes a weekly basis for overtime  
 3 pay computation, in excess of 53 hours in an admin-  
 4 istrative workweek; and

5 “(2) the overtime hourly rate of pay is an  
 6 amount equal to one and one-half times the hourly  
 7 rate of basic pay under section 5545b (b)(1)(A) or  
 8 (c)(1)(B), as applicable; and such overtime hourly  
 9 rate of pay may not be less than such hourly rate  
 10 of basic pay in applying the limitation on the over-  
 11 time rate provided in paragraph (2) of such sub-  
 12 section (a).”; and

13 (2) by inserting after section 5545a the follow-  
 14 ing new section:

15 **“§ 5545b. Pay for firefighters**

16 “(a) This section applies to an employee whose posi-  
 17 tion is classified in the firefighter occupation in conform-  
 18 ance with the GS-081 standard published by the Office  
 19 of Personnel Management, and whose normal work sched-  
 20 ule, as in effect throughout the year, consists of regular  
 21 tours of duty which average at least 106 hours per bi-  
 22 weekly pay period.

23 “(b)(1) If the regular tour of duty of a firefighter  
 24 subject to this section generally consists of 24-hour shifts,  
 25 rather than a basic 40-hour workweek (as determined

1 under regulations prescribed by the Office of Personnel  
2 Management); section 5504(b) shall be applied as follows  
3 in computing pay—

4 “(A) paragraph (1) of such section shall be  
5 deemed to require that the annual rate be divided by  
6 2756 to derive the hourly rate; and

7 “(B) the computation of such firefighter’s daily,  
8 weekly, or biweekly rate shall be based on the hourly  
9 rate under subparagraph (A);

10 “(2) For the purpose of sections 5595(e), 5941,  
11 8331(3), and 8704(e), and for such other purposes as may  
12 be expressly provided for by law or as the Office of Person-  
13 nel Management may by regulation prescribe, the basic  
14 pay of a firefighter subject to this subsection shall include  
15 an amount equal to the firefighter’s basic hourly rate (as  
16 computed under paragraph (1)(A)) for all hours in such  
17 firefighter’s regular tour of duty (including overtime  
18 hours).

19 “(c)(1) If the regular tour of duty of a firefighter  
20 subject to this section includes a basic 40-hour workweek  
21 (as determined under regulations prescribed by the Office  
22 of Personnel Management); section 5504(b) shall be ap-  
23 plied as follows in computing pay—

24 “(A) the provisions of such section shall apply  
25 to the hours within the basic 40-hour workweek”;

1           ~~“(B) for hours outside the basic 40-hour work-~~  
2           ~~week, such section shall be deemed to require that~~  
3           ~~the hourly rate be derived by dividing the annual~~  
4           ~~rate by 2756; and~~

5           ~~“(C) the computation of such firefighter’s daily,~~  
6           ~~weekly, or biweekly rate shall be based on subpara-~~  
7           ~~graphs (A) and (B), as each applies to the hours in-~~  
8           ~~volved.~~

9           ~~“(2) For purposes of sections 5595(e), 5941,~~  
10          ~~8331(3), and 8704(e), and for such other purposes as may~~  
11          ~~be expressly provided for by law or as the Office of Person-~~  
12          ~~nel Management may by regulation prescribe, the basic~~  
13          ~~pay of a firefighter subject to this subsection shall in-~~  
14          ~~clude—~~

15                 ~~“(A) an amount computed under paragraph~~  
16          ~~(1)(A) for the hours within the basic 40-hour work-~~  
17          ~~week; and~~

18                 ~~“(B) an amount equal to the firefighter’s basic~~  
19          ~~hourly rate (as computed under paragraph (1)(B))~~  
20          ~~for all hours outside the basic 40-hour workweek~~  
21          ~~that are within such firefighter’s regular tour of~~  
22          ~~duty (including overtime hours).~~

23                 ~~“(d)(1) A firefighter who is subject to this section~~  
24          ~~shall receive overtime pay in accordance with section 5542,~~

1 but shall not receive premium pay provided by other provi-  
2 sions of this subchapter.

3       ~~“(2) For the purpose of applying section 7(k) of the~~  
4 ~~Fair Labor Standards Act of 1938 to a firefighter who~~  
5 ~~is subject to this section; no violation referred to in such~~  
6 ~~section 7(k) shall be deemed to have occurred if the re-~~  
7 ~~quirements of section 5542(a) are met, applying section~~  
8 ~~5542(a) as provided in subsection (f) of that section: *Pro-*~~  
9 ~~*vided,* That the overtime hourly rate of pay for such fire-~~  
10 ~~fighter shall in all cases be an amount equal to one and~~  
11 ~~one-half times the firefighter’s hourly rate of basic pay~~  
12 ~~under subsection (b)(1)(A) or (c)(1)(B) of this section, as~~  
13 ~~applicable.~~

14       ~~“(3) The Office of Personnel Management may pre-~~  
15 ~~scribe regulations, with respect to firefighters subject to~~  
16 ~~this section; that would permit an agency to reduce or~~  
17 ~~eliminate the variation in the amount of firefighters’ bi-~~  
18 ~~weekly pay caused by work scheduling cycles that result~~  
19 ~~in varying hours in the regular tours of duty from pay~~  
20 ~~period to pay period. Under such regulations, the pay that~~  
21 ~~a firefighter would otherwise receive for regular tours of~~  
22 ~~duty over the work scheduling cycle shall, to the extent~~  
23 ~~practicable, remain unaffected.”.~~

1 (b) The analysis for chapter 55 of title 5, United  
 2 States Code, is amended by inserting at the appropriate  
 3 place the following new item:

“5545b. Pay for firefighters.”.

4 (c) Section 4109 of title 5, United States Code, is  
 5 amended by adding the following new subsection at the  
 6 end thereof:

7 “(d) Notwithstanding subsection (a)(1), a firefighter  
 8 who is subject to section 5545b of this title shall be paid  
 9 basic pay and overtime pay for the firefighter’s regular  
 10 tour of duty while attending agency sanctioned training.”.

11 (d) section 8331(3) of title 5, United States Code,  
 12 is amended—

13 (1) by striking “and” after subparagraph (D);

14 (2) by redesignating subparagraph (E) as sub-  
 15 paragraph (G);

16 (3) by inserting the following:

17 “(E) with respect to a criminal investiga-  
 18 tor, availability pay under section 5545a of this  
 19 title;

20 “(F) pay as provided in section 5545b

21 (b)(2) and (c)(2); and ”; and

22 (4) by striking “subparagraphs (B), (C), (D),  
 23 and (E)” and inserting “subparagraphs (B)–(G)”.

24 (e) The amendments made by this section shall take  
 25 effect on the first day of the first applicable pay period



1 which begins on or after the later of October 1, 1998, or  
2 the 180th day following the date of enactment of this sec-  
3 tion.

4 (f) Under regulations prescribed by the Office of Per-  
5 sonnel Management, a firefighter subject to section 5545b  
6 of title 5, United States Code, as added by this section,  
7 whose regular tours of duty average 60 hours or less per  
8 workweek and do not include a basic 40-hour workweek,  
9 shall, upon implementation of this section, be granted an  
10 increase in basic pay equal to 2 step-increases of the appli-  
11 cable General Schedule grade, and such increase shall not  
12 be an equivalent increase in pay. If such increase results  
13 in a change to a longer waiting period for the firefighter's  
14 next step increase, the firefighter shall be credited with  
15 an additional year of service for the purpose of such wait-  
16 ing period. If such increase results in a rate of basic pay  
17 which is above the maximum rate of the applicable grade,  
18 such resulting pay rate shall be treated as a retained rate  
19 of basic pay in accordance with section 5362 of title 5,  
20 United States Code.

21 (g) Under regulations prescribed by the Office of Per-  
22 sonnel Management, the regular pay (over the established  
23 work scheduling cycle) of a firefighter subject to section  
24 5545b of title 5, United States Code, as added by this

1 section, shall not be reduced as a result of the implementa-  
2 tion of this section.

3 COORDINATION OF SOUTHWEST BORDER COUNTER-DRUG  
4 ACTIVITIES

5 SEC. 618. (1) Not later than 180 days after the date  
6 of enactment of this Act, the Director of the Office of Na-  
7 tional Drug Control Policy shall conduct a review of Fed-  
8 eral efforts and submit to the appropriate congressional  
9 committees, including the Committees on Appropriations,  
10 a plan to improve coordination among the Federal agen-  
11 cies with responsibility to protect the borders against drug  
12 trafficking. The review shall also include consideration of  
13 Federal agencies' coordination with State and local law  
14 enforcement agencies. The plan shall include an assess-  
15 ment and action plan, including the activities of the follow-  
16 ing departments and agencies:

- 17 (A) Department of the Treasury;
- 18 (B) Department of Justice;
- 19 (C) United States Coast Guard;
- 20 (D) Department of Defense;
- 21 (E) Department of Transportation;
- 22 (F) Department of State; and
- 23 (G) Department of Interior.

24 (2) The purpose of the plan under paragraph (1) is  
25 to maximize the effectiveness of the border control efforts  
26 in achieving the objectives of the national drug control

1 strategy in a manner that is also consistent with the goal  
2 of facilitating trade. In order to maximize the effective-  
3 ness, the plan shall:

4 (A) specify the methods used to enhance co-  
5 operation, planning and accountability among the  
6 Federal, State, and local agencies with responsibil-  
7 ities along the Southwest border;

8 (B) specify mechanisms to ensure cooperation  
9 among the agencies, including State and local agen-  
10 cies, with responsibilities along the Southwest bor-  
11 der;

12 (C) identify new technologies that will be used  
13 in protecting the borders including conclusions re-  
14 garding appropriate deployment of technology;

15 (D) identify new initiatives for infrastructure  
16 improvements;

17 (E) recommend reinforcements in terms of re-  
18 sources, technology and personnel necessary to en-  
19 sure capacity to maintain appropriate inspections;

20 (F) integrate findings of the White House Intel-  
21 ligence Architecture Review into the plan; and

22 (G) make recommendations for strengthening  
23 the HDTA program along the Southwest border.

24 SEC. 619. (a) FLEXIPLACE WORK TELECOMMUTING  
25 PROGRAMS.—For fiscal year 1999 and each fiscal year

1 thereafter, of the funds made available to each Executive  
 2 agency for salaries and expenses, at a minimum \$50,000  
 3 shall be available only for the necessary expenses of the  
 4 Executive agency to carry out a flexiplace work tele-  
 5 commuting program.

6 (b) DEFINITIONS.—For purposes of this section:

7 (1) EXECUTIVE AGENCY.—The term “Executive  
 8 agency” means the following list of departments and  
 9 agencies: Department of State, Treasury, Defense,  
 10 Justice, Interior, Labor, Health and Human Serv-  
 11 ices, Agriculture, Commerce, Housing and Urban  
 12 Development, Transportation, Energy, Education,  
 13 Veterans’ Affairs, General Service Administration,  
 14 Office of Personnel Management, Small Business  
 15 Administration, Smithsonian, Social Security Ad-  
 16 ministration, Environmental Protection Agency, U.S.  
 17 Postal Service.

18 (2) FLEXIPLACE WORK TELECOMMUTING PRO-  
 19 GRAM.—The term “flexiplace work telecommuting  
 20 program” means a program under which employees  
 21 of an Executive agency are permitted to perform all  
 22 or a portion of their duties at a flexiplace work tele-  
 23 commuting center established under section 210(l)  
 24 of the Federal Property and Administrative Services

1       Act of 1949 (40 U.S.C. 490(1)) or other Federal  
2       law.

3       SEC. 620. (a) MERITORIOUS EXECUTIVE.—Section  
4       4507(e)(1) of title 5, United States Code, is amended by  
5       striking “\$10,000” and inserting “an amount equal to 20  
6       percent of annual basic pay”.

7       (b)       DISTINGUISHED       EXECUTIVE.—Section  
8       4507(e)(2) of title 5, United States Code, is amended by  
9       striking “\$20,000” and inserting “an amount equal to 35  
10      percent of annual basic pay”.

11      (c) EFFECTIVE DATE.—The amendments made by  
12      this section shall take effect on October 1, 1998, or the  
13      date of enactment of this Act, whichever is later.

14      SEC. 621. (a) CAREER SES PERFORMANCE  
15      AWARDS.—Section 5384(b)(3) of title 5, United States  
16      Code, is amended—

17              (1) by striking “3 percent” and inserting “10  
18      percent”; and

19              (2) by striking “15 percent” and inserting “20  
20      percent”.

21      (b) EFFECTIVE DATE.—The amendments made by  
22      this section shall take effect on October 1, 1998, or the  
23      date of enactment of this Act, whichever is later.

1       ~~SEC. 622.~~ None of the funds appropriated by this Act  
 2 may be used to fund United States Postal Service partici-  
 3 pation in the Universal Postal Union.

4       ~~SEC. 623.~~ No funds appropriated for the United  
 5 States Postal Service under this Act may be expended by  
 6 the Postal Service to initiate new nonpostal commercial  
 7 activities or pack and send services.

8       ~~SEC. 624. (a)~~ None of the funds appropriated by this  
 9 Act may be used to enter into or renew a contract which  
 10 includes a provision providing prescription drug coverage,  
 11 except where the contract also includes a provision for con-  
 12 traceptive coverage.

13       ~~(b)~~ Nothing in this section shall apply to a contract  
 14 with any of the following religious plans:

15               ~~(1) SelectCare.~~

16               ~~(2) PersonalCaresHMO.~~

17               ~~(3) Care Choices.~~

18               ~~(4) OSF Health Plans, Inc.~~

19               ~~(5) Yellowstone Community Health Plan.~~

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

22 *That the following sums are appropriated, out of any*  
 23 *money in the Treasury not otherwise appropriated, for the*  
 24 *Treasury Department, the United States Postal Service, the*  
 25 *Executive Office of the President, and certain Independent*

1 *Agencies, for the fiscal year ending September 30, 1999, and*  
2 *for other purposes, namely:*

3       *TITLE I—DEPARTMENT OF THE TREASURY*

4                       *DEPARTMENTAL OFFICES*

5                       *SALARIES AND EXPENSES*

6       *For necessary expenses of the Departmental Offices in-*  
7 *cluding operation and maintenance of the Treasury Build-*  
8 *ing and Annex; hire of passenger motor vehicles; mainte-*  
9 *nance, repairs, and improvements of, and purchase of com-*  
10 *mercial insurance policies for, real properties leased or*  
11 *owned overseas, when necessary for the performance of offi-*  
12 *cial business; not to exceed \$2,900,000 for official travel ex-*  
13 *penses; not to exceed \$150,000 for official reception and rep-*  
14 *resentation expenses; not to exceed \$258,000 for unforeseen*  
15 *emergencies of a confidential nature, to be allocated and*  
16 *expended under the direction of the Secretary of the Treas-*  
17 *ury and to be accounted for solely on his certificate;*  
18 *\$120,671,000: Provided, That the Office of Foreign Assets*  
19 *Control shall be funded at no less than \$6,560,800: Provided*  
20 *further, That of the amount provided, funds are authorized*  
21 *to be used for year 2000 conversion costs pending the avail-*  
22 *ability of funding through emergency appropriation, pursu-*  
23 *ant to “Funds Appropriated to the President, Information*  
24 *Technology Systems and Related Expenses”.*

*AUTOMATION ENHANCEMENT**(INCLUDING TRANSFER OF FUNDS)*

*For development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, \$28,990,000, of which \$8,000,000 shall be available to the United States Customs Service for the Customs Modernization project, of which \$5,400,000 shall be available to the Departmental Offices for the International Trade Data System, and of which \$15,590,000 shall be available to the Departmental Offices to modernize its information technology infrastructure, for modernizing Treasury's human resource systems, and for business solution software: Provided, That these funds shall remain available until expended: Provided further, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations, Provided further, That this transfer authority shall be in addition to any other transfer authority provided in this Act: Provided further, That none of the funds appropriated shall be used to support or supplement the Internal Revenue Service appropriations for Information Systems: Provided further, That none of the funds appropriated for the Customs Modernization project may be transferred to the United States Customs Service or obligated until the Treasury's Chief Infor-*



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

13 *OFFICE OF INSPECTOR GENERAL*

14 *SALARIES AND EXPENSES*

15 *For necessary expenses of the Office of Inspector Gen-*  
16 *eral in carrying out the provisions of the Inspector General*  
17 *Act of 1978, as amended, not to exceed \$2,000,000 for offi-*  
18 *cial travel expenses; including hire of passenger motor vehi-*  
19 *cles; and not to exceed \$100,000 for unforeseen emergencies*  
20 *of a confidential nature, to be allocated and expended under*  
21 *the direction of the Inspector General of the Treasury;*  
22 *\$30,678,000.*

8 *FINANCIAL CRIMES ENFORCEMENT NETWORK*  
9 *SALARIES AND EXPENSES*

**HR 4104 PP**

1                    *VIOLENT CRIME REDUCTION PROGRAMS*

2                    *(INCLUDING TRANSFER OF FUNDS)*

3            *For activities authorized by Public Law 103–322, to*  
4 *remain available until expended, which shall be derived*  
5 *from the Violent Crime Reduction Trust Fund, as follows:*

6            *(1) As authorized by section 190001(e), \$117,761,000;*  
7 *of which \$1,800,000 shall be available to the Bureau of Alco-*  
8 *hol, Tobacco and Firearms for lab equipment; of which*  
9 *\$1,400,000 shall be available to the Financial Crimes En-*  
10 *forcement Network, including \$800,000 for cyberpayment*  
11 *studies, \$100,000 for money laundering regulations,*  
12 *\$300,000 for Suspicious Activity Reporting form data anal-*  
13 *ysis, and \$200,000 for training for Federal, State and local*  
14 *law enforcement; of which \$158,000 shall be available to*  
15 *the Federal Law Enforcement Training Center for equip-*  
16 *ment replacement needs; \$15,403,000 shall be available to*  
17 *the United States Secret Service, including \$5,000,000 for*  
18 *counterfeiting investigations, \$7,732,000 for the 2000 can-*  
19 *didate/nominee protection program, and \$2,671,000 for fo-*  
20 *rensic and related support of investigations of missing and*  
21 *exploited children, of which \$671,000 shall be available as*  
22 *a grant for activities related to the investigations of ex-*  
23 *ploited children and shall remain available until expended;*  
24 *of which \$45,000,000 shall be available for the Interagency*  
25 *Law Enforcement for interagency crime and drug enforce-*

1 *ment; and of which \$54,000,000 shall be made available for*  
 2 *the United States Customs Service for the purchase of non-*  
 3 *intrusive inspection technology, including \$10,000,000 for*  
 4 *a high energy container inspection system for sea-going con-*  
 5 *tainers, \$3,400,000 for the automated targeting system, and*  
 6 *\$40,600,000 to purchase equipment for the Southern land*  
 7 *border;*

8 *(2) As authorized by section 32401, \$13,239,000 to the*  
 9 *Bureau of Alcohol, Tobacco and Firearms for disbursement*  
 10 *through grants, cooperative agreements, or contracts to local*  
 11 *governments for Gang Resistance Education and Training:*  
 12 *Provided, That notwithstanding sections 32401 and*  
 13 *310001, such funds shall be allocated to State and local law*  
 14 *enforcement and prevention organizations;*

15 *(3) As authorized by section 180103, \$1,000,000 to the*  
 16 *Federal Law Enforcement Training Center for specialized*  
 17 *training for rural law enforcement officers.*

18 *FEDERAL LAW ENFORCEMENT TRAINING CENTER*

19 *SALARIES AND EXPENSES*

20 *For necessary expenses of the Federal Law Enforce-*  
 21 *ment Training Center, as a bureau of the Department of*  
 22 *the Treasury, including materials and support costs of Fed-*  
 23 *eral law enforcement basic training; purchase (not to exceed*  
 24 *52 for police-type use, without regard to the general pur-*  
 25 *chase price limitation) and hire of passenger motor vehicles;*

1 *for expenses for student athletic and related activities; uni-*  
2 *forms without regard to the general purchase price limita-*  
3 *tion for the current fiscal year; the conducting of and par-*  
4 *ticipating in firearms matches and presentation of awards;*  
5 *for public awareness and enhancing community support of*  
6 *law enforcement training; not to exceed \$9,500 for official*  
7 *reception and representation expenses; room and board for*  
8 *student interns; and services as authorized by 5 U.S.C.*  
9 *3109; \$66,251,000, of which up to \$13,450,000 for materials*  
10 *and support costs of Federal law enforcement basic training*  
11 *shall remain available until September 30, 2001: Provided,*  
12 *That the Center is authorized to accept and use gifts of*  
13 *property, both real and personal, and to accept services, for*  
14 *authorized purposes, including funding of a gift of intrinsic*  
15 *value which shall be awarded annually by the Director of*  
16 *the Center to the outstanding student who graduated from*  
17 *a basic training program at the Center during the previous*  
18 *fiscal year, which shall be funded only by gifts received*  
19 *through the Center's gift authority: Provided further, That*  
20 *notwithstanding any other provision of law, students at-*  
21 *tending training at any Federal Law Enforcement Train-*  
22 *ing Center site shall reside in on-Center or Center-provided*  
23 *housing, insofar as available and in accordance with Center*  
24 *policy: Provided further, That funds appropriated in this*  
25 *account shall be available, at the discretion of the Director,*

1 *for: training United States Postal Service law enforcement*  
2 *personnel and Postal police officers; State and local govern-*  
3 *ment law enforcement training on a space-available basis;*  
4 *training of foreign law enforcement officials on a space-*  
5 *available basis with reimbursement of actual costs to this*  
6 *appropriation, except that reimbursement may be waived*  
7 *by the Secretary for law enforcement training activities in*  
8 *foreign countries undertaken pursuant to section 801 of the*  
9 *Antiterrorism and Effective Death Penalty Act of 1996,*  
10 *Public Law 104–32; training of private sector security offi-*  
11 *cials on a space-available basis with reimbursement of ac-*  
12 *tual costs to this appropriation; and travel expenses of non-*  
13 *Federal personnel to attend course development meetings*  
14 *and training sponsored by the Center: Provided further,*  
15 *That the Center is authorized to obligate funds in anticipa-*  
16 *tion of reimbursements from agencies receiving training*  
17 *sponsored by the Federal Law Enforcement Training Cen-*  
18 *ter, except that total obligations at the end of the fiscal year*  
19 *shall not exceed total budgetary resources available at the*  
20 *end of the fiscal year: Provided further, That the Federal*  
21 *Law Enforcement Training Center is authorized to provide*  
22 *training for the Gang Resistance Education and Training*  
23 *program to Federal and non-Federal personnel at any facil-*  
24 *ity in partnership with ATF: Provided further, That the*  
25 *Federal Law Enforcement Training Center is authorized to*

1 *provide short-term medical services for students undergoing*  
2 *training at the Center.*

3 *ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND*  
4 *RELATED EXPENSES*

5 *For expansion of the Federal Law Enforcement Train-*  
6 *ing Center, for acquisition of necessary additional real*  
7 *property and facilities, and for ongoing maintenance, facil-*  
8 *ity improvements, and related expenses, \$15,360,000, to re-*  
9 *main available until expended.*

10 *FINANCIAL MANAGEMENT SERVICE*

11 *SALARIES AND EXPENSES*

12 *For necessary expenses of the Financial Management*  
13 *Service, \$196,490,000, of which not to exceed \$13,235,000*  
14 *shall remain available until September 30, 2001 for infor-*  
15 *mation systems modernization initiatives: Provided, That*  
16 *of the amount provided, \$4,500,000 shall remain available*  
17 *until expended for postage and shall not be obligated before*  
18 *September 30, 1999: Provided further, That, pursuant to*  
19 *39 U.S.C. 3206(a), funds shall continue to be provided to*  
20 *the United States Postal Service for postage due: Provided*  
21 *further, That of the amount provided, funds are authorized*  
22 *to be used for year 2000 conversion costs pending the avail-*  
23 *ability of funding through emergency appropriation, pursu-*  
24 *ant to “Funds Appropriated to the President, Information*  
25 *Technology Systems and Related Expenses”.*

1            *DEBT COLLECTION IMPROVEMENT ACCOUNT*

2            *To make payments by the Secretary of the Treasury*  
3            *to reimburse agencies for qualified expenses, as authorized*  
4            *by 31 U.S.C. 3720C, not to exceed \$3,000,000, to be derived*  
5            *from increased agency collections of delinquent debt, as au-*  
6            *thorized by such provision, and to remain available until*  
7            *September 30, 2001.*

8            *FEDERAL FINANCING BANK*

9            *For liquidation of certain debts to the United States*  
10           *Treasury incurred by the Federal Financing Bank pursu-*  
11           *ant to section 9(b) of the Federal Financing Bank Act of*  
12           *1973, \$3,317,690,000.*

13           *BUREAU OF ALCOHOL, TOBACCO AND FIREARMS*

14           *SALARIES AND EXPENSES*

15           *For necessary expenses of the Bureau of Alcohol, To-*  
16           *bacco and Firearms, including purchase of not to exceed*  
17           *650 vehicles for police-type use for replacement only and*  
18           *hire of passenger motor vehicles; hire of aircraft; services*  
19           *of expert witnesses at such rates as may be determined by*  
20           *the Director; for payment of per diem and/or subsistence*  
21           *allowances to employees where an assignment to the Na-*  
22           *tional Response Team during the investigation of a bomb-*  
23           *ing or arson incident requires an employee to work 16 hours*  
24           *or more per day or to remain overnight at his or her post*  
25           *of duty; not to exceed \$12,500 for official reception and rep-*  
26           *resentation expenses; for training of State and local law*



1 enforcement agencies with or without reimbursement, in-  
2 cluding training in connection with the training and acqui-  
3 sition of canines for explosives and fire accelerants detec-  
4 tion; and provision of laboratory assistance to State and  
5 local agencies, with or without reimbursement;  
6 \$529,489,000, of which \$27,000,000 may be used for the  
7 Youth Crime Gun Interdiction Initiative; of which not to  
8 exceed \$1,000,000 shall be available for the payment of at-  
9 torneys' fees as provided by 18 U.S.C. 924(d)(2): Provided,  
10 That such funds shall be available for the equipping of any  
11 vessel, vehicle, equipment, or aircraft available for official  
12 use by a State or local law enforcement agency if the con-  
13 veyance will be used in drug-related joint law enforcement  
14 operations with the Bureau of Alcohol, Tobacco and Fire-  
15 arms and for the payment of overtime salaries, travel, fuel,  
16 training, equipment, and other similar costs of State and  
17 local law enforcement officers that are incurred in joint op-  
18 erations with the Bureau of Alcohol, Tobacco and Firearms:  
19 Provided further, That no funds made available by this or  
20 any other Act may be used to transfer the functions, mis-  
21 sions, or activities of the Bureau of Alcohol, Tobacco and  
22 Firearms to other agencies or Departments in the fiscal  
23 year ending on September 30, 1998: Provided further, That  
24 of the funds made available, \$4,500,000 shall be made avail-  
25 able for the expansion of the National Tracing Center: Pro-

1 vided further, That no funds appropriated herein shall be  
2 available for salaries or administrative expenses in connec-  
3 tion with consolidating or centralizing, within the Depart-  
4 ment of the Treasury, the records, or any portion thereof,  
5 of acquisition and disposition of firearms maintained by  
6 Federal firearms licensees: Provided further, That no funds  
7 appropriated herein shall be used to pay administrative ex-  
8 penses or the compensation of any officer or employee of  
9 the United States to implement an amendment or amend-  
10 ments to 27 CFR 178.118 or to change the definition of  
11 “Curios or relics” in 27 CFR 178.11 or remove any item  
12 from ATF Publication 5300.11 as it existed on January  
13 1, 1994: Provided further, That none of the funds appro-  
14 priated herein shall be available to investigate or act upon  
15 applications for relief from Federal firearms disabilities  
16 under 18 U.S.C. 925(c): Provided further, That such funds  
17 shall be available to investigate and act upon applications  
18 filed by corporations for relief from Federal firearms dis-  
19 abilities under 18 U.S.C. 925(c): Provided further, That no  
20 funds in this Act may be used to provide ballistics imaging  
21 equipment to any State or local authority who has obtained  
22 similar equipment through a Federal grant or subsidy un-  
23 less the State or local authority agrees to return that equip-  
24 ment or to repay that grant or subsidy to the Federal Gov-  
25 ernment: Provided further, That no funds under this Act

1 *may be used to electronically retrieve information gathered*  
2 *pursuant to 18 U.S.C. 923(g)(4) by name or any personal*  
3 *identification code: Provided further, That of the amount*  
4 *provided, funds are authorized to be used for year 2000 con-*  
5 *version costs pending the availability of funding through*  
6 *emergency appropriation, pursuant to “Funds Appro-*  
7 *priated to the President, Information Technology Systems*  
8 *and Related Expenses”.*

9 *UNITED STATES CUSTOMS SERVICE*

10 *SALARIES AND EXPENSES*

11 *(INCLUDING TRANSFER OF FUNDS)*

12 *For necessary expenses of the United States Customs*  
13 *Service, including purchase and lease of up to 1,050 motor*  
14 *vehicles of which 985 are for replacement only and of which*  
15 *1,030 are for police-type use and commercial operations;*  
16 *hire of motor vehicles; contracting with individuals for per-*  
17 *sonal services abroad; not to exceed \$30,000 for official re-*  
18 *ception and representation expenses; and awards of com-*  
19 *pensation to informers, as authorized by any Act enforced*  
20 *by the United States Customs Service; \$1,630,273,000, of*  
21 *which such sums as become available in the Customs User*  
22 *Fee Account, except sums subject to section 13031(f)(3) of*  
23 *the Consolidated Omnibus Budget Reconciliation Act of*  
24 *1985 (“COBRA”), as amended (19 U.S.C. 58c(f)(3)), shall*  
25 *be derived from that Account; of the total, not to exceed*  
26 *\$150,000 shall be available for payment for rental space*

1 *in connection with preclearance operations, and not to ex-*  
2 *ceed \$4,000,000 shall be available until expended for re-*  
3 *search, not to exceed \$5,000,000 shall be available until ex-*  
4 *pended for conducting special operations pursuant to 19*  
5 *U.S.C. 2081, and up to \$8,000,000 shall be available until*  
6 *expended for the procurement of automation infrastructure*  
7 *items, including hardware, software, and installation: Pro-*  
8 *vided, That uniforms may be purchased without regard to*  
9 *the general purchase price limitation for the current fiscal*  
10 *year: Provided further, That of the amount provided, an*  
11 *additional \$2,400,000 shall be made available for staffing*  
12 *and resources for the child pornography cybersmuggling*  
13 *initiative: Provided further, That of the amount provided,*  
14 *\$1,200,000 shall be available to transfer to the Office of the*  
15 *Under Secretary of the Treasury for the oversight of the*  
16 *Customs Integrity Awareness Program: Provided further,*  
17 *That \$500,000 shall be available to fund the expansion of*  
18 *services at the Vermont World Trade Office: Provided fur-*  
19 *ther, That notwithstanding any other provision of law, the*  
20 *fiscal year aggregate overtime limitation prescribed in sub-*  
21 *section 5(c)(1) of the Act of February 13, 1911 (19 U.S.C.*  
22 *261 and 267) shall be \$30,000: Provided further, That of*  
23 *the amount provided, \$28,480,000 shall not be available for*  
24 *obligation until September 30, 1999.*

1    *OPERATIONS, MAINTENANCE AND PROCUREMENT, AIR AND*  
2                    *MARINE INTERDICTION PROGRAMS*

3            *For expenses, not otherwise provided for, necessary for*  
4 *the operation and maintenance of marine vessels, aircraft,*  
5 *and other related equipment of the Air and Marine Pro-*  
6 *grams, including operational training and mission-related*  
7 *travel, and rental payments for facilities occupied by the*  
8 *air or marine interdiction and demand reduction pro-*  
9 *grams, the operations of which include: the interdiction of*  
10 *narcotics and other goods; the provision of support to Cus-*  
11 *toms and other Federal, State, and local agencies in the*  
12 *enforcement or administration of laws enforced by the Cus-*  
13 *toms Service; and, at the discretion of the Commissioner*  
14 *of Customs, the provision of assistance to Federal, State,*  
15 *and local agencies in other law enforcement and emergency*  
16 *humanitarian efforts; \$113,488,000, which shall remain*  
17 *available until expended: Provided, That no aircraft or*  
18 *other related equipment, with the exception of aircraft*  
19 *which is one of a kind and has been identified as excess*  
20 *to Customs requirements and aircraft which has been dam-*  
21 *aged beyond repair, shall be transferred to any other Fed-*  
22 *eral agency, department, or office outside of the Department*  
23 *of the Treasury, during fiscal year 1999 without the prior*  
24 *approval of the Committees on Appropriations: Provided*  
25 *further, That of the amount provided, \$3,200,000 shall not*

1 *be available for obligation for P3 annualization until Sep-*  
 2 *tember 30, 1999: Provided further, That of the amount pro-*  
 3 *vided, \$20,100,000 shall not be available for obligation until*  
 4 *September 30, 1999: Provided further, That of the amount*  
 5 *provided, \$15,000,000 shall be made available for drug*  
 6 *interdiction activities in South Florida and the Caribbean.*

7 *HARBOR MAINTENANCE FEE COLLECTION*

8 *For administrative expenses related to the collection*  
 9 *of the Harbor Maintenance Fee, pursuant to Public Law*  
 10 *103–182, \$3,000,000, to be derived from the Harbor Mainte-*  
 11 *nance Trust Fund and to be transferred to and merged with*  
 12 *the Customs “Salaries and Expenses” account for such pur-*  
 13 *poses.*

14 *BUREAU OF THE PUBLIC DEBT*

15 *ADMINISTERING THE PUBLIC DEBT*

16 *For necessary expenses connected with any public-debt*  
 17 *issues of the United States, \$176,500,000, of which not to*  
 18 *exceed \$2,500 shall be available for official reception and*  
 19 *representation expenses; and, of which not to exceed*  
 20 *\$1,000,000 shall remain available until September 30, 2001*  
 21 *for information systems modernization initiatives: Pro-*  
 22 *vided, That the sum appropriated herein from the General*  
 23 *Fund for fiscal year 1999 shall be reduced by not more than*  
 24 *\$4,400,000 as definitive security issue fees and Treasury*  
 25 *Direct Investor Account Maintenance fees are collected, so*  
 26 *as to result in a final fiscal year 1999 appropriation from*

1 *the General Fund estimated at \$172,100,000, and in addi-*  
2 *tion, \$20,000, to be derived from the Oil Spill Liability*  
3 *Trust Fund to reimburse the Bureau for administrative and*  
4 *personnel expenses for financial management of the Fund,*  
5 *as authorized by section 102 of Public Law 101–380: Pro-*  
6 *vided further, That notwithstanding any other provisions*  
7 *of law, effective upon enactment and thereafter, the Bureau*  
8 *of the Public Debt shall be fully and directly reimbursed*  
9 *by the funds described in Public Law 101–136, title I, sec-*  
10 *tion 104, 103 Stat. 789 for costs and services performed*  
11 *by the Bureau in the administration of such funds: Pro-*  
12 *vided further, That of the amount provided, funds are au-*  
13 *thorized to be used for year 2000 conversion costs pending*  
14 *the availability of funding through emergency appropria-*  
15 *tion, pursuant to “Funds Appropriated to the President,*  
16 *Information Technology Systems and Related Expenses”.*

17 *INTERNAL REVENUE SERVICE*

18 *PROCESSING, ASSISTANCE, AND MANAGEMENT*

19 *For necessary expenses of the Internal Revenue Service*  
20 *for tax returns processing; revenue accounting; tax law and*  
21 *account assistance to taxpayers by telephone and cor-*  
22 *respondence; programs to match information returns and*  
23 *tax returns; management services; rent and utilities; and*  
24 *inspection; including purchase (not to exceed 150 for re-*  
25 *placement only for police-type use) and hire of passenger*

1 *motor vehicles (31 U.S.C. 1343(b)); and services as author-*  
 2 *ized by 5 U.S.C. 3109, at such rates as may be determined*  
 3 *by the Commissioner; \$3,077,353,000, of which up to*  
 4 *\$3,700,000 shall be for the Tax Counseling for the Elderly*  
 5 *Program, and of which not to exceed \$25,000 shall be for*  
 6 *official reception and representation expenses: Provided,*  
 7 *That of the amount provided, \$105,000,000 shall remain*  
 8 *available until expended for postage and shall not be obli-*  
 9 *gated before September 30, 1999: Provided further, That,*  
 10 *pursuant to 39 U.S.C. 3206(a), funds shall continue to be*  
 11 *provided to the United States Postal Service for postage*  
 12 *due.*

#### 13 *TAX LAW ENFORCEMENT*

14 *For necessary expenses of the Internal Revenue Service*  
 15 *for determining and establishing tax liabilities; providing*  
 16 *litigation support; technical rulings; examining employee*  
 17 *plans and exempt organizations; conducting criminal in-*  
 18 *vestigation and enforcement activities; securing unfiled tax*  
 19 *returns; collecting unpaid accounts; compiling statistics of*  
 20 *income and conducting compliance research; the purchase*  
 21 *(for police-type use, not to exceed 850), and hire of pas-*  
 22 *senger motor vehicles (31 U.S.C. 1343(b)); and services as*  
 23 *authorized by 5 U.S.C. 3109, at such rates as may be deter-*  
 24 *mined by the Commissioner, \$3,164,399,000: Provided,*  
 25 *That of the amount provided, \$175,000,000 shall not be*  
 26 *available for obligation until September 30, 1999.*



1        *EARNED INCOME TAX CREDIT COMPLIANCE INITIATIVE*

2        *For funding essential earned income tax credit compli-*  
3 *ance and error reduction initiatives pursuant to section*  
4 *5702 of the Balanced Budget Act of 1997 (Public Law 105–*  
5 *33), \$143,000,000, of which not to exceed \$10,000,000 may*  
6 *be used to reimburse the Social Security Administration for*  
7 *the costs of implementing section 1090 of the Taxpayer Re-*  
8 *lief Act of 1997.*

9                                *INFORMATION SYSTEMS*

10        *For necessary expenses of the Internal Revenue Service*  
11 *for information systems and telecommunications support,*  
12 *including developmental information systems and oper-*  
13 *ational information systems; the hire of passenger motor ve-*  
14 *hicles (31 U.S.C. 1343(b)); and services as authorized by*  
15 *5 U.S.C. 3109, at such rates as may be determined by the*  
16 *Commissioner, \$1,329,486,000, which shall be available*  
17 *until September 30, 2000: Provided, That of the amount*  
18 *provided, \$68,700,000 shall not be available for obligation*  
19 *until September 30, 1999: Provided further, That of the*  
20 *amount provided, funds are authorized to be used for year*  
21 *2000 conversion costs pending the availability of funding*  
22 *through emergency appropriation, pursuant to “Funds Ap-*  
23 *propriated to the President, Information Technology Sys-*  
24 *tems and Related Expenses”.*

1                    *INFORMATION TECHNOLOGY INVESTMENTS*

2            *For necessary expenses of the Internal Revenue Serv-*  
3 *ice, \$137,569,000, to remain available until September 30,*  
4 *2002, for: the capital asset acquisition of information tech-*  
5 *nology systems, including management and related contrac-*  
6 *tual costs of said acquisition, including contractual costs*  
7 *associated with operations as authorized by 5 U.S.C. 3109:*  
8 *Provided, That none of these funds is available for obliga-*  
9 *tion until September 30, 1999: Provided further, That none*  
10 *of these funds shall be obligated until the Internal Revenue*  
11 *Service and the Department of the Treasury submits to*  
12 *Congress for approval, a plan for expenditure.*

13                    *ADMINISTRATIVE PROVISIONS*

14                    *INTERNAL REVENUE SERVICE*

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

20            *SEC. 102. The Internal Revenue Service shall main-*  
21 *tain a training program to ensure that Internal Revenue*  
22 *Service employees are trained in taxpayers' rights, in deal-*  
23 *ing courteously with the taxpayers, and in cross-cultural*  
24 *relations.*

1        *SEC. 103. The funds provided in this Act for the Inter-*  
2 *nal Revenue Service shall be used to provide, as a mini-*  
3 *imum, the fiscal year 1995 level of service, staffing, and*  
4 *funding for Taxpayer Services.*

5        *SEC. 104. None of the funds appropriated by this title*  
6 *shall be used in connection with the collection of any under-*  
7 *payment of any tax imposed by the Internal Revenue Code*  
8 *of 1986 unless the conduct of officers and employees of the*  
9 *Internal Revenue Service in connection with such collection,*  
10 *including any private sector employees under contract to*  
11 *the Internal Revenue Service, complies with subsection (a)*  
12 *of section 805 (relating to communications in connection*  
13 *with debt collection), and section 806 (relating to harass-*  
14 *ment or abuse), of the Fair Debt Collection Practices Act*  
15 *(15 U.S.C. 1692).*

16        *SEC. 105. The Internal Revenue Service shall institute*  
17 *and enforce policies and procedures which will safeguard*  
18 *the confidentiality of taxpayer information.*

19        *SEC. 106. Funds made available by this or any other*  
20 *Act to the Internal Revenue Service shall be available for*  
21 *improved facilities and increased manpower to provide suf-*  
22 *ficient and effective 1–800 help line for taxpayers. The*  
23 *Commissioner shall continue to make the improvement of*  
24 *the Internal Revenue Service 1–800 help line service a pri-*  
25 *ority and allocate resources necessary to increase phone*

1 *lines and staff to improve the Internal Revenue Service 1–*  
2 *800 help line service.*

3       *SEC. 107. Notwithstanding any other provision of law,*  
4 *no reorganization of the field office structure of the Internal*  
5 *Revenue Service Criminal Investigation Division will re-*  
6 *sult in a reduction of criminal investigations in Wisconsin*  
7 *and South Dakota from the 1996 level.*

8       *SEC. 108. SENSE OF THE SENATE ON THE USE OF*  
9 *RANDOM SELECTION OF RETURNS FOR EXAMINATION BY*  
10 *THE INTERNAL REVENUE SERVICE. (a) FINDINGS.—The*  
11 *Senate finds that—*

12               *(1) in 1995, the Internal Revenue Service indefi-*  
13 *nitely postponed the 1994 Taxpayer Compliance*  
14 *Measurement Program, a program of audits using*  
15 *random selection techniques (in this section referred*  
16 *to as “random audits”);*

17               *(2) Congress, taxpayer groups, tax practitioners,*  
18 *and others criticized the program because of its cost*  
19 *to and burden on taxpayers;*

20               *(3) there is no law preventing the Internal Reve-*  
21 *nue Service from resuming its Taxpayer Compliance*  
22 *Measurement Program; and*

23               *(4) random audits may be overly burdensome on*  
24 *taxpayers, particularly low-income taxpayers.*

1       (b) *SENSE OF THE SENATE.*—*It is the sense of the Sen-*  
 2     *ate that—*

3             (1) *the Internal Revenue Service should make it*  
 4     *a top priority to ensure fairness to taxpayers when*  
 5     *selecting returns for audit;*

6             (2) *the Senate does not approve of the use of ran-*  
 7     *dom audits of the general population of taxpayers or*  
 8     *tax returns; and*

9             (3) *the Internal Revenue Service should not con-*  
 10    *duct random audits of the general population of tax-*  
 11    *payers or tax returns.*

12                     *UNITED STATES SECRET SERVICE*

13                             *SALARIES AND EXPENSES*

14       *For necessary expenses of the United States Secret*  
 15    *Service, including purchase not to exceed 705 vehicles for*  
 16    *police-type use, of which 675 shall be for replacement only,*  
 17    *and hire of passenger motor vehicles; hire of aircraft; train-*  
 18    *ing and assistance requested by State and local govern-*  
 19    *ments, which may be provided without reimbursement; serv-*  
 20    *ices of expert witnesses at such rates as may be determined*  
 21    *by the Director; rental of buildings in the District of Colum-*  
 22    *bia, and fencing, lighting, guard booths, and other facilities*  
 23    *on private or other property not in Government ownership*  
 24    *or control, as may be necessary to perform protective func-*  
 25    *tions; for payment of per diem and/or subsistence allow-*

1 ances to employees where a protective assignment during  
2 the actual day or days of the visit of a protectee require  
3 an employee to work 16 hours per day or to remain over-  
4 night at his or her post of duty; the conducting of and par-  
5 ticipating in firearms matches; presentation of awards; for  
6 travel of Secret Service employees on protective missions  
7 without regard to the limitations on such expenditures in  
8 this or any other Act if approval is obtained in advance  
9 from the Senate Committee on Appropriations; for research  
10 and development; for making grants to conduct behavioral  
11 research in support of protective research and operations;  
12 not to exceed \$20,000 for official reception and representa-  
13 tion expenses; not to exceed \$50,000 to provide technical as-  
14 sistance and equipment to foreign law enforcement organi-  
15 zations in counterfeit investigations; for payment in ad-  
16 vance for commercial accommodations as may be necessary  
17 to perform protective functions; and for uniforms without  
18 regard to the general purchase price limitation for the cur-  
19 rent fiscal year; \$584,902,000: Provided, That the  
20 \$6,000,000 provided for the acquisition of the Armored Pri-  
21 mary Limousines is not obligated before September 30,  
22 1999: Provided further, That of the amount provided,  
23 \$7,860,000 shall not be available for obligation until Sep-  
24 tember 30, 1999: Provided further, That of the amount pro-  
25 vided, funds are authorized to be used for year 2000 conver-

1 *sion costs pending the availability of funding through emer-*  
 2 *gency appropriation, pursuant to “Funds Appropriated to*  
 3 *the President, Information Technology Systems and Related*  
 4 *Expenses”.*

5 *ACQUISITION, CONSTRUCTION, IMPROVEMENT, AND*  
 6 *RELATED EXPENSES*

7 *For necessary expenses of construction, repair, alter-*  
 8 *ation, and improvement of facilities, \$8,068,000, to remain*  
 9 *available until expended.*

10 *GENERAL PROVISIONS*

11 *DEPARTMENT OF THE TREASURY*

12 *SEC. 110. Any obligation or expenditure by the Sec-*  
 13 *retary in connection with law enforcement activities of a*  
 14 *Federal agency or a Department of the Treasury law en-*  
 15 *forcement organization in accordance with 31 U.S.C.*  
 16 *9703(g)(4)(B) from unobligated balances remaining in the*  
 17 *Fund on September 30, 1999, shall be made in compliance*  
 18 *with reprogramming guidelines.*

19 *SEC. 111. Appropriations to the Department of the*  
 20 *Treasury in this Act shall be available for uniforms or al-*  
 21 *lowances therefor, as authorized by law (5 U.S.C. 5901),*  
 22 *including maintenance, repairs, and cleaning; purchase of*  
 23 *insurance for official motor vehicles operated in foreign*  
 24 *countries; purchase of motor vehicles without regard to the*  
 25 *general purchase price limitations for vehicles purchased*  
 26 *and used overseas for the current fiscal year; entering into*

1 *contracts with the Department of State for the furnishing*  
2 *of health and medical services to employees and their de-*  
3 *pendents serving in foreign countries; and services author-*  
4 *ized by 5 U.S.C. 3109.*

5       *SEC. 112. The funds provided to the Bureau of Alcohol,*  
6 *Tobacco and Firearms for fiscal year 1999 in this Act for*  
7 *the enforcement of the Federal Alcohol Administration Act*  
8 *shall be expended in a manner so as not to diminish en-*  
9 *forcement efforts with respect to section 105 of the Federal*  
10 *Alcohol Administration Act.*

11       *SEC. 113. Not to exceed 2 percent of any appropria-*  
12 *tions in this Act made available to the Federal Law En-*  
13 *forcement Training Center, Financial Crimes Enforcement*  
14 *Network, Bureau of Alcohol, Tobacco and Firearms, United*  
15 *States Customs Service, and United States Secret Service*  
16 *may be transferred between such appropriations upon the*  
17 *advance approval of the House and Senate Committees on*  
18 *Appropriations. No transfer may increase or decrease any*  
19 *such appropriation by more than 2 percent.*

20       *SEC. 114. Not to exceed 2 percent of any appropria-*  
21 *tions in this Act made available to the Departmental Of-*  
22 *fices, Office of Inspector General, Financial Management*  
23 *Service, and Bureau of the Public Debt, may be transferred*  
24 *between such appropriations upon the advance approval of*  
25 *the House and Senate Committees on Appropriations. No*



1 *transfer may increase or decrease any such appropriation*  
2 *by more than 2 percent.*

3       *SEC. 115. The Secretary is authorized to promote the*  
4 *benefits of and encourage the use of electronic tax adminis-*  
5 *tration programs, as they become available, through the use*  
6 *of mass communications and other means. Additionally, the*  
7 *Secretary may implement procedures to pay appropriate*  
8 *incentives to commercial concerns for electronic filing serv-*  
9 *ices: Provided, That such payment may not be made unless*  
10 *the electronic filing service is provided without charge to*  
11 *the taxpayer whose return is so filed: Provided further, That*  
12 *the Internal Revenue Service shall assure the security of all*  
13 *electronic transmissions and the full protection of the pri-*  
14 *vacy of taxpayer data.*

15       *SEC. 116. The Bureau of Engraving and Printing*  
16 *(BEP) and the Department of the Treasury shall award*  
17 *a contract for Solicitation No. BEP-97-13 (TN) which will*  
18 *permit an uninterrupted source of currency paper upon the*  
19 *expiration of the contract for Solicitation 97-10 on Septem-*  
20 *ber 5, 1999 unless otherwise directed by the Senate Commit-*  
21 *tee on Appropriations.*

22       *SEC. 117. EXCEPTION TO IMMUNITY FROM ATTACH-*  
23 *MENT OR EXECUTION. (a) Section 1610 of title 28, United*  
24 *States Code, is amended by adding at the end the following*  
25 *new subsection:*

1       “(f)(1)(A) Notwithstanding any other provision of law,  
2 including but not limited to section 208(f) of the Foreign  
3 Missions Act (22 U.S.C. 4308(f)), and except as provided  
4 in subparagraph (B), any property with respect to which  
5 financial transactions are prohibited or regulated pursuant  
6 to section 5(b) of the Trading with the Enemy Act (50  
7 U.S.C. App. 5(b)), section 620(a) of the Foreign Assistance  
8 Act of 1961 (22 U.S.C. 2370(a)), sections 202 and 203 of  
9 the International Emergency Economic Powers Act (50  
10 U.S.C. 1701–1702), or any other proclamation, order, regu-  
11 lation, or license issued pursuant thereto, shall be subject  
12 to execution or attachment in aid of execution of any judg-  
13 ment relating to a claim for which a foreign state (includ-  
14 ing any agency or instrumentality or such state) claiming  
15 such property is not immune under section 1605(a)(7).

16       “(B) Subparagraph (A) shall not apply if, at the time  
17 the property is expropriated or seized by the foreign state,  
18 the property has been held in title by a natural person or,  
19 if held in trust, has been held for the benefit of a natural  
20 person or persons.

21       “(2)(A) At the request of any party in whose favor a  
22 judgment has been issued with respect to a claim for which  
23 the foreign state is not immune under section 1605(a)(7),  
24 the Secretary of the Treasury and the Secretary of State  
25 shall fully, promptly, and effectively assist any judgment

1 creditor or any court that has issued any such judgment  
 2 in identifying, locating, and executing against the property  
 3 of that foreign state or any agency or instrumentality of  
 4 such state.

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

6 “(i) may provide such information to the court  
 7 under seal; and

8 “(ii) shall provide the information in a manner  
 9 sufficient to allow the court to direct the United  
 10 States Marshall’s office to promptly and effectively  
 11 execute against that property.”.

12 (b) CONFORMING AMENDMENT.—Section 1606 of title  
 13 28, United States Code, is amended by inserting after “pu-  
 14 nitive damages” the following: “, except any action under  
 15 section 1605(a)(7) or 1610(f)”.

16 (c) EFFECTIVE DATE.—The amendments made by sub-  
 17 sections (a) and (b) shall apply to any claim for which a  
 18 foreign state is not immune under section 1605(a)(7) of title  
 19 28, United States Code, arising before, on, or after the date  
 20 of enactment of this Act.

21 SEC. 118. Section 921(a) of title 18, United States  
 22 Code, is amended—

23 (1) in paragraph (5), by striking “the explosive  
 24 in a fixed shotgun shell” and insert “an explosive”;

1           (2) in paragraph (7), by striking “the explosive  
2           in a fixed metallic cartridge” and inserting “an ex-  
3           plosive”; and

4           (3) by striking paragraph (16) and inserting the  
5           following:

6           “(16) The term ‘antique firearm’—

7           “(A) means any—

8           “(i) firearm (including any firearm with a  
9           matchlock, flintlock, percussion cap, or similar  
10          type of ignition system) manufactured in or be-  
11          fore 1898;

12          “(ii) replica of any firearm described in  
13          clause (i), if such replica—

14               “(I) is not designed or redesigned for  
15               using rimfire or conventional centerfire  
16               fixed ammunition; or

17               “(II) uses rimfire or conventional  
18               centerfire fixed ammunition that is no  
19               longer manufactured in the United States  
20               and that is not readily available in the or-  
21               dinary channels of commercial trade; and

22          “(iii) muzzle loading rifle, muzzle loading  
23          shotgun, or muzzle loading pistol, that—

24               “(I) is designed to use black powder, or  
25               a black powder substitute; and

1                   “(II) cannot use fixed ammunition;

2                   and

3                   “(B) does not include any—

4                   “(i) weapon that incorporates a firearm  
5                   frame or receiver;

6                   “(ii) firearm that is converted into a muzzle  
7                   loading weapon; or

8                   “(iii) muzzle loading weapon that can be  
9                   readily converted to fire fixed ammunition by re-  
10                  placing the barrel, bolt, breechblock, or any com-  
11                  bination thereof.”.

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

## 14                   TITLE II—POSTAL SERVICE

### 15                   PAYMENTS TO THE POSTAL SERVICE FUND

16                For payment to the Postal Service Fund for revenue  
17                forgone on free and reduced rate mail, pursuant to sub-  
18                sections (c) and (d) of section 2401 of title 39, United States  
19                Code, \$71,195,000, which shall remain available until Sep-  
20                tember 30, 2000: Provided, That none of the funds provided  
21                shall be available for obligation until October 1, 1999: Pro-  
22                vided further, That mail for overseas voting and mail for  
23                the blind shall continue to be free: Provided further, That  
24                6-day delivery and rural delivery of mail shall continue  
25                at not less than the 1983 level: Provided further, That none

1 *of the funds made available to the Postal Service by this*  
 2 *Act shall be used to implement any rule, regulation, or pol-*  
 3 *icy of charging any officer or employee of any State or local*  
 4 *child support enforcement agency, or any individual par-*  
 5 *ticipating in a State or local program of child support en-*  
 6 *forcement, a fee for information requested or provided con-*  
 7 *cerning an address of a postal customer: Provided further,*  
 8 *That none of the funds provided in this Act shall be used*  
 9 *to consolidate or close small rural and other small post of-*  
 10 *fices in the fiscal year ending on September 30, 1999.*

11 *This title may be cited as the “Postal Service Appro-*  
 12 *priations Act, 1999”.*

13 *TITLE III—EXECUTIVE OFFICE OF THE PRESI-*  
 14 *DENT AND FUNDS APPROPRIATED TO THE*  
 15 *PRESIDENT*

16 *COMPENSATION OF THE PRESIDENT AND THE WHITE*  
 17 *HOUSE OFFICE*

18 *COMPENSATION OF THE PRESIDENT*

19 *For compensation of the President, including an ex-*  
 20 *pense allowance at the rate of \$50,000 per annum as au-*  
 21 *thorized by 3 U.S.C. 102; \$250,000: Provided, That none*  
 22 *of the funds made available for official expenses shall be*  
 23 *expended for any other purpose and any unused amount*  
 24 *shall revert to the Treasury pursuant to section 1552 of title*  
 25 *31, United States Code: Provided further, That none of the*

1 *funds made available for official expenses shall be consid-*  
 2 *ered as taxable to the President.*

### 3 *SALARIES AND EXPENSES*

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

### 15 *EXECUTIVE RESIDENCE AT THE WHITE HOUSE*

#### 16 *OPERATING EXPENSES*

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

#### 23 *REIMBURSABLE EXPENSES*

24 *For the reimbursable expenses of the Executive Resi-*  
 25 *dence at the White House, such sums as may be necessary:*  
 26 *Provided, That all reimbursable operating expenses of the*

1 *Executive Residence shall be made in accordance with the*  
2 *provisions of this paragraph: Provided further, That, not-*  
3 *withstanding any other provision of law, such amount for*  
4 *reimbursable operating expenses shall be the exclusive au-*  
5 *thority of the Executive Residence to incur obligations and*  
6 *to receive offsetting collections, for such expenses: Provided*  
7 *further, That the Executive Residence shall require each*  
8 *person sponsoring a reimbursable political event to pay in*  
9 *advance an amount equal to the estimated cost of the event,*  
10 *and all such advance payments shall be credited to this ac-*  
11 *count and remain available until expended: Provided fur-*  
12 *ther, That the Executive Residence shall require the na-*  
13 *tional committee of the political party of the President to*  
14 *maintain on deposit \$25,000, to be separately accounted for*  
15 *and available for expenses relating to reimbursable political*  
16 *events sponsored by such committee during such fiscal year:*  
17 *Provided further, That the Executive Residence shall ensure*  
18 *that a written notice of any amount owed for a reimburs-*  
19 *able operating expense under this paragraph is submitted*  
20 *to the person owing such amount within 60 days after such*  
21 *expense is incurred, and that such amount is collected with-*  
22 *in 30 days after the submission of such notice: Provided*  
23 *further, That the Executive Residence shall charge interest*  
24 *and assess penalties and other charges on any such amount*  
25 *that is not reimbursed within such 30 days, in accordance*



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

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

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

11       *OPERATING EXPENSES*

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

21       *COUNCIL OF ECONOMIC ADVISERS*

22       *SALARIES AND EXPENSES*

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

1                    *OFFICE OF POLICY DEVELOPMENT*2                    *SALARIES AND EXPENSES*

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

6                    *NATIONAL SECURITY COUNCIL*7                    *SALARIES AND EXPENSES*

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

11                   *OFFICE OF ADMINISTRATION*12                   *SALARIES AND EXPENSES*

13          *For necessary expenses of the Office of Administration,*  
14 *including services as authorized by 5 U.S.C. 3109 and 3*  
15 *U.S.C. 107, and hire of passenger motor vehicles*  
16 *\$29,140,000: Provided, That of the amount provided, funds*  
17 *are authorized to be used for year 2000 conversion costs*  
18 *pending the availability of funding through emergency ap-*  
19 *propriation, pursuant to “Funds Appropriated to the Presi-*  
20 *dent, Information Technology Systems and Related Ex-*  
21 *penses”.*

22                   *OFFICE OF MANAGEMENT AND BUDGET*23                   *SALARIES AND EXPENSES*

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

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

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

7 *OFFICE OF NATIONAL DRUG CONTROL POLICY*

8 *SALARIES AND EXPENSES*

9 *(INCLUDING TRANSFER OF FUNDS)*

10 *For necessary expenses of the Office of National Drug*  
 11 *Control Policy; for research activities pursuant to title I*  
 12 *of Public Law 100–690; not to exceed \$8,000 for official*  
 13 *reception and representation expenses; and for participa-*  
 14 *tion in joint projects or in the provision of services on mat-*  
 15 *ters of mutual interest with nonprofit, research, or public*  
 16 *organizations or agencies, with or without reimbursement;*  
 17 *\$48,042,000, of which \$30,100,000 shall remain available*  
 18 *until expended, consisting of \$1,100,000 for policy research*  
 19 *and evaluation and \$16,000,000 for the Counterdrug Tech-*  
 20 *nology Assessment Center for counternarcotics research and*  
 21 *development projects, and \$13,000,000 for the continued op-*  
 22 *eration of the technology transfer program: Provided, That*  
 23 *the \$16,000,000 for the Counterdrug Technology Assessment*  
 24 *Center shall be available for transfer to other Federal de-*  
 25 *partments or agencies: Provided further, That the Office is*  
 26 *authorized to accept, hold, administer, and utilize gifts,*

1 *both real and personal, for the purpose of aiding or facili-*  
2 *tating the work of the Office.*

3 *FEDERAL DRUG CONTROL PROGRAMS*

4 *HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM*

5 *(INCLUDING TRANSFER OF FUNDS)*

6 *For necessary expenses of the Office of National Drug*  
7 *Control Policy's High Intensity Drug Trafficking Areas*  
8 *Program, \$183,977,000 for drug control activities consistent*  
9 *with the approved strategy for each of the designated High*  
10 *Intensity Drug Trafficking Areas, of which \$5,000,000 shall*  
11 *be used for a newly designated High Intensity Drug Traf-*  
12 *ficking Area in Dallas/Fort Worth and East Texas and*  
13 *\$1,000,000 shall be used for a newly designated High Inten-*  
14 *sity Drug Trafficking Area in New England, should the Di-*  
15 *rector of the Office of National Drug Control Policy deter-*  
16 *mine that these locations meet the designated criteria, and*  
17 *of which \$3,000,000 shall be used to continue the recently*  
18 *created Central Florida High Intensity Drug Trafficking*  
19 *Area, and of which \$1,970,000 shall be used for the addition*  
20 *of North Dakota into the Midwest High Intensity Drug*  
21 *Trafficking Area, and of which \$7,000,000 shall be used for*  
22 *methamphetamine programs otherwise provided for in this*  
23 *legislation with not less than half of the \$7,000,000 shall*  
24 *expand the Midwest High Intensity Drug Trafficking Area,*  
25 *and of which \$1,000,000 shall be used to expand the Cas-*  
26 *cade High Intensity Drug Trafficking Area, and of which*

1 \$1,500,000 shall be provided to the Southwest Border High  
 2 Intensity Drug Trafficking Area, and of which \$1,500,000  
 3 shall be used to expand the Milwaukee, Wisconsin High In-  
 4 tensity Drug Trafficking Area, and of which \$1,500,000  
 5 shall be used to continue the Rocky Mountain methamphet-  
 6 amine demonstration program, of which no less than  
 7 \$90,630,000 shall be transferred to State and local entities  
 8 for drug control activities, which shall be obligated within  
 9 120 days of the date of enactment of this Act and up to  
 10 \$80,370,000 may be transferred to Federal agencies and de-  
 11 partments at a rate to be determined by the Director: Pro-  
 12 vided, That funding shall be provided for existing High In-  
 13 tensity Drug Trafficking Areas at no less than the fiscal  
 14 year 1998 level.

15 SPECIAL FORFEITURE FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 For activities to support a national anti-drug cam-  
 18 paign for youth, and other purposes, authorized by Public  
 19 Law 100–690, as amended, \$200,000,000, to remain avail-  
 20 able until expended: Provided, That such funds may be  
 21 transferred to other Federal departments and agencies to  
 22 carry out such activities: Provided further, That of the  
 23 funds provided, \$175,000,000 shall be to support a national  
 24 media campaign to reduce and prevent drug use among  
 25 young Americans: Provided further, That (1) ONDCP will  
 26 require a pro-bono match commitment up-front as part of

1 *its media buy from each and every buyer of ad time and*  
2 *space, (2) ONDCP will dedicate 10 percent of the total*  
3 *amount appropriated specifically for the media campaign*  
4 *for the creation and distribution of grassroots materials*  
5 *aimed at children to be developed in consultation with com-*  
6 *munity groups and experts, and to be distributed to commu-*  
7 *nities and schools to support the national media campaign,*  
8 *(3) ONDCP, or any agent acting on its behalf, may not*  
9 *obligate any funds for the creative development of advertise-*  
10 *ments from for-profit organizations, not including out-of-*  
11 *pocket production costs and talent re-use payments, unless*  
12 *(A) the advertisements are intended to reach a minority,*  
13 *ethnic or other special audience that cannot be obtained on*  
14 *a pro bono basis within the time frames required by*  
15 *ONDCP's advertising and buying agencies, and (B) it re-*  
16 *ceives prior approval from the Senate Committee on Appro-*  
17 *priations, (4) ONDCP will secure corporate sponsorship*  
18 *equaling 40 percent of the appropriated amount in fiscal*  
19 *year 1999, the definition of which is a contribution that*  
20 *is not received as a result of leveraging funds to receive said*  
21 *sponsorship, corporate sponsorship equaling 60 percent of*  
22 *the appropriated amount in fiscal year 2000, corporate*  
23 *sponsorship equaling 80 percent of the appropriated*  
24 *amount in fiscal year 2001, corporate sponsorship equaling*  
25 *100 percent of the appropriated amount in fiscal year 2002,*



1 *and will report quarterly on its efforts to meet this goal,*  
2 *(5) ONDCP is mandated to use appropriated funds solely*  
3 *to fund the anti-drug media campaign to include only the*  
4 *purchase of media time and space, talent re-use payments,*  
5 *out-of-pocket advertising production costs, testing and eval-*  
6 *uation of advertising, evaluation of the effectiveness of the*  
7 *media campaign, the negotiated fees for the winning bidder*  
8 *on the request for proposal recently issued by ONDCP, part-*  
9 *nership with community, civic, and professional groups,*  
10 *and government organizations related to the media cam-*  
11 *paign, entertainment industry collaborations to fashion*  
12 *anti-drug messages in movies, television programming, and*  
13 *popular music, interactive (Internet and new) media*  
14 *projects/activities, public information (News Media Out-*  
15 *reach), and corporate sponsorship/participation, (6)*  
16 *ONDCP shall not obligate funds provided for the national*  
17 *media campaign for fiscal year 1999 until ONDCP has sub-*  
18 *mitted the evaluation and results of Phase I of the cam-*  
19 *paign to the Senate Committee on Appropriations, and*  
20 *may obligate up to 75 percent of these funds until ONDCP*  
21 *has submitted the evaluation and results of Phase II of the*  
22 *campaign to the Committees, (7) ONDCP is required to re-*  
23 *port to the Committee not only quarterly, but also monthly*  
24 *itemized reporting of all expenditures and obligations relat-*  
25 *ed to the media campaign, (8) funds shall be provided for*

1 obligation for the national media campaign after GAO has  
 2 submitted and the Committee has approved the GAO report  
 3 on the evaluation of Phase I of the media campaign and  
 4 the GAO report on the media campaign financial manage-  
 5 ment review: Provided further, That of the funds provided,  
 6 \$20,000,000 shall be to continue a program of matching  
 7 grants to drug-free communities, as authorized in the Drug-  
 8 Free Communities Act of 1997.

9 INFORMATION TECHNOLOGY SYSTEMS AND RELATED

10 EXPENSES

11 (INCLUDING TRANSFER OF FUNDS)

12 For emergency expenses related to Year 2000 conver-  
 13 sion of Federal information technology systems, and related  
 14 expenses, \$3,250,000,000, to remain available until Septem-  
 15 ber 30, 2001: Provided, That the funds made available shall  
 16 be transferred, as necessary, by the Director of the Office  
 17 of Management and Budget to all affected federal Depart-  
 18 ments and Agencies for expenses necessary to ensure the in-  
 19 formation technology that is used or acquired by the federal  
 20 government meets the definition of Year 2000 compliant  
 21 under Federal Acquisition Regulations (concerning accu-  
 22 rate processing of date/time data, including calculating,  
 23 comparing, and sequencing from, into, and between the  
 24 twentieth and twenty-first centuries, and the years 1999  
 25 and 2000 and leap year calculations) and to meet other  
 26 criteria for Year 2000 compliance as the head of each De-

1 partment or Agency considers appropriate: Provided fur-  
2 ther, That none of the funds provided under this heading  
3 may be transferred to any Department or Agency until fif-  
4 teen days after the Director of the Office of Management  
5 and Budget has submitted to the House and Senate Com-  
6 mittees on Appropriations and the Senate Special Commit-  
7 tee on the Year 2000 Technology Problem a proposed alloca-  
8 tion and plan for that Department or Agency to achieve  
9 Year 2000 compliance for technology information systems:  
10 Provided further, That the transfer authority provided in  
11 this paragraph is in addition to any other transfer author-  
12 ity contained elsewhere in this or any other Act: Provided  
13 further, That funds provided under this heading shall be  
14 in addition to funds available in this or any other Act for  
15 Year 2000 compliance by any federal Department or Agen-  
16 cy: Provided further, That the \$3,250,000,000 shall be avail-  
17 able only to the extent that an official budget request that  
18 includes designation of the entire amount of the request as  
19 an emergency requirement as defined in the Balanced  
20 Budget and Emergency Deficit Control Act of 1985, as  
21 amended, is transmitted by the President to the Congress:  
22 Provided further, That the \$3,250,000,000 is designated by  
23 the Congress as an emergency requirement pursuant to sec-  
24 tion 251(b)(2)(A) of the Balanced Budget and Emergency  
25 Deficit Control Act of 1985, as amended.

1        *This title may be cited as the “Executive Office Appro-*  
2 *priations Act, 1999”.*

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 Purchase*  
8 *From People Who Are Blind or Severely Disabled estab-*  
9 *lished by the Act of June 23, 1971, Public Law 92–28,*  
10 *\$2,464,000.*

11                    *FEDERAL ELECTION COMMISSION*

12                    *SALARIES AND EXPENSES*

13        *For necessary expenses to carry out the provisions of*  
14 *the Federal Election Campaign Act of 1971, as amended,*  
15 *\$33,700,000 (increased by \$2,800,000 to be used for enforce-*  
16 *ment activities), of which not to exceed \$5,000 shall be*  
17 *available for reception and representation expenses: Pro-*  
18 *vided, That of the amount provided, funds are authorized*  
19 *to be used for year 2000 conversion costs pending the avail-*  
20 *ability of funding through emergency appropriation, pursu-*  
21 *ant to “Funds Appropriated to the President, Information*  
22 *Technology Systems and Related Expenses”.*

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

21                            *GENERAL SERVICES ADMINISTRATION*22                            *FEDERAL BUILDINGS FUND*23                            *LIMITATIONS ON AVAILABILITY OF REVENUE*

24            *To carry out the purpose of the Fund established pur-*  
25 *suant to section 210(f) of the Federal Property and Admin-*  
26 *istrative Services Act of 1949, as amended (40 U.S.C.*

1 490(f)), the \$508,752,000 to be deposited into the Fund. The  
2 revenues and collections deposited into the Fund shall be  
3 available for necessary expenses of real property manage-  
4 ment and related activities not otherwise provided for, in-  
5 cluding operation, maintenance, and protection of federally  
6 owned and leased buildings; rental of buildings in the Dis-  
7 trict of Columbia; restoration of leased premises; moving  
8 governmental agencies (including space adjustments and  
9 telecommunications relocation expenses) in connection with  
10 the assignment, allocation and transfer of space; contrac-  
11 tual services incident to cleaning or servicing buildings,  
12 and moving; repair and alteration of federally owned build-  
13 ings including grounds, approaches and appurtenances;  
14 care and safeguarding of sites; maintenance, preservation,  
15 demolition, and equipment; acquisition of buildings and  
16 sites by purchase, condemnation, or as otherwise authorized  
17 by law; acquisition of options to purchase buildings and  
18 sites; conversion and extension of federally owned buildings;  
19 preliminary planning and design of projects by contract or  
20 otherwise; construction of new buildings (including equip-  
21 ment for such buildings); and payment of principal, inter-  
22 est, and any other obligations for public buildings acquired  
23 by installment purchase and purchase contract, in the ag-  
24 gregate amount of \$5,648,680,000, of which: (1)  
25 \$538,652,000 shall remain available until expended for con-

1 *struction of additional projects at locations and at maxi-*  
 2 *mum construction improvement costs (including funds for*  
 3 *sites and expenses and associated design and construction*  
 4 *services) as follows:*

5 *New construction:*

6 *Arkansas:*

7 *Little Rock, U.S. courthouse,*  
 8 *\$3,436,000*

9 *California:*

10 *San Diego, U.S. courthouse,*  
 11 *\$15,400,000*

12 *San Jose, U.S. courthouse, \$10,800,000*

13 *Colorado:*

14 *Denver, U.S. courthouse, \$83,959,000*

15 *District of Columbia:*

16 *Southeast Federal Center remediation,*  
 17 *\$10,000,000*

18 *Florida:*

19 *Jacksonville, U.S. courthouse,*  
 20 *\$86,010,000*

21 *Orlando, U.S. courthouse, \$1,930,000*

22 *Georgia:*

23 *Savannah, U.S. courthouse,*  
 24 *\$46,462,000*

25 *Massachusetts:*

1                    *Springfield,            U.S.            courthouse,*

2                    *\$5,563,000*

3                    *Michigan:*

4                    *Sault Sainte Marie, border station,*

5                    *\$572,000*

6                    *Mississippi:*

7                    *Biloxi-Gulfport            U.S.            courthouse,*

8                    *\$7,543,000*

9                    *Missouri:*

10                    *Cape Girardeau            U.S.            courthouse,*

11                    *\$2,196,000*

12                    *Montana:*

13                    *Babb,            Piegan            border            station,*

14                    *\$6,165,000*

15                    *New York:*

16                    *Brooklyn,            U.S.            courthouse,*

17                    *\$152,626,000*

18                    *New York U.S. Mission to the United*

19                    *Nations, \$3,163,000*

20                    *Oregon:*

21                    *Eugene, U.S. courthouse, \$7,190,000*

22                    *Tennessee:*

23                    *Greenville,            U.S.            courthouse,*

24                    *\$28,229,000*

25                    *Texas:*



1 *Laredo, U.S. courthouse, \$28,105,000*

2 *West Virginia:*

3 *Wheeling, U.S. courthouse, \$29,303,000*

4 *Nationwide:*

5 *Nonprospectus, \$10,000,000:*

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

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

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

7       *Repairs and alterations:*

8               *California:*

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

11               *Colorado:*

12                       *Lakewood, Denver Federal Center, Building*  
 13                      *25, \$29,351,000*

14               *District of Columbia:*

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

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

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

20                       *Department of State, Phase 1, \$29,779,000*

21               *New York:*

22                       *Brookhaven, Internal Revenue Service,*  
 23                      *Service Center, \$20,019,000*

24                       *New York, U.S. Courthouse, 40 Foley*  
 25                      *Square, \$4,782,000*

1           *Pennsylvania:*

2                     *Philadelphia, Byrne-Green, Federal Build-*  
 3                     *ing-U.S. Courthouse, \$11,212,000*

4           *Virginia:*

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

6           *Nationwide:*

7                     *Chlorofluorocarbons Program, \$25,000,000*

8                     *Energy Programs, \$25,000,000*

9                     *Design Program, \$16,710,000*

10                    *Basic       Repairs       and       Alteration,*

11                    *\$344,236,000:*

12 *Provided further, That additional projects for which*  
 13 *prospectuses have been fully approved may be funded under*  
 14 *this category only if advance approval is obtained from the*  
 15 *Committees on Appropriations of the House and Senate:*

16 *Provided further, That the amounts provided in this or any*  
 17 *prior Act for “Repairs and Alterations” may be used to*  
 18 *fund costs associated with implementing security improve-*  
 19 *ments to buildings necessary to meet the minimum stand-*  
 20 *ards for security in accordance with current law and in*  
 21 *compliance with the reprogramming guidelines of the ap-*  
 22 *propriate Committees of the House and Senate: Provided*  
 23 *further, That funds made available in this Act or any pre-*  
 24 *vious Act for “Repairs and Alterations” shall, for prospec-*  
 25 *tus projects, be limited to the amount originally made*

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

1 prior Act for Basic Repairs and Alterations may be used  
2 to pay claims against the Government arising from any  
3 projects under the heading "Repairs and Alterations" or  
4 used to fund authorized increases in prospectus projects; (3)  
5 \$215,764,000 for installment acquisition payments includ-  
6 ing payments on purchase contracts which shall remain  
7 available until expended; (4) \$2,583,261,000 for rental of  
8 space which shall remain available until expended: Pro-  
9 vided further, That of the amount provided, \$51,667,000  
10 shall not be available for obligation until September 30,  
11 1999; and (5) \$1,554,772,000 for building operations which  
12 shall remain available until expended: Provided further,  
13 That of the amount provided \$31,095,000 shall not be avail-  
14 able for obligation until September 30, 1999: Provided fur-  
15 ther, That funds available to the General Services Adminis-  
16 tration shall not be available for expenses of any construc-  
17 tion, repair, alteration and acquisition project for which  
18 a prospectus, if required by the Public Buildings Act of  
19 1959, as amended, has not been approved, except that nec-  
20 essary funds may be expended for each project for required  
21 expenses for the development of a proposed prospectus: Pro-  
22 vided further, That for the purposes of this authorization,  
23 and hereafter, buildings constructed pursuant to the pur-  
24 chase contract authority of the Public Buildings Amend-  
25 ments of 1972 (40 U.S.C. 602a), buildings occupied pursu-

1 ant to installment purchase contracts, and buildings under  
2 the control of another department or agency where alter-  
3 ations of such buildings are required in connection with  
4 the moving of such other department or agency from build-  
5 ings then, or thereafter to be, under the control of the Gen-  
6 eral Services Administration shall be considered to be feder-  
7 ally owned buildings: Provided further, That funds avail-  
8 able in the Federal Buildings Fund may be expended for  
9 emergency repairs when advance approval is obtained from  
10 the Committees on Appropriations of the House and Senate:  
11 Provided further, That amounts necessary to provide reim-  
12 bursable special services to other agencies under section  
13 210(f)(6) of the Federal Property and Administrative Serv-  
14 ices Act of 1949, as amended (40 U.S.C. 490(f)(6)) and  
15 amounts to provide such reimbursable fencing, lighting,  
16 guard booths, and other facilities on private or other prop-  
17 erty not in Government ownership or control as may be  
18 appropriate to enable the United States Secret Service to  
19 perform its protective functions pursuant to 18 U.S.C.  
20 3056, as amended, shall be available from such revenues  
21 and collections: Provided further, That the remaining bal-  
22 ances and associated assets and liabilities of the Pennsyl-  
23 vania Avenue Activities account are hereby transferred to  
24 the Federal Buildings Fund to be effective October 1, 1998,  
25 and that all income earned after that effective date that

1 *would otherwise have been deposited to the Pennsylvania*  
 2 *Avenue Activities account shall thereafter be deposited to*  
 3 *the Federal Buildings Fund, to be available for the purposes*  
 4 *authorized by Public Laws 104–134 and 104–208, notwith-*  
 5 *standing subsection 210(f)(2) of the Federal Property and*  
 6 *Administrative Services Act, as amended: Provided further,*  
 7 *That of the amount provided, \$475,000 shall be made avail-*  
 8 *able for the 1999 Women’s World Cup Soccer event: Pro-*  
 9 *vided further, That of the amount provided, \$475,000 shall*  
 10 *be made available for the 1999 World Alpine Ski Cham-*  
 11 *pionships: Provided further, That revenues and collections*  
 12 *and any other sums accruing to this Fund during fiscal*  
 13 *year 1999, excluding reimbursements under section*  
 14 *210(f)(6) of the Federal Property and Administrative Serv-*  
 15 *ices Act of 1949 (40 U.S.C. 490(f)(6)) in excess of*  
 16 *\$5,648,680,000 shall remain in the Fund and shall not be*  
 17 *available for expenditure except as authorized in appro-*  
 18 *priations Acts.*

19 *POLICY AND OPERATIONS*

20 *For expenses authorized by law, not otherwise provided*  
 21 *for, for Government-wide policy and oversight activities as-*  
 22 *sociated with asset management activities; utilization and*  
 23 *donation of surplus personal property; transportation; pro-*  
 24 *curement and supply; Government-wide and internal re-*  
 25 *sponsibilities relating to automated data management, tele-*  
 26 *communications, information resources management, and*



1 *related technology activities; utilization survey, deed com-*  
 2 *pliance inspection, appraisal, environmental and cultural*  
 3 *analysis, and land use planning functions pertaining to ex-*  
 4 *cess and surplus real property; agency-wide policy direc-*  
 5 *tion; Board of Contract Appeals; accounting, records man-*  
 6 *agement, and other support services incident to adjudica-*  
 7 *tion of Indian Tribal Claims by the United States Court*  
 8 *of Federal Claims; services as authorized by 5 U.S.C. 3109;*  
 9 *and not to exceed \$5,000 for official reception and represen-*  
 10 *tation expenses; \$106,494,000: Provided, That none of the*  
 11 *funds appropriated from this Act or any other Act shall*  
 12 *be available to convert the Old Post Office at 1100 Pennsyl-*  
 13 *vania Avenue in Northwest Washington, D.C. from office*  
 14 *use to any other use until a comprehensive plan, which shall*  
 15 *include street-level retail use, has been approved by the Sen-*  
 16 *ate Committee on Appropriations: Provided further, That*  
 17 *no funds from this Act or any other Act shall be available*  
 18 *to acquire by purchase, condemnation, or otherwise the*  
 19 *leasehold rights of the existing lease with private parties*  
 20 *at the Old Post Office prior to the approval of the com-*  
 21 *prehensive plan by the Senate Committee on Appropria-*  
 22 *tions.*

#### 23 OFFICE OF INSPECTOR GENERAL

24 *For necessary expenses of the Office of Inspector Gen-*  
 25 *eral and services authorized by 5 U.S.C. 3109, \$32,000,000:*

1 *Provided, That not to exceed \$10,000 shall be available for*  
 2 *payment for information and detection of fraud against the*  
 3 *Government, including payment for recovery of stolen Gov-*  
 4 *ernment property: Provided further, That not to exceed*  
 5 *\$2,500 shall be available for awards to employees of other*  
 6 *Federal agencies and private citizens in recognition of ef-*  
 7 *forts and initiatives resulting in enhanced Office of Inspec-*  
 8 *tor General effectiveness.*

9 *ALLOWANCES AND OFFICE STAFF FOR FORMER*

10 *PRESIDENTS*

11 *For carrying out the provisions of the Act of August*  
 12 *25, 1958, as amended (3 U.S.C. 102 note), and Public Law*  
 13 *95-138, \$2,241,000: Provided, That the Administrator of*  
 14 *General Services shall transfer to the Secretary of the Treas-*  
 15 *ury such sums as may be necessary to carry out the provi-*  
 16 *sions of such Acts.*

17 *GENERAL PROVISIONS*

18 *GENERAL SERVICES ADMINISTRATION*

19 *SEC. 401. The appropriate appropriation or fund*  
 20 *available to the General Services Administration shall be*  
 21 *credited with the cost of operation, protection, maintenance,*  
 22 *upkeep, repair, and improvement, included as part of rent-*  
 23 *als received from Government corporations pursuant to law*  
 24 *(40 U.S.C. 129).*

1       *SEC. 402. Funds available to the General Services Ad-*  
2 *ministration shall be available for the hire of passenger*  
3 *motor vehicles.*

4       *SEC. 403. Funds in the Federal Buildings Fund made*  
5 *available for fiscal year 1999 for Federal Buildings Fund*  
6 *activities may be transferred between such activities only*  
7 *to the extent necessary to meet program requirements: Pro-*  
8 *vided, That any proposed transfers shall be approved in ad-*  
9 *vance by the Committees on Appropriations of the House*  
10 *and Senate.*

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

23       *SEC. 405. None of the funds provided in this Act may*  
24 *be used to increase the amount of occupiable square feet,*  
25 *provide cleaning services, security enhancements, or any*

1 *other service usually provided through the Federal Build-*  
2 *ings Fund, to any agency which does not pay the rate per*  
3 *square foot assessment for space and services as determined*  
4 *by the General Services Administration in compliance with*  
5 *the Public Buildings Amendments Act of 1972 (Public Law*  
6 *92-313).*

7       *SEC. 406. Funds provided to other Government agen-*  
8 *cies by the Information Technology Fund, General Services*  
9 *Administration, under 40 U.S.C. 757 and sections 5124(b)*  
10 *and 5128 of Public Law 104-106, Information Technology*  
11 *Management Reform Act of 1996, for performance of pilot*  
12 *information technology projects which have potential for*  
13 *Government-wide benefits and savings, may be repaid to*  
14 *this Fund from any savings actually incurred by these*  
15 *projects or other funding, to the extent feasible.*

16       *SEC. 407. From funds made available under the head-*  
17 *ing “Federal Buildings Fund Limitations on Revenue”,*  
18 *claims against the Government of less than \$250,000 aris-*  
19 *ing from direct construction projects and acquisition of*  
20 *buildings may be liquidated from savings effected in other*  
21 *construction projects with prior notification to the Commit-*  
22 *tees on Appropriations of the House and Senate.*

23       *SEC. 408. From the funds made available under the*  
24 *heading “Federal Buildings Fund Limitations on Reve-*  
25 *nue”, in addition to amounts provided in budget activities*

1 above, up to \$5,000,000 shall be available for the demoli-  
2 tion, cleanup and conveyance of the property at block 35  
3 and lot 2 of block 36 in Anchorage, Alaska: Provided, That  
4 notwithstanding any other provision of law, the Adminis-  
5 trator of General Services shall, not later than 18 months  
6 after the date of enactment of this Act, demolish and remove  
7 all buildings, structures and other fixtures on the property  
8 at block 35 and lot 2 of block 36, Anchorage Original Town-  
9 site East Addition, Anchorage, Alaska, excluding any por-  
10 tion dedicated for use by the Centers for Disease Control  
11 and Prevention: Provided further, That the remediation of  
12 said parcel shall include the removal of all asbestos, lead  
13 and any other contamination, and restoration of the prop-  
14 erty, to the extent practicable, to an undeveloped condition:  
15 Provided further, That upon completion of the activities re-  
16 quired for the demolition and removal of buildings, and not-  
17 withstanding any other provision of law, the Administrator  
18 of General Services shall convey to the municipality of An-  
19 chorage, without reimbursement, all right, title, and interest  
20 of the United States to the property.

21       SEC. 409. The Administrator of General Services may  
22 convey, without consideration, to the City of Racine, Wis-  
23 consin all right, title, and interest of the United States in  
24 and to a parcel of excess real property, including improve-  
25 ments thereon, that is located on 2310 Center Street, com-

1    *mencing at the intersection of the North line of 24th Street*  
 2    *and the center line of Center Street, being the point of the*  
 3    *beginning; thence Northerly along the center line of Center*  
 4    *Street, 426 feet to the South line of 23rd Street extended*  
 5    *East; thence Westerly along the South line of 23rd street*  
 6    *extended East; 325 feet to the West line of Franklin Street*  
 7    *extended South; thence southerly along the West line of*  
 8    *Franklin Street extended South to a point on the North line*  
 9    *of 24th Street; thence Easterly along the North line of 24th*  
 10    *Street to the point of beginning located in Racine, Wiscon-*  
 11    *sin and which contains the U.S. Army Reserve Center.*

12        *SEC. 410. DEPARTMENT OF TRANSPORTATION HEAD-*  
 13    *QUARTERS. (a) IN GENERAL.—The Administrator of Gen-*  
 14    *eral Services shall—*

15            *(1) enter into an operating lease to acquire space*  
 16        *for the Department of Transportation headquarters;*  
 17        *and*

18            *(2) commence procurement of the lease not later*  
 19        *than November 1, 1998:*

20    *Provided, That the annual rent payment does not exceed*  
 21    *\$55,000,000.*

22        *(b) TERMS.—The authority granted in subsection (a)*  
 23    *is effective only to the extent that the lease acquisition meets*  
 24    *the guidelines for operating leases set forth in the joint*  
 25    *statement of the managers for the conference report to the*

1 *Balanced Budget Agreement of 1997, as determined by the*  
 2 *Director of the Office of Management and Budget.*

3       *SEC. 411. SECURITY OF CAPITOL COMPLEX. There is*  
 4 *appropriated to the Architect of the Capitol for costs associ-*  
 5 *ated with the security of the Capitol complex \$14,105,000.*

6       *SEC. 412. LAND CONVEYANCE, UNITED STATES NAVAL*  
 7 *OBSERVATORY/ALTERNATE TIME SERVICE LABORATORY,*  
 8 *FLORIDA. (a) CONVEYANCE AUTHORIZED.—If the Secretary*  
 9 *of the Navy reports to the Administrator of General Services*  
 10 *that the property described in subsection (b) is excess prop-*  
 11 *erty of the Department of the Navy under section 202(b)*  
 12 *of the Federal Property and Administrative Services Act*  
 13 *of 1949 (40 U.S.C. 483(b)), and if the Administrator of*  
 14 *General Services determines that such property is surplus*  
 15 *property under that Act, then the Administrator may con-*  
 16 *vey to the University of Miami, by negotiated sale or nego-*  
 17 *tiated land exchange within one year after the date of the*  
 18 *determination by the Administrator, all right, title, and in-*  
 19 *terest of the United States in and to the property.*

20       *(b) COVERED PROPERTY.—The property referred to in*  
 21 *subsection (a) is real property in Miami-Dade County,*  
 22 *Florida, including improvements thereon, comprising the*  
 23 *Federal facility known as the United States Naval Observ-*  
 24 *atory/Alternate Time Service Laboratory, consisting of ap-*  
 25 *proximately 76 acres. The exact acreage and legal descrip-*

1 tion of the property shall be determined by a survey that  
2 is satisfactory to the Administrator.

3 (c) *CONDITION REGARDING USE.*—Any conveyance  
4 under subsection (a) shall be subject to the condition that  
5 during the 10-year period beginning on the date of the con-  
6 veyance, the University shall use the property, or provide  
7 for use of the property, only for—

8 (1) a research, education, and training facility  
9 complementary to longstanding national research  
10 missions, subject to such incidental exceptions as may  
11 be approved by the Administrator;

12 (2) research-related purposes other than the use  
13 specified in paragraph (1), under an agreement en-  
14 tered into by the Administrator and the University;  
15 or

16 (3) a combination of uses described in paragraph  
17 (1) and paragraph (2), respectively.

18 (d) *REVERSION.*—If the Administrator determines at  
19 any time that the property conveyed under subsection (a)  
20 is not being used in accordance with this section, all right,  
21 title, and interest in and to the property, including any  
22 improvements thereon, shall revert to the United States, and  
23 the United States shall have the right of immediate entry  
24 thereon.



1       (e) *ADDITIONAL TERMS AND CONDITIONS.*—*The Ad-*  
 2 *ministrator may require such additional terms and condi-*  
 3 *tions in connection with the conveyance under subsection*  
 4 *(a) as the Administrator considers appropriate to protect*  
 5 *the interests of the United States.*

6                   *MERIT SYSTEMS PROTECTION BOARD*

7                           *SALARIES AND EXPENSES*

8                               *(INCLUDING TRANSFER OF FUNDS)*

9       *For necessary expenses to carry out functions of the*  
 10 *Merit Systems Protection Board pursuant to Reorganiza-*  
 11 *tion Plan Numbered 2 of 1978 and the Civil Service Reform*  
 12 *Act of 1978, including services as authorized by 5 U.S.C.*  
 13 *3109, rental of conference rooms in the District of Columbia*  
 14 *and elsewhere, hire of passenger motor vehicles, and direct*  
 15 *procurement of survey printing, \$25,805,000, together with*  
 16 *not to exceed \$2,430,000 for administrative expenses to ad-*  
 17 *judicate retirement appeals to be transferred from the Civil*  
 18 *Service Retirement and Disability Fund in amounts deter-*  
 19 *mined by the Merit Systems Protection Board.*

20                   *NATIONAL ARCHIVES AND RECORDS ADMINISTRATION*

21                           *OPERATING EXPENSES*

22       *For necessary expenses in connection with the admin-*  
 23 *istration of the National Archives (including the Informa-*  
 24 *tion Security Oversight Office) and records and related ac-*  
 25 *tivities, as provided by law, and for expenses necessary for*  
 26 *the review and declassification of documents, and for the*

1 *hire of passenger motor vehicles, \$221,030,000: Provided,*  
2 *That of the amount provided, \$4,277,000 shall not be avail-*  
3 *able for obligation until September 30, 1999: Provided fur-*  
4 *ther, That the Archivist of the United States is authorized*  
5 *to use any excess funds available from the amount borrowed*  
6 *for construction of the National Archives facility, for ex-*  
7 *penses necessary to provide adequate storage for holdings:*  
8 *Provided further, That of the amount provided, funds are*  
9 *authorized to be used for year 2000 conversion costs pending*  
10 *the availability of funding through emergency appropria-*  
11 *tion, pursuant to “Funds Appropriated to the President,*  
12 *Information Technology Systems and Related Expenses”.*

13 *ARCHIVES FACILITIES REPAIRS AND RESTORATION*

14 *For the repair, alteration, and improvement of ar-*  
15 *chives facilities, and to provide adequate storage for hold-*  
16 *ings, \$11,325,000, to remain available until expended, of*  
17 *which \$2,000,000 is for an architectural and engineering*  
18 *study for the renovation of the Archives I facility, and of*  
19 *which \$4,000,000 is for encasement of the Charters of Free-*  
20 *dom, and of which \$875,000 is for the requirements study*  
21 *and design of the National Archives Anchorage facility:*  
22 *Provided, That of the amount provided, \$2,000,000 shall*  
23 *not be available for obligation until September 30, 1999.*

1     *NATIONAL HISTORICAL PUBLICATIONS AND RECORDS*2                             *COMMISSION*3                             *GRANTS PROGRAM*

4         *For necessary expenses for allocations and grants for*  
5 *historical publications and records as authorized by 44*  
6 *U.S.C. 2504, as amended, \$11,000,000, to remain available*  
7 *until expended: Provided, That of the amount provided,*  
8 *\$5,500,000 shall not be available for obligation until Sep-*  
9 *tember 30, 1999.*

10                         *OFFICE OF GOVERNMENT ETHICS*11                             *SALARIES AND EXPENSES*

12         *For necessary expenses to carry out functions of the*  
13 *Office of Government Ethics pursuant to the Ethics in Gov-*  
14 *ernment Act of 1978, as amended by Public Law 100-598,*  
15 *and the Ethics Reform Act of 1989, Public Law 101-194,*  
16 *including services as authorized by 5 U.S.C. 3109, rental*  
17 *of conference rooms in the District of Columbia and else-*  
18 *where, hire of passenger motor vehicles, and not to exceed*  
19 *\$1,500 for official reception and representation expenses;*  
20 *\$8,492,000.*

21                         *OFFICE OF PERSONNEL MANAGEMENT*22                             *SALARIES AND EXPENSES*23                             *(INCLUDING TRANSFER OF TRUST FUNDS)*

24         *For necessary expenses to carry out functions of the*  
25 *Office of Personnel Management pursuant to Reorganiza-*  
26 *tion Plan Numbered 2 of 1978 and the Civil Service Reform*

1 *Act of 1978, including services as authorized by 5 U.S.C.*  
2 *3109; medical examinations performed for veterans by pri-*  
3 *vate physicians on a fee basis; rental of conference rooms*  
4 *in the District of Columbia and elsewhere; hire of passenger*  
5 *motor vehicles; not to exceed \$2,500 for official reception*  
6 *and representation expenses; advances for reimbursements*  
7 *to applicable funds of the Office of Personnel Management*  
8 *and the Federal Bureau of Investigation for expenses in-*  
9 *curred under Executive Order No. 10422 of January 9,*  
10 *1953, as amended; and payment of per diem and/or subsist-*  
11 *ence allowances to employees where Voting Rights Act ac-*  
12 *tivities require an employee to remain overnight at his or*  
13 *her post of duty; \$85,350,000; and in addition \$91,236,000*  
14 *for administrative expenses, to be transferred from the ap-*  
15 *propriate trust funds of the Office of Personnel Management*  
16 *without regard to other statutes, including direct procure-*  
17 *ment of printed materials, for the retirement and insurance*  
18 *programs: Provided, That the provisions of this appropria-*  
19 *tion shall not affect the authority to use applicable trust*  
20 *funds as provided by section 8348(a)(1)(B) of title 5,*  
21 *United States Code: Provided further, That, except as may*  
22 *be consistent with 5 U.S.C. 8902a(f)(1) and (i), no payment*  
23 *may be made from the Employees Health Benefits Fund*  
24 *to any physician, hospital, or other provider of health care*  
25 *services or supplies who is, at the time such services or sup-*

1 *plies are provided to an individual covered under chapter*  
 2 *89 of title 5, United States Code, excluded, pursuant to sec-*  
 3 *tion 1128 or 1128A of the Social Security Act (42 U.S.C.*  
 4 *1320a-7 through 1320a-7a), from participation in any*  
 5 *program under title XVIII of the Social Security Act (42*  
 6 *U.S.C. 1395 et seq.): Provided further, That no part of this*  
 7 *appropriation shall be available for salaries and expenses*  
 8 *of the Legal Examining Unit of the Office of Personnel*  
 9 *Management established pursuant to Executive Order No.*  
 10 *9358 of July 1, 1943, or any successor unit of like purpose:*  
 11 *Provided further, That the President's Commission on*  
 12 *White House Fellows, established by Executive Order No.*  
 13 *11183 of October 3, 1964, may, during the fiscal year end-*  
 14 *ing September 30, 1999, accept donations of money, prop-*  
 15 *erty, and personal services in connection with the develop-*  
 16 *ment of a publicity brochure to provide information about*  
 17 *the White House Fellows, except that no such donations*  
 18 *shall be accepted for travel or reimbursement of travel ex-*  
 19 *penses, or for the salaries of employees of such Commission.*

20 *OFFICE OF INSPECTOR GENERAL*

21 *SALARIES AND EXPENSES*

22 *(INCLUDING TRANSFER OF TRUST FUNDS)*

23 *For necessary expenses of the Office of Inspector Gen-*  
 24 *eral in carrying out the provisions of the Inspector General*  
 25 *Act, as amended, including services as authorized by 5*  
 26 *U.S.C. 3109, hire of passenger motor vehicles, \$960,000;*

1 *and in addition, not to exceed \$9,145,000 for administra-*  
 2 *tive expenses to audit the Office of Personnel Management's*  
 3 *retirement and insurance programs, to be transferred from*  
 4 *the appropriate trust funds of the Office of Personnel Man-*  
 5 *agement, as determined by the Inspector General: Provided,*  
 6 *That the Inspector General is authorized to rent conference*  
 7 *rooms in the District of Columbia and elsewhere.*

8 *GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES*

9 *HEALTH BENEFITS*

10 *For payment of Government contributions with respect*  
 11 *to retired employees, as authorized by chapter 89 of title*  
 12 *5, United States Code, and the Retired Federal Employees*  
 13 *Health Benefits Act (74 Stat. 849), as amended, such sums*  
 14 *as may be necessary.*

15 *GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE*

16 *INSURANCE*

17 *For payment of Government contributions with respect*  
 18 *to employees retiring after December 31, 1989, as required*  
 19 *by chapter 87 of title 5, United States Code, such sums as*  
 20 *may be necessary.*

21 *PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY*

22 *FUND*

23 *For financing the unfunded liability of new and in-*  
 24 *creased annuity benefits becoming effective on or after Octo-*  
 25 *ber 20, 1969, as authorized by 5 U.S.C. 8348, and annuities*  
 26 *under special Acts to be credited to the Civil Service Retire-*

1 *ment and Disability Fund, such sums as may be necessary:*  
 2 *Provided, That annuities authorized by the Act of May 29,*  
 3 *1944, as amended, and the Act of August 19, 1950, as*  
 4 *amended (33 U.S.C. 771–775), may hereafter be paid out*  
 5 *of the Civil Service Retirement and Disability Fund.*

6 *OFFICE OF SPECIAL COUNSEL*

7 *SALARIES AND EXPENSES*

8 *For necessary expenses to carry out functions of the*  
 9 *Office of Special Counsel pursuant to Reorganization Plan*  
 10 *Numbered 2 of 1978, the Civil Service Reform Act of 1978*  
 11 *(Public Law 95–454), the Whistleblower Protection Act of*  
 12 *1989 (Public Law 101–12), Public Law 103–424, and the*  
 13 *Uniformed Services Employment and Reemployment Act of*  
 14 *1994 (Public Law 103–353), including services as author-*  
 15 *ized by 5 U.S.C. 3109, payment of fees and expenses for*  
 16 *witnesses, rental of conference rooms in the District of Co-*  
 17 *lumbia and elsewhere, and hire of passenger motor vehicles;*  
 18 *\$8,720,000.*

19 *UNITED STATES TAX COURT*

20 *SALARIES AND EXPENSES*

21 *For necessary expenses, including contract reporting*  
 22 *and other services as authorized by 5 U.S.C. 3109,*  
 23 *\$32,765,000: Provided, That travel expenses of the judges*  
 24 *shall be paid upon the written certificate of the judge.*

1       *This title may be cited as the “Independent Agencies*  
2 *Appropriations Act, 1999”.*

3                   *TITLE V—GENERAL PROVISIONS*

4                               *THIS ACT*

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

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

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

22       *SEC. 504. None of the funds made available by this*  
23 *Act shall be available in fiscal year 1999, for the purpose*  
24 *of transferring control over the Federal Law Enforcement*



1 *Training Center located at Glynco, Georgia, and Artesia,*  
2 *New Mexico, out of the Department of the Treasury.*

3       *SEC. 505. No part of any appropriation contained in*  
4 *this Act shall be available to pay the salary for any person*  
5 *filling a position, other than a temporary position, formerly*  
6 *held by an employee who has left to enter the Armed Forces*  
7 *of the United States and has satisfactorily completed his*  
8 *period of active military or naval service, and has within*  
9 *90 days after his release from such service or from hos-*  
10 *pitalization continuing after discharge for a period of not*  
11 *more than 1 year, made application for restoration to his*  
12 *former position and has been certified by the Office of Per-*  
13 *sonnel Management as still qualified to perform the duties*  
14 *of his former position and has not been restored thereto.*

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

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

1 *should, in expending the assistance, purchase only Amer-*  
2 *ican-made equipment and products.*

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

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

18       **SEC. 509.** *Except as otherwise specifically provided by*  
19 *law, not to exceed 50 percent of unobligated balances re-*  
20 *maining available at the end of fiscal year 1999 from ap-*  
21 *propriations made available for salaries and expenses for*  
22 *fiscal year 1999 in this Act, shall remain available through*  
23 *September 30, 2000, for each such account for the purposes*  
24 *authorized: Provided, That a request shall be submitted to*  
25 *the House and Senate Committees on Appropriations for*

1 approval prior to the expenditure of such funds: Provided  
 2 further, That these requests shall be made in compliance  
 3 with reprogramming guidelines.

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

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

14 (2) such request is required due to extraordinary  
 15 circumstances involving national security.

16 SEC. 511. PROVISIONS FOR STAFF DIRECTOR AND  
 17 GENERAL COUNSEL OF THE FEDERAL ELECTION COMMIS-  
 18 SION. (a) APPOINTMENT AND TERM OF SERVICE.—

19 (1) IN GENERAL.—Section 306c(f) of the Federal  
 20 Election Campaign Act of 1971 (2 U.S.C. 437c(f)) is  
 21 amended by striking paragraph (1) and inserting the  
 22 following:

23 “(1)(A) The Commission shall have a staff direc-  
 24 tor and a general counsel who shall be appointed by  
 25 an affirmative vote of not less than 4 members of the

1       *Commission. Subject to exception in subparagraph*  
 2       *(D), the staff director and general counsel shall, be-*  
 3       *ginning January 1, 1999, serve for terms of 6 years*  
 4       *and such terms may be renewed by an affirmative*  
 5       *vote of not less than 3 members of the Commission.*

6               *“(B) The staff director and general counsel may*  
 7       *serve after the expiration of his or her term until his*  
 8       *or her successor has been appointed.*

9               *“(C) An individual appointed to fill a vacancy*  
 10       *occurring other than by the expiration of a term of*  
 11       *office shall be appointed only for the unexpired term*  
 12       *of the staff director or general counsel he or she suc-*  
 13       *ceeds.*

14               *“(D) The term of any individual appointed*  
 15       *prior to and serving on the date of enactment of this*  
 16       *Act as general counsel shall be until January 1, 2008*  
 17       *and shall not be subject to renewal under subpara-*  
 18       *graph (A) until such date.”.*

19       *(b) RULE OF CONSTRUCTION REGARDING AUTHORITY*  
 20       *OF ACTING STAFF DIRECTOR OR GENERAL COUNSEL.—*  
 21       *Section 306(f) of such Act (2 U.S.C. 437c(f)) is amended*  
 22       *by adding at the end the following:*

23               *“(5) Nothing in this Act shall be construed to*  
 24       *prohibit any individual serving as an acting staff di-*  
 25       *rector of the Commission from performing any func-*

1        *tions of the staff director of the Commission or any*  
 2        *individual serving as an acting general counsel of the*  
 3        *Commission from performing any functions of the*  
 4        *general counsel of the Commission.”.*

5                    *TITLE VI—GENERAL PROVISIONS*

6                    *DEPARTMENTS, AGENCIES, AND CORPORATIONS*

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

11       *SEC. 602. No department, agency, or instrumentality*  
 12       *of the United States receiving appropriated funds under*  
 13       *this or any other Act for fiscal year 1999 shall obligate or*  
 14       *expend any such funds, unless such department, agency, or*  
 15       *instrumentality has in place, and will continue to admin-*  
 16       *ister in good faith, a written policy designed to ensure that*  
 17       *all of its workplaces are free from the illegal use, possession,*  
 18       *or distribution of controlled substances (as defined in the*  
 19       *Controlled Substances Act) by the officers and employees of*  
 20       *such department, agency, or instrumentality.*

21       *SEC. 603. Notwithstanding 31 U.S.C. 1345, any agen-*  
 22       *cy, department, or instrumentality of the United States*  
 23       *which provides or proposes to provide child care services*  
 24       *for Federal employees may reimburse any Federal employee*  
 25       *or any person employed to provide such services for travel,*

1 *transportation, and subsistence expenses incurred for train-*  
2 *ing classes, conferences, or other meetings in connection*  
3 *with the provision of such services: Provided, That any per*  
4 *diem allowance made pursuant to this section shall not ex-*  
5 *ceed the rate specified in regulations prescribed pursuant*  
6 *to section 5707 of title 5, United States Code.*

7       *SEC. 604. Unless otherwise specifically provided, the*  
8 *maximum amount allowable during the current fiscal year*  
9 *in accordance with section 16 of the Act of August 2, 1946*  
10 *(60 Stat. 810), for the purchase of any passenger motor ve-*  
11 *hicle (exclusive of buses, ambulances, law enforcement, and*  
12 *undercover surveillance vehicles), is hereby fixed at \$8,100*  
13 *except station wagons for which the maximum shall be*  
14 *\$9,100: Provided, That these limits may be exceeded by not*  
15 *to exceed \$3,700 for police-type vehicles, and by not to ex-*  
16 *ceed \$4,000 for special heavy-duty vehicles: Provided fur-*  
17 *ther, That the limits set forth in this section may not be*  
18 *exceeded by more than 5 percent for electric or hybrid vehi-*  
19 *cles purchased for demonstration under the provisions of the*  
20 *Electric and Hybrid Vehicle Research, Development, and*  
21 *Demonstration Act of 1976: Provided further, That the lim-*  
22 *its set forth in this section may be exceeded by the incremen-*  
23 *tal cost of clean alternative fuels vehicles acquired pursuant*  
24 *to Public Law 101-549 over the cost of comparable conven-*  
25 *tionally fueled vehicles.*

1       *SEC. 605. Appropriations of the executive departments*  
2   *and independent establishments for the current fiscal year*  
3   *available for expenses of travel, or for the expenses of the*  
4   *activity concerned, are hereby made available for quarters*  
5   *allowances and cost-of-living allowances, in accordance*  
6   *with 5 U.S.C. 5922–5924.*

7       *SEC. 606. Unless otherwise specified during the current*  
8   *fiscal year, no part of any appropriation contained in this*  
9   *or any other Act shall be used to pay the compensation of*  
10   *any officer or employee of the Government of the United*  
11   *States (including any agency the majority of the stock of*  
12   *which is owned by the Government of the United States)*  
13   *whose post of duty is in the continental United States un-*  
14   *less such person: (1) is a citizen of the United States; (2)*  
15   *is a person in the service of the United States on the date*  
16   *of enactment of this Act who, being eligible for citizenship,*  
17   *has filed a declaration of intention to become a citizen of*  
18   *the United States prior to such date and is actually resid-*  
19   *ing in the United States; (3) is a person who owes alle-*  
20   *giance to the United States; (4) is an alien from Cuba, Po-*  
21   *land, South Vietnam, the countries of the former Soviet*  
22   *Union, or the Baltic countries lawfully admitted to the*  
23   *United States for permanent residence; (5) is a South Viet-*  
24   *namese, Cambodian, or Laotian refugee paroled in the*  
25   *United States after January 1, 1975; or (6) is a national*

1 *of the People's Republic of China who qualifies for adjust-*  
2 *ment of status pursuant to the Chinese Student Protection*  
3 *Act of 1992: Provided, That for the purpose of this section,*  
4 *an affidavit signed by any such person shall be considered*  
5 *prima facie evidence that the requirements of this section*  
6 *with respect to his or her status have been complied with:*  
7 *Provided further, That any person making a false affidavit*  
8 *shall be guilty of a felony, and, upon conviction, shall be*  
9 *fined no more than \$4,000 or imprisoned for not more than*  
10 *1 year, or both: Provided further, That the above penal*  
11 *clause shall be in addition to, and not in substitution for,*  
12 *any other provisions of existing law: Provided further, That*  
13 *any payment made to any officer or employee contrary to*  
14 *the provisions of this section shall be recoverable in action*  
15 *by the Federal Government. This section shall not apply*  
16 *to citizens of Ireland, Israel, or the Republic of the Phil-*  
17 *ippines, or to nationals of those countries allied with the*  
18 *United States in a current defense effort, or to international*  
19 *broadcasters employed by the United States Information*  
20 *Agency, or to temporary employment of translators, or to*  
21 *temporary employment in the field service (not to exceed*  
22 *60 days) as a result of emergencies.*

23       *SEC. 607. Appropriations available to any department*  
24 *or agency during the current fiscal year for necessary ex-*  
25 *penses, including maintenance or operating expenses, shall*



1 *also be available for payment to the General Services Ad-*  
2 *ministration for charges for space and services and those*  
3 *expenses of renovation and alteration of buildings and fa-*  
4 *cilities which constitute public improvements performed in*  
5 *accordance with the Public Buildings Act of 1959 (73 Stat.*  
6 *749), the Public Buildings Amendments of 1972 (87 Stat.*  
7 *216), or other applicable law.*

8       *SEC. 608. In addition to funds provided in this or any*  
9 *other Act, all Federal agencies are authorized to receive and*  
10 *use funds resulting from the sale of materials, including*  
11 *Federal records disposed of pursuant to a records schedule*  
12 *recovered through recycling or waste prevention programs.*  
13 *Such funds shall be available until expended for the follow-*  
14 *ing purposes:*

15           *(1) Acquisition, waste reduction and prevention,*  
16 *and recycling programs as described in Executive*  
17 *Order No. 12873 (October 20, 1993), including any*  
18 *such programs adopted prior to the effective date of*  
19 *the Executive order.*

20           *(2) Other Federal agency environmental manage-*  
21 *ment programs, including, but not limited to, the de-*  
22 *velopment and implementation of hazardous waste*  
23 *management and pollution prevention programs.*

1           (3) *Other employee programs as authorized by*  
2           *law or as deemed appropriate by the head of the Fed-*  
3           *eral agency.*

4           *SEC. 609. Funds made available by this or any other*  
5           *Act for administrative expenses in the current fiscal year*  
6           *of the corporations and agencies subject to chapter 91 of*  
7           *title 31, United States Code, shall be available, in addition*  
8           *to objects for which such funds are otherwise available, for*  
9           *rent in the District of Columbia; services in accordance*  
10          *with 5 U.S.C. 3109; and the objects specified under this*  
11          *head, all the provisions of which shall be applicable to the*  
12          *expenditure of such funds unless otherwise specified in the*  
13          *Act by which they are made available: Provided, That in*  
14          *the event any functions budgeted as administrative expenses*  
15          *are subsequently transferred to or paid from other funds,*  
16          *the limitations on administrative expenses shall be cor-*  
17          *respondingly reduced.*

18          *SEC. 610. No part of any appropriation for the current*  
19          *fiscal year contained in this or any other Act shall be paid*  
20          *to any person for the filling of any position for which he*  
21          *or she has been nominated after the Senate has voted not*  
22          *to approve the nomination of said person.*

23          *SEC. 611. No part of any appropriation contained in*  
24          *this or any other Act shall be available for interagency fi-*  
25          *nancing of boards (except Federal Executive Boards), com-*

1 missions, councils, committees, or similar groups (whether  
2 or not they are interagency entities) which do not have a  
3 prior and specific statutory approval to receive financial  
4 support from more than one agency or instrumentality.

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

21       SEC. 613. None of the funds made available pursuant  
22 to the provisions of this Act shall be used to implement,  
23 administer, or enforce any regulation which has been dis-  
24 approved pursuant to a resolution of disapproval duly

1 *adopted in accordance with the applicable law of the United*  
2 *States.*

3 *SEC. 614. (a) Notwithstanding any other provision of*  
4 *law, and except as otherwise provided in this section, no*  
5 *part of any of the funds appropriated for the fiscal year*  
6 *ending on September 30, 1999, by this or any other Act,*  
7 *may be used to pay any prevailing rate employee described*  
8 *in section 5342(a)(2)(A) of title 5, United States Code—*

9 *(1) during the period from the date of expiration*  
10 *of the limitation imposed by section 614 of the Treas-*  
11 *ury and General Government Appropriations Act,*  
12 *1998, until the normal effective date of the applicable*  
13 *wage survey adjustment that is to take effect in fiscal*  
14 *year 1999, in an amount that exceeds the rate pay-*  
15 *able for the applicable grade and step of the applica-*  
16 *ble wage schedule in accordance with such section*  
17 *614; and*

18 *(2) during the period consisting of the remainder*  
19 *of fiscal year 1999, in an amount that exceeds, as a*  
20 *result of a wage survey adjustment, the rate payable*  
21 *under paragraph (1) by more than the sum of—*

22 *(A) the percentage adjustment taking effect*  
23 *in fiscal year 1999 under section 5303 of title 5,*  
24 *United States Code, in the rates of pay under the*  
25 *General Schedule; and*

1           (B) the difference between the overall aver-  
2           age percentage of the locality-based comparabil-  
3           ity payments taking effect in fiscal year 1999  
4           under section 5304 of such title (whether by ad-  
5           justment or otherwise), and the overall average  
6           percentage of such payments which was effective  
7           in fiscal year 1998 under such section.

8           (b) Notwithstanding any other provision of law, no  
9           prevailing rate employee described in subparagraph (B) or  
10          (C) of section 5342(a)(2) of title 5, United States Code, and  
11          no employee covered by section 5348 of such title, may be  
12          paid during the periods for which subsection (a) is in effect  
13          at a rate that exceeds the rates that would be payable under  
14          subsection (a) were subsection (a) applicable to such em-  
15          ployee.

16          (c) For the purposes of this section, the rates payable  
17          to an employee who is covered by this section and who is  
18          paid from a schedule not in existence on September 30,  
19          1998, shall be determined under regulations prescribed by  
20          the Office of Personnel Management.

21          (d) Notwithstanding any other provision of law, rates  
22          of premium pay for employees subject to this section may  
23          not be changed from the rates in effect on September 30,  
24          1998, except to the extent determined by the Office of Per-

1 *sonnel Management to be consistent with the purpose of this*  
2 *section.*

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

5 *(f) For the purpose of administering any provision of*  
6 *law (including any rule or regulation that provides pre-*  
7 *mium pay, retirement, life insurance, or any other em-*  
8 *ployee benefit) that requires any deduction or contribution,*  
9 *or that imposes any requirement or limitation on the basis*  
10 *of a rate of salary or basic pay, the rate of salary or basic*  
11 *pay payable after the application of this section shall be*  
12 *treated as the rate of salary or basic pay.*

13 *(g) Nothing in this section shall be considered to per-*  
14 *mit or require the payment to any employee covered by this*  
15 *section at a rate in excess of the rate that would be payable*  
16 *were this section not in effect.*

17 *(h) The Office of Personnel Management may provide*  
18 *for exceptions to the limitations imposed by this section if*  
19 *the Office determines that such exceptions are necessary to*  
20 *ensure the recruitment or retention of qualified employees.*

21 *SEC. 615. During the period in which the head of any*  
22 *department or agency, or any other officer or civilian em-*  
23 *ployee of the Government appointed by the President of the*  
24 *United States, holds office, no funds may be obligated or*  
25 *expended in excess of \$5,000 to furnish or redecorate the*

1 office of such department head, agency head, officer, or em-  
2 ployee, or to purchase furniture or make improvements for  
3 any such office, unless advance notice of such furnishing  
4 or redecoration is expressly approved by the Committees on  
5 Appropriations of the House and Senate. For the purposes  
6 of this section, the word “office” shall include the entire  
7 suite of offices assigned to the individual, as well as any  
8 other space used primarily by the individual or the use of  
9 which is directly controlled by the individual.

10       SEC. 616. Notwithstanding any other provision of law,  
11 no executive branch agency shall purchase, construct, and/  
12 or lease any additional facilities, except within or contig-  
13 uous to existing locations, to be used for the purpose of con-  
14 ducting Federal law enforcement training without the ad-  
15 vance approval of the House and Senate Committees on Ap-  
16 propriations, except that the Federal Law Enforcement  
17 Training Center is authorized to obtain the temporary use  
18 of additional facilities by lease, contract, or other agreement  
19 for training which cannot be accommodated in existing  
20 Center facilities.

21       SEC. 617. Notwithstanding section 1346 of title 31,  
22 United States Code, or section 611 of this Act, funds made  
23 available for fiscal year 1999 by this or any other Act shall  
24 be available for the interagency funding of national security  
25 and emergency preparedness telecommunications initiatives

1 *which benefit multiple Federal departments, agencies, or en-*  
2 *tities, as provided by Executive Order No. 12472 (April 3,*  
3 *1984).*

4       *SEC. 618. (a) None of the funds appropriated by this*  
5 *or any other Act may be obligated or expended by any Fed-*  
6 *eral department, agency, or other instrumentality for the*  
7 *salaries or expenses of any employee appointed to a position*  
8 *of a confidential or policy-determining character excepted*  
9 *from the competitive service pursuant to section 3302 of*  
10 *title 5, United States Code, without a certification to the*  
11 *Office of Personnel Management from the head of the Fed-*  
12 *eral department, agency, or other instrumentality employ-*  
13 *ing the Schedule C appointee that the Schedule C position*  
14 *was not created solely or primarily in order to detail the*  
15 *employee to the White House.*

16       *(b) The provisions of this section shall not apply to*  
17 *Federal employees or members of the armed services detailed*  
18 *to or from—*

19               *(1) the Central Intelligence Agency;*

20               *(2) the National Security Agency;*

21               *(3) the Defense Intelligence Agency;*

22               *(4) the offices within the Department of Defense*  
23 *for the collection of specialized national foreign intel-*  
24 *ligence through reconnaissance programs;*



1           (5) *the Bureau of Intelligence and Research of*  
2           *the Department of State;*

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

10          (7) *the Director of Central Intelligence.*

11          *SEC. 619. No department, agency, or instrumentality*  
12          *of the United States receiving appropriated funds under*  
13          *this or any other Act for fiscal year 1999 shall obligate or*  
14          *expend any such funds, unless such department, agency, or*  
15          *instrumentality has in place, and will continue to admin-*  
16          *ister in good faith, a written policy designed to ensure that*  
17          *all of its workplaces are free from discrimination and sex-*  
18          *ual harassment and that all of its workplaces are not in*  
19          *violation of title VII of the Civil Rights Act of 1964, as*  
20          *amended, the Age Discrimination in Employment Act of*  
21          *1967, and the Rehabilitation Act of 1973.*

22          *SEC. 620. No part of any appropriation contained in*  
23          *this Act may be used to pay for the expenses of travel of*  
24          *employees, including employees of the Executive Office of*  
25          *the President, not directly responsible for the discharge of*

1 *official governmental tasks and duties: Provided, That this*  
2 *restriction shall not apply to the family of the President,*  
3 *Members of Congress or their spouses, Heads of State of a*  
4 *foreign country or their designees, persons providing assist-*  
5 *ance to the President for official purposes, or other individ-*  
6 *uals so designated by the President.*

7       *SEC. 621. Notwithstanding any provision of law, the*  
8 *President, or his designee, must certify to Congress, annu-*  
9 *ally, that no person or persons with direct or indirect re-*  
10 *sponsibility for administering the Executive Office of the*  
11 *President's Drug-Free Workplace Plan are themselves sub-*  
12 *ject to a program of individual random drug testing.*

13       *SEC. 622. (a) None of the funds made available in this*  
14 *or any other Act may be obligated or expended for any em-*  
15 *ployee training that—*

16               *(1) does not meet identified needs for knowledge,*  
17               *skills, and abilities bearing directly upon the perform-*  
18               *ance of official duties;*

19               *(2) contains elements likely to induce high levels*  
20               *of emotional response or psychological stress in some*  
21               *participants;*

22               *(3) does not require prior employee notification*  
23               *of the content and methods to be used in the training*  
24               *and written end of course evaluation;*

1           (4) contains any methods or content associated  
2           with religious or quasi-religious belief systems or  
3           “new age” belief systems as defined in Equal Employ-  
4           ment Opportunity Commission Notice N-915.022,  
5           dated September 2, 1988; or

6           (5) is offensive to, or designed to change, partici-  
7           pants’ personal values or lifestyle outside the work-  
8           place.

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

12          SEC. 623. No funds appropriated in this or any other  
13          Act for fiscal year 1999 may be used to implement or en-  
14          force the agreements in Standard Forms 312 and 4355 of  
15          the Government or any other nondisclosure policy, form, or  
16          agreement if such policy, form, or agreement does not con-  
17          tain the following provisions: “These restrictions are con-  
18          sistent with and do not supersede, conflict with, or otherwise  
19          alter the employee obligations, rights, or liabilities created  
20          by Executive Order No. 12356; section 7211 of title 5,  
21          United States Code (governing disclosures to Congress); sec-  
22          tion 1034 of title 10, United States Code, as amended by  
23          the Military Whistleblower Protection Act (governing dis-  
24          closure to Congress by members of the military); section  
25          2302(b)(8) of title 5, United States Code, as amended by

1 *the Whistleblower Protection Act (governing disclosures of*  
2 *illegality, waste, fraud, abuse or public health or safety*  
3 *threats); the Intelligence Identities Protection Act of 1982*  
4 *(50 U.S.C. 421 et seq.) (governing disclosures that could ex-*  
5 *pose confidential Government agents); and the statutes*  
6 *which protect against disclosure that may compromise the*  
7 *national security, including sections 641, 793, 794, 798,*  
8 *and 952 of title 18, United States Code, and section 4(b)*  
9 *of the Subversive Activities Act of 1950 (50 U.S.C. 783(b)).*  
10 *The definitions, requirements, obligations, rights, sanctions,*  
11 *and liabilities created by said Executive order and listed*  
12 *statutes are incorporated into this agreement and are con-*  
13 *trolling.”: Provided, That notwithstanding the preceding*  
14 *paragraph, a nondisclosure policy form or agreement that*  
15 *is to be executed by a person connected with the conduct*  
16 *of an intelligence or intelligence-related activity, other than*  
17 *an employee or officer of the United States Government,*  
18 *may contain provisions appropriate to the particular activ-*  
19 *ity for which such document is to be used. Such form or*  
20 *agreement shall, at a minimum, require that the person will*  
21 *not disclose any classified information received in the*  
22 *course of such activity unless specifically authorized to do*  
23 *so by the United States Government. Such nondisclosure*  
24 *forms shall also make it clear that they do not bar disclo-*  
25 *tures to Congress or to an authorized official of an executive*

1 *agency or the Department of Justice that are essential to*  
2 *reporting a substantial violation of law.*

3       *SEC. 624. No part of any funds appropriated in this*  
4 *or any other Act shall be used by an agency of the executive*  
5 *branch, other than for normal and recognized executive-leg-*  
6 *islative relationships, for publicity or propaganda pur-*  
7 *poses, and for the preparation, distribution or use of any*  
8 *kit, pamphlet, booklet, publication, radio, television or film*  
9 *presentation designed to support or defeat legislation pend-*  
10 *ing before the Congress, except in presentation to the Con-*  
11 *gress itself.*

12       *SEC. 625. (a) IN GENERAL.—Beginning in calendar*  
13 *year 2000, and every 2 calendar years thereafter, the Direc-*  
14 *tor of the Office of Management and Budget shall prepare*  
15 *and submit to Congress, with the budget submitted under*  
16 *section 1105 of title 31, United States Code, an accounting*  
17 *statement and associated report containing—*

18               *(1) an estimate of the total annual costs and*  
19               *benefits (including quantifiable and nonquantifiable*  
20               *effects) of Federal rules and paperwork, to the extent*  
21               *feasible—*

22                       *(A) in the aggregate;*

23                       *(B) by agency and agency program; and*

24                       *(C) by major rule;*

1           (2) *an analysis of impacts of Federal regulation*  
2           *on State, local, and tribal government, small business,*  
3           *wages, and economic growth; and*

4           (3) *recommendations for reform.*

5           (b) *NOTICE.*—*The Director of the Office of Manage-*  
6           *ment and Budget shall provide public notice and an oppor-*  
7           *tunity to comment on the statement and report under sub-*  
8           *section (a) before the statement and report are submitted*  
9           *to Congress.*

10          (c) *GUIDELINES.*—*To implement this section, the Di-*  
11          *rector of the Office of Management and Budget shall issue*  
12          *guidelines to agencies to standardize—*

13               (1) *measures of costs and benefits; and*

14               (2) *the format of accounting statements.*

15          (d) *PEER REVIEW.*—*The Director of the Office of Man-*  
16          *agement and Budget shall provide for independent and ex-*  
17          *ternal peer review of the guidelines and each accounting*  
18          *statement and associated report under this section. Such*  
19          *peer review shall not be subject to the Federal Advisory*  
20          *Committee Act (5 U.S.C. App.).*

21          *SEC. 626. None of the funds appropriated by this Act*  
22          *or any other Act, may be used by an agency to provide*  
23          *a Federal employee's home address to any labor organiza-*  
24          *tion except when it is made known to the Federal official*  
25          *having authority to obligate or expend such funds that the*

1 *employee has authorized such disclosure or that such disclo-*  
2 *sure has been ordered by a court of competent jurisdiction.*

3 *SEC. 627. The Secretary of the Treasury is authorized*  
4 *to establish scientific certification standards for explosives*  
5 *detection canines, and shall provide, on a reimbursable*  
6 *basis, for the certification of explosives detection canines*  
7 *employed by Federal agencies, or other agencies providing*  
8 *explosives detection services at airports in the United*  
9 *States.*

10 *SEC. 628. None of the funds made available in this*  
11 *Act or any other Act may be used to provide any non-public*  
12 *information such as mailing or telephone lists to any per-*  
13 *son or any organization outside of the Federal Government*  
14 *without the approval of the House and Senate Committees*  
15 *on Appropriations.*

16 *SEC. 629. Notwithstanding section 611, interagency fi-*  
17 *nancing is authorized to carry out the purposes of the Na-*  
18 *tional Bioethics Advisory Commission.*

19 *SEC. 630. No part of any appropriation contained in*  
20 *this or any other Act shall be used for publicity or propa-*  
21 *ganda purposes within the United States not heretofore au-*  
22 *thorized by the Congress.*

23 *SEC. 631. None of the funds appropriated in this or*  
24 *any other Act shall be used to acquire information tech-*  
25 *nologies which do not comply with part 39.106 (Year 2000*

1 compliance) of the Federal Acquisition Regulation, unless  
2 an agency's Chief Information Officer determines that non-  
3 compliance with part 39.106 is necessary to the function  
4 and operation of the requesting agency or the acquisition  
5 is required by a signed contract with the agency in effect  
6 before the date of enactment of this Act. Any waiver granted  
7 by the Chief Information Officer shall be reported to the  
8 Office of Management and Budget, and copies shall be pro-  
9 vided to Congress.

10 SEC. 632. None of the funds made available in this  
11 Act for the United States Customs Service may be used to  
12 allow the importation into the United States of any good,  
13 ware, article, or merchandise mined, produced, or manufac-  
14 tured by forced or indentured child labor, as determined  
15 pursuant to section 307 of the Tariff Act of 1930 (19 U.S.C.  
16 1307).

17 SEC. 633. No part of any appropriation contained in  
18 this or any other Act shall be available for the payment  
19 of the salary of any officer or employee of the Federal Gov-  
20 ernment, who—

21 (1) prohibits or prevents, or attempts or threat-  
22 ens to prohibit or prevent, any other officer or em-  
23 ployee of the Federal Government from having any  
24 direct oral or written communication or contact with  
25 any Member, committee, or subcommittee of the Con-



1        *gress in connection with any matter pertaining to the*  
2        *employment of such other officer or employee or per-*  
3        *taining to the department or agency of such other of-*  
4        *ficer or employee in any way, irrespective of whether*  
5        *such communication or contact is at the initiative of*  
6        *such other officer or employee or in response to the re-*  
7        *quest or inquiry of such Member, committee, or sub-*  
8        *committee; or*

9            *(2) removes, suspends from duty without pay,*  
10        *demotes, reduces in rank, seniority, status, pay, or*  
11        *performance of efficiency rating, denies promotion to,*  
12        *relocates, reassigns, transfers, disciplines, or discrimi-*  
13        *nates in regard to any employment right, entitlement,*  
14        *or benefit, or any term or condition of employment of,*  
15        *any other officer or employee of the Federal Govern-*  
16        *ment, or attempts or threatens to commit any of the*  
17        *foregoing actions with respect to such other officer or*  
18        *employee, by reason of any communication or contact*  
19        *of such other officer or employee with any Member,*  
20        *committee, or subcommittee of the Congress as de-*  
21        *scribed in paragraph (1).*

22        *SEC. 634. The Director of the United States Marshals*  
23        *Service is directed to conduct a quarterly threat assessment*  
24        *on the Director of the Office of National Drug Control Pol-*  
25        *icy.*

1       *SEC. 635. Section 636(c) of Public Law 104–208 is*  
2 *amended as follows:*

3           *(1) In subparagraph (1) by inserting after*  
4       *“United States Code” the following: “any agency or*  
5       *court in the Judicial Branch,”;*

6           *(2) In subparagraph (2) by amending “prosecu-*  
7       *tion, or detention” to read: “prosecution, detention, or*  
8       *supervision”; and*

9           *(3) In subparagraph (3) by inserting after “title*  
10       *5,” the following: “and, with regard to the Judicial*  
11       *Branch, mean a justice or judge of the United States*  
12       *as defined in 28 U.S.C. 451 in regular active service*  
13       *or retired from regular active service, other judicial*  
14       *officers as authorized by the Judicial Conference of*  
15       *the United States, and supervisors and managers*  
16       *within the Judicial Branch as authorized by the Ju-*  
17       *dicial Conference of the United States,”.*

18       *SEC. 636. Notwithstanding section 1346 of title 31,*  
19 *United States Code, or section 611 of this Act, funds made*  
20 *available for fiscal year 1999 by this or any other Act shall*  
21 *be available for the interagency funding of specific projects,*  
22 *workshops, studies, and similar efforts to carry out the pur-*  
23 *poses of the National Science and Technology Council (au-*  
24 *thorized by Executive Order No. 12881), which benefit mul-*  
25 *tiple Federal departments, agencies, or entities.*

1        *SEC. 637. Section 626(b) of the Treasury, Postal Serv-*  
2 *ice, and General Government Appropriations Act, 1997, as*  
3 *contained in section 101(f) of Public Law 104–208 (110*  
4 *Stat. 3009–360), the Omnibus Appropriations Act, 1997,*  
5 *is amended to read as follows: “(b) Until September 30,*  
6 *1999, or until the end of the current FTS 2000 contracts,*  
7 *whichever is earlier, subsection (a) shall continue to apply*  
8 *to the use of the funds appropriated by this or any other*  
9 *Act.”.*

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

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

13                *(2) includes a military department as defined*  
14        *under section 102 of such title, the Postal Service, and*  
15        *the Postal Rate Commission; and*

16                *(3) shall not include the General Accounting Of-*  
17        *fice.*

18        *(b) Unless authorized in accordance with law or regu-*  
19 *lations to use such time for other purposes, an employee*  
20 *of an agency shall use official time in an honest effort to*  
21 *perform official duties. An employee not under a leave sys-*  
22 *tem, including a Presidential appointee exempted under*  
23 *section 6301(2) of title 5, United States Code, has an obliga-*  
24 *tion to expend an honest effort and a reasonable proportion*  
25 *of such employee’s time in the performance of official duties.*

1       *SEC. 639. For purposes of each provision of law*  
2 *amended by section 704(a)(2) of the Ethics Reform Act of*  
3 *1989 (5 U.S.C. 5318 note), no adjustment under section*  
4 *5303 of title 5, United States Code, shall be considered to*  
5 *have taken effect in fiscal year 1999 in the rates of basic*  
6 *pay for the statutory pay systems.*

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

13       *SEC. 641. Notwithstanding any other provision of law,*  
14 *the Secretary of the Treasury is authorized to, upon submis-*  
15 *sion of proper documentation (as determined by the Sec-*  
16 *retary), reimburse importers of large capacity military*  
17 *magazine rifles as defined in the Treasury Department's*  
18 *April 6, 1998 "Study on the Sporting Suitability of Modi-*  
19 *fied Semiautomatic Assault Rifles", for which authority*  
20 *had been granted to import such firearms into the United*  
21 *States on or before November 14, 1997, and released under*  
22 *bond to the importer by the U.S. Customs Service on or*  
23 *before February 10, 1998: Provided, That the importer*  
24 *abandons title to the firearms to the United States: Pro-*  
25 *vided further, That reimbursements are submitted to the*

1 *Secretary for his approval within 120 days of enactment*  
2 *of this provision. In no event shall reimbursements under*  
3 *this provision exceed the importers cost for the weapons,*  
4 *plus any shipping, transportation, duty, and storage costs*  
5 *related to the importation of such weapons. Money made*  
6 *available for expenditure under 31 U.S.C. section 1304(a)*  
7 *in an amount not to exceed \$1,000,000 shall be available*  
8 *for reimbursements under this provision: Provided, That ac-*  
9 *cepting the compensation provided under this provision is*  
10 *final and conclusive and constitutes a complete release of*  
11 *any and all claims, demands, rights, and causes of action*  
12 *whatsoever against the United States, its agencies, officers,*  
13 *or employees arising from the denial by the Department*  
14 *of the Treasury of the entry of such firearms into the United*  
15 *States. Such compensation is not otherwise required by law*  
16 *and is not intended to create or recognize any legally en-*  
17 *forceable right to any person.*

18       *SEC. 642. The Federal Acquisition Regulation shall be*  
19 *revised, within 180 days after the date of enactment of this*  
20 *Act, to include the use of forced or indentured child labor*  
21 *in mining, production, or manufacturing as a cause on the*  
22 *lists of causes for debarment and suspension from contract-*  
23 *ing with executive agencies that are set forth in the regula-*  
24 *tion.*

1       *SEC. 643. (a) The adjustment in rates of basic pay*  
 2       *for the statutory pay systems that takes effect in fiscal year*  
 3       *1999 under section 5303 and 5304 of title 5, United States*  
 4       *Code, shall be an increase of 3.6 percent.*

5       *(b) Funds used to carry out this section shall be paid*  
 6       *from appropriations which are made to each applicable de-*  
 7       *partment or agency for salaries and expenses for fiscal year*  
 8       *1999.*

9       *SEC. 644. FEDERAL FIREFIGHTERS OVERTIME PAY*  
 10       *REFORM ACT OF 1998. (a) IN GENERAL.—Subchapter V*  
 11       *of chapter 55 of title 5, United States Code, is amended—*

12               *(1) in section 5542 by adding at the end the fol-*  
 13       *lowing new subsection:*

14       *“(f) In applying subsection (a) of this section with re-*  
 15       *spect to a firefighter who is subject to section 5545b—*

16               *“(1) such subsection shall be deemed to apply to*  
 17       *hours of work officially ordered or approved in excess*  
 18       *of 106 hours in a biweekly pay period, or, if the agen-*  
 19       *cy establishes a weekly basis for overtime pay com-*  
 20       *putation, in excess of 53 hours in an administrative*  
 21       *workweek; and*

22               *“(2) the overtime hourly rate of pay is an*  
 23       *amount equal to one and one-half times the hourly*  
 24       *rate of basic pay under section 5545b (b)(1)(A) or*  
 25       *(c)(1)(B), as applicable, and such overtime hourly*

1       rate of pay may not be less than such hourly rate of  
 2       basic pay in applying the limitation on the overtime  
 3       rate provided in paragraph (2) of such subsection  
 4       (a).”; and

5               (2) by inserting after section 5545a the following  
 6       new section:

7       **“§ 5545b. Pay for firefighters**

8               “(a) This section applies to an employee whose posi-  
 9       tion is classified in the firefighter occupation in conform-  
 10      ance with the GS-081 standard published by the Office of  
 11      Personnel Management, and whose normal work schedule,  
 12      as in effect throughout the year, consists of regular tours  
 13      of duty which average at least 106 hours per biweekly pay  
 14      period.

15              “(b)(1) If the regular tour of duty of a firefighter sub-  
 16      ject to this section generally consists of 24-hour shifts, rather  
 17      than a basic 40-hour workweek (as determined under regu-  
 18      lations prescribed by the Office of Personnel Management),  
 19      section 5504(b) shall be applied as follows in computing  
 20      pay—

21              “(A) paragraph (1) of such section shall be  
 22      deemed to require that the annual rate be divided by  
 23      2756 to derive the hourly rate; and

1           “(B) the computation of such firefighter’s daily,  
 2       weekly, or biweekly rate shall be based on the hourly  
 3       rate under subparagraph (A);

4       “(2) For the purpose of sections 5595(c), 5941,  
 5       8331(3), and 8704(c), and for such other purposes as may  
 6       be expressly provided for by law or as the Office of Person-  
 7       nel Management may by regulation prescribe, the basic pay  
 8       of a firefighter subject to this subsection shall include an  
 9       amount equal to the firefighter’s basic hourly rate (as com-  
 10      puted under paragraph (1)(A)) for all hours in such fire-  
 11      fighter’s regular tour of duty (including overtime hours).

12       “(c)(1) If the regular tour of duty of a firefighter sub-  
 13      ject to this section includes a basic 40-hour workweek (as  
 14      determined under regulations prescribed by the Office of  
 15      Personnel Management), section 5504(b) shall be applied as  
 16      follows in computing pay—

17           “(A) the provisions of such section shall apply to  
 18      the hours within the basic 40-hour workweek;

19           “(B) for hours outside the basic 40-hour work-  
 20      week, such section shall be deemed to require that the  
 21      hourly rate be derived by dividing the annual rate by  
 22      2756; and

23           “(C) the computation of such firefighter’s daily,  
 24      weekly, or biweekly rate shall be based on subpara-



1        *graphs (A) and (B), as each applies to the hours in-*  
2        *volved.*

3        *“(2) For purposes of sections 5595(c), 5941, 8331(3),*  
4        *and 8704(c), and for such other purposes as may be ex-*  
5        *pressly provided for by law or as the Office of Personnel*  
6        *Management may by regulation prescribe, the basic pay of*  
7        *a firefighter subject to this subsection shall include—*

8                *“(A) an amount computed under paragraph*  
9        *(1)(A) for the hours within the basic 40-hour work-*  
10       *week; and*

11               *“(B) an amount equal to the firefighter’s basic*  
12       *hourly rate (as computed under paragraph (1)(B))*  
13       *for all hours outside the basic 40-hour workweek that*  
14       *are within such firefighter’s regular tour of duty (in-*  
15       *cluding overtime hours).*

16        *“(d)(1) A firefighter who is subject to this section shall*  
17       *receive overtime pay in accordance with section 5542, but*  
18       *shall not receive premium pay provided by other provisions*  
19       *of this subchapter.*

20        *“(2) For the purpose of applying section 7(k) of the*  
21       *Fair Labor Standards Act of 1938 to a firefighter who is*  
22       *subject to this section, no violation referred to in such sec-*  
23       *tion 7(k) shall be deemed to have occurred if the require-*  
24       *ments of section 5542(a) are met, applying section 5542(a)*  
25       *as provided in subsection (f) of that section. The overtime*

1 *hourly rate of pay for such firefighter shall in all cases be*  
 2 *an amount equal to one and one-half times the firefighter's*  
 3 *hourly rate of basic pay under subsection (b)(1)(A) or*  
 4 *(c)(1)(B) of this section, as applicable.*

5       “(3) *The Office of Personnel Management may pre-*  
 6 *scribe regulations, with respect to firefighters subject to this*  
 7 *section, that would permit an agency to reduce or eliminate*  
 8 *the variation in the amount of firefighters' biweekly pay*  
 9 *caused by work scheduling cycles that result in varying*  
 10 *hours in the regular tours of duty from pay period to pay*  
 11 *period. Under such regulations, the pay that a firefighter*  
 12 *would otherwise receive for regular tours of duty over the*  
 13 *work scheduling cycle shall, to the extent practicable, re-*  
 14 *main unaffected.”.*

15       (b) *TECHNICAL AND CONFORMING AMENDMENT.—The*  
 16 *table of sections for chapter 55 of title 5, United States*  
 17 *Code, is amended by inserting after the item relating to*  
 18 *section 5545a the following:*

*“5545b. Pay for firefighters.”.*

19       (c) *TRAINING.—Section 4109 of title 5, United States*  
 20 *Code, is amended by adding at the end the following new*  
 21 *subsection:*

22       “(d) *Notwithstanding subsection (a)(1), a firefighter*  
 23 *who is subject to section 5545b of this title shall be paid*  
 24 *basic pay and overtime pay for the firefighter's regular tour*  
 25 *of duty while attending agency sanctioned training.”.*

1       (d) *INCLUSION IN BASIC PAY FOR FEDERAL RETIRE-*  
 2 *MENT.*—Section 8331(3) of title 5, United States Code, is  
 3 *amended—*

4           (1) *by striking “and” after subparagraph (D);*

5           (2) *by redesignating subparagraph (E) as sub-*  
 6 *paragraph (G);*

7           (3) *by inserting the following:*

8                   *“(E) with respect to a criminal investiga-*  
 9 *tor, availability pay under section 5545a of this*  
 10 *title;*

11                   *“(F) pay as provided in section 5545b*  
 12 *(b)(2) and (c)(2); and ”; and*

13           (4) *by striking “subparagraphs (B), (C), (D),*  
 14 *and (E)” and inserting “subparagraphs (B) through*  
 15 *(G)”.*

16       (e) *EFFECTIVE DATE.*—*The amendments made by this*  
 17 *section shall take effect on the first day of the first applica-*  
 18 *ble pay period which begins on or after the later of October*  
 19 *1, 1998, or the 180th day following the date of enactment*  
 20 *of this section.*

21       (f) *REGULATIONS.*—*Under regulations prescribed by*  
 22 *the Office of Personnel Management, a firefighter subject to*  
 23 *section 5545b of title 5, United States Code, as added by*  
 24 *this section, whose regular tours of duty average 60 hours*  
 25 *or less per workweek and do not include a basic 40-hour*

1 *workweek, shall, upon implementation of this section, be*  
 2 *granted an increase in basic pay equal to 2 step-increases*  
 3 *of the applicable General Schedule grade, and such increase*  
 4 *shall not be an equivalent increase in pay. If such increase*  
 5 *results in a change to a longer waiting period for the fire-*  
 6 *fighter's next step increase, the firefighter shall be credited*  
 7 *with an additional year of service for the purpose of such*  
 8 *waiting period. If such increase results in a rate of basic*  
 9 *pay which is above the maximum rate of the applicable*  
 10 *grade, such resulting pay rate shall be treated as a retained*  
 11 *rate of basic pay in accordance with section 5363 of title*  
 12 *5, United States Code.*

13 *(g) NO REDUCTION IN REGULAR PAY.—Under regula-*  
 14 *tions prescribed by the Office of Personnel Management, the*  
 15 *regular pay (over the established work scheduling cycle) of*  
 16 *a firefighter subject to section 5545b of title 5, United States*  
 17 *Code, as added by this section, shall not be reduced as a*  
 18 *result of the implementation of this section.*

19 *SEC. 645. INTERNATIONAL MAIL REPORTING RE-*  
 20 *QUIREMENT. (a) IN GENERAL.—Chapter 36 of title 39,*  
 21 *United States Code, is amended by adding after section*  
 22 *3662 the following:*

23 **“§ 3663. Annual report on international services**

24 *“(a) Not later than July 1 of each year, the Postal*  
 25 *Rate Commission shall transmit to each House of Congress*

1 *a comprehensive report of the costs, revenues, and volumes*  
 2 *accrued by the Postal Service in connection with mail mat-*  
 3 *ter conveyed between the United States and other countries*  
 4 *for the previous fiscal year.*

5       “(b) Not later than March 15 of each year, the Postal  
 6 Service shall provide to the Postal Rate Commission such  
 7 data as the Commission may require to prepare the report  
 8 required under subsection (a) of this section. Data shall be  
 9 provided in sufficient detail to enable the Commission to  
 10 analyze the costs, revenues, and volumes for each inter-  
 11 national mail product or service, under the methods deter-  
 12 mined appropriate by the Commission for the analysis of  
 13 rates for domestic mail.”.

14       (b) *TECHNICAL AND CONFORMING AMENDMENT.*—The  
 15 table of sections for chapter 63 of title 39, United States  
 16 Code, is amended by adding after the item relating to sec-  
 17 tion 3662 the following:

“3663. Annual report on international services.”.

18       *SEC. 646. CHILD CARE SERVICES FOR FEDERAL EM-*  
 19 *PLOYEES. (a) IN GENERAL.*—An Executive agency which  
 20 provides or proposes to provide child care services for Fed-  
 21 eral employees may use agency funds to provide child care,  
 22 in a Federal or leased facility, or through contract, for civil-  
 23 ian employees of such agency.

24       (b) *AFFORDABILITY.*—Amounts provided under sub-  
 25 section (a) with respect to any facility or contractor de-

1 scribed in such subsection shall be applied to improve the  
 2 affordability of child care for lower income Federal employ-  
 3 ees using or seeking to use the child care services offered  
 4 by such facility or contractor.

5 (c) *REGULATIONS.*—The Office of Personnel Manage-  
 6 ment and the General Services Administration shall, within  
 7 180 days after the date of enactment of this Act, issue regu-  
 8 lations necessary to carry out this section.

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

13 *SEC. 647. EXTENSION OF SUNSET PROVISION.* Section  
 14 2(f)(2) of the Undetectable Firearms Act of 1988 (18 U.S.C.  
 15 922 note) is amended by striking “(2)” and all that follows  
 16 through “10 years” and inserting the following:

17 “(2) *SUNSET.*—Effective 15 years”.

18 *SEC. 648. SENSE OF CONGRESS THAT A POSTAGE*  
 19 *STAMP SHOULD BE ISSUED HONORING OSKAR SCHINDLER.*

20 (a) *FINDINGS.*—

21 (1) Since during the Nazi occupation of Poland,  
 22 Oskar Schindler personally risked his life and that of  
 23 his wife to provide food and medical care and saved  
 24 the lives of over 1,000 Jews from death, many of  
 25 whom later made their homes in the United States.

1           (2) *Since Oskar Schindler also rescued about 100*  
2           *Jewish men and women from the Golezow concentra-*  
3           *tion camp, who lay trapped and partly frozen in 2*  
4           *sealed train cars stranded near Brunnlitz.*

5           (3) *Since millions of Americans have been made*  
6           *aware of the story of Schindler's bravery.*

7           (4) *Since on April 28, 1962, Oskar Schindler*  
8           *was named a "Righteous Gentile" by Yad Vashem.*

9           (5) *Since Oskar Schindler is a true hero and hu-*  
10          *manitarian deserving of honor by the United States*  
11          *Government.*

12          (b) *SENSE OF CONGRESS.—It is the sense of the Con-*  
13          *gress that the Postal Service should issue a stamp honoring*  
14          *the life of Oskar Schindler.*

15          SEC. 649. *No funds appropriated by this Act shall be*  
16          *available to pay for an abortion, or the administrative ex-*  
17          *penses in connection with any health plan under the Fed-*  
18          *eral employees health benefit program which provides any*  
19          *benefits or coverage for abortions.*

20          SEC. 650. *The provision of section 649 shall not apply*  
21          *where the life of the mother would be endangered if the fetus*  
22          *were carried to term, or the pregnancy is the result of an*  
23          *act of rape or incest.*

24          SEC. 651. (a) *None of the funds appropriated by this*  
25          *Act may be expended by the Office of Personnel Manage-*

1 *ment to enter into or renew any contract under section 8902*  
2 *of title 5, United States Code, for a health benefits plan—*

3 *(1) which provides coverage for prescription*  
4 *drugs, unless such plan also provides equivalent cov-*  
5 *erage for prescription contraceptive drugs or devices*  
6 *approved by the Food and Drug Administration, or*  
7 *generic equivalents approved as substitutable by the*  
8 *Food and Drug Administration; or*

9 *(2) which provides benefits for outpatient serv-*  
10 *ices provided by a health care professional, unless*  
11 *such plan also provides equivalent benefits for out-*  
12 *patient contraceptive services.*

13 *(b) Nothing in this section shall apply to a contract*  
14 *with any of the following religious plans:*

15 *(1) SelectCare.*

16 *(2) PersonalCare's HMO.*

17 *(3) Care Choices.*

18 *(4) OSF Health Plans, Inc.*

19 *(5) Yellowstone Community Health Plan.*

20 *(6) Any other existing or future religious based*  
21 *plan whose religious tenets are in conflict with the re-*  
22 *quirements in this Act.*

23 *(c) For purposes of this section—*



1           (1) the term “contraceptive drug or device”  
2       means a drug or device intended for preventing preg-  
3       nancy; and

4           (2) the term “outpatient contraceptive services”  
5       means consultations, examinations, procedures, and  
6       medical services, provided on an outpatient basis and  
7       related to the use of contraceptive methods (including  
8       natural family planning) to prevent pregnancy.

9       (d) Nothing in this section shall be construed to require  
10     coverage of abortion or abortion related services.

11       SEC. 652. IMPORTATION OF CERTAIN GRAINS. (a)  
12     FINDINGS.—The Congress finds that—

13           (1) importation of grains into the United States  
14       at less than the cost to produce those grains is causing  
15       injury to the United States producers of those grains;

16           (2) importation of grains into the United States  
17       at less than the fair value of those grains is causing  
18       injury to the United States producers of those grains;

19           (3) the Canadian Government and the Canadian  
20       Wheat Board have refused to disclose pricing and cost  
21       information necessary to determine whether grains  
22       are being exported to the United States at prices in  
23       violation of United States trade laws or agreements.

24       (b) REQUIREMENTS.—

1           (1) *The Customs Service, consulting with the*  
2           *United States Trade Representative and the Depart-*  
3           *ment of Commerce, shall conduct a study of the effi-*  
4           *ciency and effectiveness of requiring that all spring*  
5           *wheat, durum or barley imported into the United*  
6           *States be imported into the United States through a*  
7           *single port of entry.*

8           (2) *The Customs Service, consulting with the*  
9           *United States Trade Representative and the Depart-*  
10          *ment of Commerce, shall determine whether such*  
11          *spring wheat, durum and barley could be imported*  
12          *into the United States through a single port of entry*  
13          *until either the Canadian Wheat Board or the Cana-*  
14          *dian Government discloses all information necessary*  
15          *to determine the cost and price for all such grains*  
16          *being exported to the United States from Canada and*  
17          *whether such cost or price violates any law of the*  
18          *United States, or violates, is inconsistent with, or de-*  
19          *nies benefits to the United States under, any trade*  
20          *agreement.*

21          (3) *The Customs Service shall report to the Com-*  
22          *mittees on Appropriations and Finance not later*  
23          *than ninety days after the effective date of this Act*  
24          *on the results of the study required by paragraphs (1)*  
25          *and (2).*

1        *SEC. 653. ASSESSMENT OF FEDERAL REGULATIONS*  
2   *AND POLICIES ON FAMILIES. (a) PURPOSES.—The purposes*  
3   *of this section are to—*

4            *(1) require agencies to assess the impact of pro-*  
5   *posed agency actions on family well-being; and*

6            *(2) improve the management of executive branch*  
7   *agencies.*

8        *(b) DEFINITIONS.—In this section—*

9            *(1) the term “agency” has the meaning given the*  
10   *term “Executive agency” by section 105 of title 5,*  
11   *United States Code, except such term does not include*  
12   *the General Accounting Office; and*

13           *(2) the term “family” means—*

14            *(A) a group of individuals related by blood,*  
15   *marriage, adoption, or other legal custody who*  
16   *live together as a single household; and*

17            *(B) any individual who is not a member of*  
18   *such group, but who is related by blood, mar-*  
19   *riage, or adoption to a member of such group,*  
20   *and over half of whose support in a calendar*  
21   *year is received from such group.*

22        *(c) FAMILY POLICYMAKING ASSESSMENT.—Before im-*  
23   *plementing policies and regulations that may affect family*  
24   *well-being, each agency shall assess such actions with re-*  
25   *spect to whether—*

1           (1) *the action strengthens or erodes the stability*  
 2           *or safety of the family and, particularly, the marital*  
 3           *commitment;*

4           (2) *the action strengthens or erodes the authority*  
 5           *and rights of parents in the education, nurture, and*  
 6           *supervision of their children;*

7           (3) *the action helps the family perform its func-*  
 8           *tions, or substitutes governmental activity for the*  
 9           *function;*

10          (4) *the action increases or decreases disposable*  
 11          *income or poverty of families and children;*

12          (5) *the proposed benefits of the action justify the*  
 13          *financial impact on the family;*

14          (6) *the action may be carried out by State or*  
 15          *local government or by the family; and*

16          (7) *the action establishes an implicit or explicit*  
 17          *policy concerning the relationship between the behav-*  
 18          *ior and personal responsibility of youth, and the*  
 19          *norms of society.*

20          (d) *GOVERNMENTWIDE FAMILY POLICY COORDINATION*  
 21          *AND REVIEW.—*

22               (1) *CERTIFICATION AND RATIONALE.—With re-*  
 23               *spect to each proposed policy or regulation that may*  
 24               *affect family well-being, the head of each agency*  
 25               *shall—*

1           (A) submit a written certification to the Di-  
2           rector of the Office of Management and Budget  
3           and to Congress that such policy or regulation  
4           has been assessed in accordance with this section;  
5           and

6           (B) provide an adequate rationale for im-  
7           plementation of each policy or regulation that  
8           may negatively affect family well-being.

9           (2) OFFICE OF MANAGEMENT AND BUDGET.—The  
10          Director of the Office of Management and Budget  
11          shall—

12          (A) ensure that policies and regulations  
13          proposed by agencies are implemented consistent  
14          with this section; and

15          (B) compile, index, and submit annually to  
16          the Congress the written certifications received  
17          pursuant to paragraph (1)(A).

18          (3) OFFICE OF POLICY DEVELOPMENT.—The Of-  
19          fice of Policy Development shall—

20          (A) assess proposed policies and regulations  
21          in accordance with this section;

22          (B) provide evaluations of policies and reg-  
23          ulations that may affect family well-being to the  
24          Director of the Office of Management and Budg-  
25          et; and

1                   (C) advise the President on policy and regu-  
 2                   latory actions that may be taken to strengthen  
 3                   the institutions of marriage and family in the  
 4                   United States.

5           (e) ASSESSMENTS UPON REQUEST BY MEMBERS OF  
 6 CONGRESS.—Upon request by a Member of Congress relat-  
 7 ing to a proposed policy or regulation, an agency shall con-  
 8 duct an assessment in accordance with subsection (c), and  
 9 shall provide a certification and rationale in accordance  
 10 with subsection (d).

11          (f) JUDICIAL REVIEW.—This section is not intended  
 12 to create any right or benefit, substantive or procedural,  
 13 enforceable at law by a party against the United States,  
 14 its agencies, its officers, or any person.

15          SEC. 654. FAMILY WELL-BEING AND CHILDREN’S IM-  
 16 PACT STATEMENT. Consideration of any bill or joint resolu-  
 17 tion of a public character reported by any committee of the  
 18 Senate or of the House of Representatives that is accom-  
 19 panied by a committee report that does not contain a de-  
 20 tailed analysis of the probable impact of the bill or resolu-  
 21 tion on family well-being and on children, including wheth-  
 22 er such bill or joint resolution will increase the number of  
 23 children who are hungry or homeless, shall not be in order.

24          SEC. 655. ADDITIONAL PURCHASES OF OIL FOR THE  
 25 STRATEGIC PETROLEUM RESERVE. In response to histori-

1 cally low prices for oil produced domestically and to build  
 2 national capacity for response to future energy supply  
 3 emergencies, the Secretary of Energy shall purchase and  
 4 transport an additional \$420,000,000 of oil for the Strate-  
 5 gic Petroleum Reserve upon a determination by the Presi-  
 6 dent that current market conditions are imperiling domes-  
 7 tic oil production from marginal and small producers: Pro-  
 8 vided, That an official budget request for the purchase of  
 9 oil for the Strategic Petroleum Reserve and including a des-  
 10 ignation of the entire request as an emergency requirement  
 11 as defined in the Balanced Budget and Emergency Deficit  
 12 Control Act of 1985, as amended, is transmitted by the  
 13 President to the Congress: Provided further, That the entire  
 14 amount in the preceding proviso is designated by the Con-  
 15 gress as an emergency requirement pursuant to section  
 16 251(b)(2)(A) of such Act.

17       SEC. 656. POSTAGE STAMP HONORING THE ONE HUN-  
 18 DRED FIFTIETH ANNIVERSARY OF IRISH IMMIGRATION TO  
 19 THE UNITED STATES. (a) FINDINGS.—The Senate finds  
 20 that—

21               (1) more than 44,000,000 Americans trace their  
 22 ancestry to Ireland;

23               (2) of these 44,000,000, many are descended from  
 24 the nearly 2,000,000 Irish immigrants who were

1       *forced to flee Ireland during the “Great Hunger” of*  
2       *1845–1850;*

3               *(3) those immigrants dedicated themselves to the*  
4       *development of our Nation and contributed immensely*  
5       *to it by helping to build our railroads, our canals,*  
6       *our cities and our schools;*

7               *(4) 1998 marks the one hundred fiftieth anniver-*  
8       *sary of the mass immigration of Irish immigrants to*  
9       *America during the Irish Potato Famine;*

10              *(5) commemorating this tragic but defining epi-*  
11       *sode in the history of American immigration would*  
12       *be deserving of honor by the United States Govern-*  
13       *ment.*

14       *(b) SENSE OF CONGRESS.—It is the sense of Congress*  
15       *that the United States Postal Service should issue a stamp*  
16       *honoring the one hundred fiftieth anniversary of Irish im-*  
17       *migration to the United States during the Irish Famine*  
18       *of 1845–1850.*

19       *SEC. 657. POST OFFICE RELOCATIONS, CLOSINGS, AND*  
20       *CONSOLIDATIONS. (a) SHORT TITLE.—This section may be*  
21       *cited as the “Community and Postal Participation Act of*  
22       *1998”.*

23              *(b) GUIDELINES FOR RELOCATION, CLOSING, OR CON-*  
24       *SOLIDATION OF POST OFFICES.—Section 404 of title 39,*



1 *United States Code, is amended by striking subsection (b)*  
2 *and inserting the following:*

3       “(b)(1) *Before making a determination under sub-*  
4 *section (a)(3) as to the necessity for the relocation, closing,*  
5 *or consolidation of any post office, the Postal Service shall*  
6 *provide adequate notice to persons served by that post office*  
7 *of the intention of the Postal Service to relocate, close, or*  
8 *consolidate that post office not later than 60 days before*  
9 *the proposed date of that relocation, closing, or consolida-*  
10 *tion.*

11       “(2)(A) *The notification under paragraph (1) shall be*  
12 *in writing, hand delivered or delivered by mail to persons*  
13 *served by that post office, and published in 1 or more news-*  
14 *papers of general circulation within the zip codes served*  
15 *by that post office.*

16       “(B) *The notification under paragraph (1) shall in-*  
17 *clude—*

18               “(i) *an identification of the relocation, closing,*  
19 *or consolidation of the post office involved;*

20               “(ii) *a summary of the reasons for the relocation,*  
21 *closing, or consolidation; and*

22               “(iii) *the proposed date for the relocation, clos-*  
23 *ing, or consolidation.*

24       “(3) *Any person served by the post office that is the*  
25 *subject of a notification under paragraph (1) may offer an*

1 *alternative relocation, consolidation, or closing proposal*  
2 *during the 60-day period beginning on the date on which*  
3 *the notice is provided under paragraph (1).*

4       “(4)(A) *At the end of the period specified in paragraph*  
5 *(3), the Postal Service shall make a determination under*  
6 *subsection (a)(3). Before making a final determination, the*  
7 *Postal Service shall conduct a hearing at the request of the*  
8 *community served. Persons served by the post office that*  
9 *is the subject of a notice under paragraph (1) may present*  
10 *oral or written testimony with respect to the relocation,*  
11 *closing, or consolidation of the post office.*

12       “(B) *In making a determination as to whether or not*  
13 *to relocate, close, or consolidate a post office, the Postal*  
14 *Service shall consider—*

15               “(i) *the extent to which the post office is part of*  
16 *a core downtown business area;*

17               “(ii) *any potential effect of the relocation, clos-*  
18 *ing, or consolidation on the community served by the*  
19 *post office;*

20               “(iii) *whether the community served by the post*  
21 *office opposes a relocation, closing, or consolidation;*

22               “(iv) *any potential effect of the relocation, clos-*  
23 *ing, or consolidation on employees of the Postal Serv-*  
24 *ice employed at the post office;*

1           “(v) *whether the relocation, closing, or consolida-*  
2           *tion of the post office is consistent with the policy of*  
3           *the Government under section 101(b) that requires the*  
4           *Postal Service to provide a maximum degree of effec-*  
5           *tive and regular postal services to rural areas, com-*  
6           *munities, and small towns in which post offices are*  
7           *not self-sustaining;*

8           “(vi) *the quantified long-term economic saving to*  
9           *the Postal Service resulting from the relocation, clos-*  
10          *ing, or consolidation;*

11          “(vii) *whether postal officials engaged in nego-*  
12          *tiations with persons served by the post office con-*  
13          *cerning the proposed relocation, closing, or consolida-*  
14          *tion;*

15          “(viii) *whether management of the post office*  
16          *contributed to a desire to relocate;*

17          “(ix)(I) *the adequacy of the existing post office;*  
18          *and*

19          “(II) *whether all reasonable alternatives to relo-*  
20          *cation, closing, or consolidation have been explored;*  
21          *and*

22          “(x) *any other factor that the Postal Service de-*  
23          *termines to be necessary for making a determination*  
24          *whether to relocate, close, or consolidate that post of-*  
25          *fice.*

1       “(5)(A) *Any determination of the Postal Service to re-*  
2 *locate, close, or consolidate a post office shall be in writing*  
3 *and shall include the findings of the Postal Service with*  
4 *respect to the considerations required to be made under*  
5 *paragraph (4).*

6       “(B) *The Postal Service shall respond to all of the al-*  
7 *ternative proposals described in paragraph (3) in a consoli-*  
8 *dated report that includes—*

9               “(i) *the determination and findings under sub-*  
10 *paragraph (A); and*

11              “(ii) *each alternative proposal and a response by*  
12 *the Postal Service.*

13       “(C) *The Postal Service shall make available to the*  
14 *public a copy of the report prepared under subparagraph*  
15 *(B) at the post office that is the subject of the report.*

16       “(6)(A) *The Postal Service shall take no action to relo-*  
17 *cate, close, or consolidate a post office until the applicable*  
18 *date described in subparagraph (B).*

19       “(B) *The applicable date specified in this subpara-*  
20 *graph is—*

21              “(i) *if no appeal is made under paragraph (7),*  
22 *the end of the 60-day period specified in that para-*  
23 *graph; or*

24              “(ii) *if an appeal is made under paragraph (7),*  
25 *the date on which a determination is made by the*

1       Commission under paragraph (7)(A), but not later  
2       than 120 days after the date on which the appeal is  
3       made.

4       “(7)(A) A determination of the Postal Service to relo-  
5       cate, close, or consolidate any post office may be appealed  
6       by any person served by that post office to the Postal Rate  
7       Commission during the 60-day period beginning on the  
8       date on which the report is made available under para-  
9       graph (5). The Commission shall review the determination  
10      on the basis of the record before the Postal Service in the  
11      making of the determination. The Commission shall make  
12      a determination based on that review not later than 120  
13      days after appeal is made under this paragraph.

14      “(B) The Commission shall set aside any determina-  
15      tion, findings, and conclusions of the Postal Service that  
16      the Commission finds to be—

17              “(i) arbitrary, capricious, an abuse of discretion,  
18              or otherwise not in accordance with the law;

19              “(ii) without observance of procedure required by  
20              law; or

21              “(iii) unsupported by substantial evidence on the  
22              record.

23      “(C) The Commission may affirm the determination  
24      of the Postal Service that is the subject of an appeal under  
25      subparagraph (A) or order that the entire matter that is

1 *the subject of that appeal be returned for further consider-*  
2 *ation, but the Commission may not modify the determina-*  
3 *tion of the Postal Service. The Commission may suspend*  
4 *the effectiveness of the determination of the Postal Service*  
5 *until the final disposition of the appeal.*

6       “(D) *The provisions of sections 556 and 557, and*  
7 *chapter 7 of title 5 shall not apply to any review carried*  
8 *out by the Commission under this paragraph.*

9       “(E) *A determination made by the Commission shall*  
10 *not be subject to judicial review.*

11       “(8) *In any case in which a community has in effect*  
12 *procedures to address the relocation, closing, or consolida-*  
13 *tion of buildings in the community, and the public partici-*  
14 *pation requirements of those procedures are more stringent*  
15 *than those provided in this subsection, the Postal Service*  
16 *shall apply those procedures to the relocation, consolidation,*  
17 *or closing of a post office in that community in lieu of ap-*  
18 *plying the procedures established in this subsection.*

19       “(9) *In making a determination to relocate, close, or*  
20 *consolidate any post office, the Postal Service shall comply*  
21 *with any applicable zoning, planning, or land use laws (in-*  
22 *cluding building codes and other related laws of State or*  
23 *local public entities, including any zoning authority with*  
24 *jurisdiction over the area in which the post office is lo-*  
25 *cated).*

1       “(10) *The relocation, closing, or consolidation of any*  
 2 *post office under this subsection shall be conducted in ac-*  
 3 *cordance with section 110 of the National Historic Preser-*  
 4 *vation Act (16 U.S.C. 470h–2).”.*

5       (c) *POLICY STATEMENT.*—Section 101(g) of title 39,  
 6 *United States Code, is amended by adding at the end the*  
 7 *following: “In addition to taking into consideration the*  
 8 *matters referred to in the preceding sentence, with respect*  
 9 *to the creation of any new postal facility, the Postal Service*  
 10 *shall consider the potential effects of that facility on the*  
 11 *community to be served by that facility and the service pro-*  
 12 *vided by any facility in operation at the time that a deter-*  
 13 *mination is made whether to plan or build that facility.”.*

14       SEC. 658. *DESIGNATION OF EUGENE J. MCCARTHY*  
 15 *POST OFFICE BUILDING. (a) IN GENERAL.*—*The building*  
 16 *of the United States Postal Service located at 180 East Kel-*  
 17 *logg Boulevard in Saint Paul, Minnesota, shall be known*  
 18 *and designated as the “Eugene J. McCarthy Post Office*  
 19 *Building”.*

20       (b) *REFERENCES.*—*Any reference in a law, map, regu-*  
 21 *lation, document, paper, or other record of the United*  
 22 *States to the building referred to in subsection (a) shall be*  
 23 *deemed to be a reference to the “Eugene J. McCarthy Post*  
 24 *Office Building”.*

1       *SEC. 659. Within the amounts appropriated in this*  
2 *Act, up to \$20,300,000 may be transferred to the Acquisi-*  
3 *tion, Construction, Improvements, and Related Expenses*  
4 *account of the Federal Law Enforcement Training Center*  
5 *for new construction.*

6       *SEC. 660. (a) DEFINITIONS.—In this section—*

7           *(1) the term “crime of violence” has the meaning*  
8 *given that term in section 16 of title 18, United*  
9 *States Code; and*

10          *(2) the term “law enforcement officer” means*  
11 *any employee described in subparagraph (A), (B), or*  
12 *(C) of section 8401(17) of title 5, United States Code;*  
13 *and any special agent in the Diplomatic Security*  
14 *Service of the Department of State.*

15       *(b) RULE OF CONSTRUCTION.—Notwithstanding any*  
16 *other provision of law, for purposes of chapter 171 of title*  
17 *28, United States Code, or any other provision of law relat-*  
18 *ing to tort liability, a law enforcement officer shall be con-*  
19 *strued to be acting within the scope of his or her office or*  
20 *employment, if the officer takes reasonable action, including*  
21 *the use of force, to—*

22           *(1) protect an individual in the presence of the*  
23 *officer from a crime of violence;*



1           (2) *provide immediate assistance to an individ-*  
 2           *ual who has suffered or who is threatened with bodily*  
 3           *harm; or*

4           (3) *prevent the escape of any individual who the*  
 5           *officer reasonably believes to have committed in the*  
 6           *presence of the officer a crime of violence.*

7 ***TITLE VII—CHILD CARE IN FEDERAL FACILITIES***

8           *SEC. 701. SHORT TITLE. This title may be cited as*  
 9           *“Quality Child Care for Federal Employees”.*

10          *SEC. 702. PROVIDING QUALITY CHILD CARE IN FED-*  
 11          *ERAL FACILITIES. (a) DEFINITION.—In this section:*

12           (1) *ADMINISTRATOR.—The term “Adminis-*  
 13           *trator” means the Administrator of General Services.*

14           (2) *CHILD CARE ACCREDITATION ENTITY.—The*  
 15           *term “child care accreditation entity” means a non-*  
 16           *profit private organization or public agency that—*

17                   (A) *is recognized by a State agency or by*  
 18                   *a national organization that serves as a peer re-*  
 19                   *view panel on the standards and procedures of*  
 20                   *public and private child care or school accredit-*  
 21                   *ing bodies; and*

22                   (B) *accredits a facility to provide child care*  
 23                   *on the basis of—*

1                   (i) *an accreditation or credentialing*  
2                   *instrument based on peer-validated re-*  
3                   *search;*

4                   (ii) *compliance with applicable State*  
5                   *or local licensing requirements, as appro-*  
6                   *priate, for the facility;*

7                   (iii) *outside monitoring of the facility;*

8                   *and*

9                   (iv) *criteria that provide assurances*  
10                  *of—*

11                         (I) *use of developmentally appro-*  
12                         *priate health and safety standards at*  
13                         *the facility;*

14                         (II) *use of developmentally appro-*  
15                         *priate educational activities, as an in-*  
16                         *tegral part of the child care program*  
17                         *carried out at the facility; and*

18                         (III) *use of ongoing staff develop-*  
19                         *ment or training activities for the staff*  
20                         *of the facility, including related skills-*  
21                         *based testing.*

22                   (3) *ENTITY SPONSORING A CHILD CARE FACIL-*  
23                   *ITY.—The term “entity sponsoring a child care facil-*  
24                   *ity” means a Federal agency that operates, or an en-*  
25                   *tity that enters into a contract or licensing agreement*

1       *with a Federal agency to operate, a child care facility*  
2       *primarily for the use of Federal employees.*

3           (4) *EXECUTIVE AGENCY.*—*The term “Executive*  
4       *agency” has the meaning given the term in section*  
5       *105 of title 5, United States Code, except that the*  
6       *term—*

7                   (A) *does not include the Department of De-*  
8                   *fense and the Coast Guard; and*

9                   (B) *includes the General Services Adminis-*  
10                  *tration, with respect to the administration of a*  
11                  *facility described in paragraph (5)(B).*

12          (5) *EXECUTIVE FACILITY.*—*The term “executive*  
13       *facility”—*

14                  (A) *means a facility that is owned or leased*  
15                  *by an Executive agency; and*

16                  (B) *includes a facility that is owned or*  
17                  *leased by the General Services Administration on*  
18                  *behalf of a judicial office.*

19          (6) *FEDERAL AGENCY.*—*The term “Federal agen-*  
20       *cy” means an Executive agency or a legislative office.*

21          (7) *JUDICIAL OFFICE.*—*The term “judicial of-*  
22       *fice” means an entity of the judicial branch of the*  
23       *Federal Government.*

1           (8) *LEGISLATIVE FACILITY.*—*The term “legisla-*  
 2           *tive facility” means a facility that is owned or leased*  
 3           *by a legislative office.*

4           (9) *LEGISLATIVE OFFICE.*—*The term “legislative*  
 5           *office” means an entity of the legislative branch of the*  
 6           *Federal Government.*

7           (10) *STATE.*—*The term “State” has the meaning*  
 8           *given the term in section 658P of the Child Care and*  
 9           *Development Block Grant Act (42 U.S.C. 9858n).*

10          (b) *EXECUTIVE BRANCH STANDARDS AND COMPLI-*  
 11          *ANCE.*—

12               (1) *STATE AND LOCAL LICENSING REQUIRE-*  
 13               *MENTS.*—

14                   (A) *IN GENERAL.*—*Any entity sponsoring a*  
 15                   *child care facility in an executive facility shall—*

16                               (i) *comply with child care standards*  
 17                               *described in paragraph (2) that, at a mini-*  
 18                               *imum, include applicable State or local li-*  
 19                               *censing requirements, as appropriate, relat-*  
 20                               *ed to the provision of child care in the State*  
 21                               *or locality involved; or*

22                               (ii) *obtain the applicable State or local*  
 23                               *licenses, as appropriate, for the facility.*

24                   (B) *COMPLIANCE.*—*Not later than 6 months*  
 25                   *after the date of enactment of this Act—*

1           (i) the entity shall comply, or make  
2           substantial progress (as determined by the  
3           Administrator) toward complying, with  
4           subparagraph (A); and

5           (ii) any contract or licensing agree-  
6           ment used by an Executive agency for the  
7           provision of child care services in such child  
8           care facility shall include a condition that  
9           the child care be provided by an entity that  
10          complies with the standards described in  
11          subparagraph (A)(i) or obtains the licenses  
12          described in subparagraph (A)(ii).

13          (2) *HEALTH, SAFETY, AND FACILITY STAND-*  
14          *ARDS.—The Administrator shall by regulation estab-*  
15          *lish standards relating to health, safety, facilities, fa-*  
16          *cility design, and other aspects of child care that the*  
17          *Administrator determines to be appropriate for child*  
18          *care in executive facilities, and require child care*  
19          *services in executive facilities to comply with the*  
20          *standards. Such standards shall include requirements*  
21          *that child care facilities be inspected for, and be free*  
22          *of, lead hazards.*

23          (3) *ACCREDITATION STANDARDS.—*

24                 (A) *IN GENERAL.—The Administrator shall*  
25                 *issue regulations requiring, to the maximum ex-*

1        *tent possible, any entity sponsoring an eligible*  
2        *child care facility (as defined by the Adminis-*  
3        *trator) in an executive facility to comply with*  
4        *standards of a child care accreditation entity.*

5                *(B) COMPLIANCE.—The regulations shall re-*  
6        *quire that, not later than 5 years after the date*  
7        *of enactment of this Act—*

8                *(i) the entity shall comply, or make*  
9        *substantial progress (as determined by the*  
10       *Administrator) toward complying, with the*  
11       *standards; and*

12               *(ii) any contract or licensing agree-*  
13       *ment used by an Executive agency for the*  
14       *provision of child care services in such child*  
15       *care facility shall include a condition that*  
16       *the child care be provided by an entity that*  
17       *complies with the standards.*

18        *(4) EVALUATION AND COMPLIANCE.—*

19               *(A) IN GENERAL.—The Administrator shall*  
20       *evaluate the compliance, with the requirements of*  
21       *paragraph (1) and the regulations issued pursu-*  
22       *ant to paragraphs (2) and (3), as appropriate,*  
23       *of child care facilities, and entities sponsoring*  
24       *child care facilities, in executive facilities. The*  
25       *Administrator may conduct the evaluation of*

1        *such a child care facility or entity directly, or*  
2        *through an agreement with another Federal*  
3        *agency or private entity, other than the Federal*  
4        *agency for which the child care facility is pro-*  
5        *viding services. If the Administrator determines,*  
6        *on the basis of such an evaluation, that the child*  
7        *care facility or entity is not in compliance with*  
8        *the requirements, the Administrator shall notify*  
9        *the Executive agency.*

10        *(B) EFFECT OF NONCOMPLIANCE.—On re-*  
11        *ceipt of the notification of noncompliance issued*  
12        *by the Administrator, the head of the Executive*  
13        *agency shall—*

14                *(i) if the entity operating the child*  
15                *care facility is the agency—*

16                        *(I) not later than 2 business days*  
17                        *after the date of receipt of the notifica-*  
18                        *tion, correct any deficiencies that are*  
19                        *determined by the Administrator to be*  
20                        *life threatening or to present a risk of*  
21                        *serious bodily harm;*

22                        *(II) develop and provide to the*  
23                        *Administrator a plan to correct any*  
24                        *other deficiencies in the operation of*  
25                        *the facility and bring the facility and*

1            *entity into compliance with the re-*  
2            *quirements not later than 4 months*  
3            *after the date of receipt of the notifica-*  
4            *tion;*

5            *(III) provide the parents of the*  
6            *children receiving child care services at*  
7            *the child care facility and employees of*  
8            *the facility with a notification detail-*  
9            *ing the deficiencies described in sub-*  
10           *clauses (I) and (II) and actions that*  
11           *will be taken to correct the deficiencies,*  
12           *and post a copy of the notification in*  
13           *a conspicuous place in the facility for*  
14           *5 working days or until the deficiencies*  
15           *are corrected, whichever is later;*

16           *(IV) bring the child care facility*  
17           *and entity into compliance with the re-*  
18           *quirements and certify to the Adminis-*  
19           *trator that the facility and entity are*  
20           *in compliance, based on an onsite eval-*  
21           *uation of the facility conducted by an*  
22           *independent entity with expertise in*  
23           *child care health and safety; and*

24           *(V) in the event that deficiencies*  
25           *determined by the Administrator to be*



1                   *life threatening or to present a risk of*  
2                   *serious bodily harm cannot be cor-*  
3                   *rected within 2 business days after the*  
4                   *date of receipt of the notification, close*  
5                   *the child care facility, or the affected*  
6                   *portion of the facility, until such defi-*  
7                   *ciencies are corrected and notify the*  
8                   *Administrator of such closure; and*  
9                   *(ii) if the entity operating the child*  
10                  *care facility is a contractor or licensee of*  
11                  *the Executive agency—*

12                   *(I) require the contractor or li-*  
13                   *censee, not later than 2 business days*  
14                   *after the date of receipt of the notifica-*  
15                   *tion, to correct any deficiencies that*  
16                   *are determined by the Administrator to*  
17                   *be life threatening or to present a risk*  
18                   *of serious bodily harm;*

19                   *(II) require the contractor or li-*  
20                   *censee to develop and provide to the*  
21                   *head of the agency a plan to correct*  
22                   *any other deficiencies in the operation*  
23                   *of the child care facility and bring the*  
24                   *facility and entity into compliance*  
25                   *with the requirements not later than 4*

1                   *months after the date of receipt of the*  
2                   *notification;*

3                   (III) *require the contractor or li-*  
4                   *censee to provide the parents of the*  
5                   *children receiving child care services at*  
6                   *the child care facility and employees of*  
7                   *the facility with a notification detail-*  
8                   *ing the deficiencies described in sub-*  
9                   *clauses (I) and (II) and actions that*  
10                  *will be taken to correct the deficiencies,*  
11                  *and to post a copy of the notification*  
12                  *in a conspicuous place in the facility*  
13                  *for 5 working days or until the defi-*  
14                  *ciencies are corrected, whichever is*  
15                  *later;*

16                  (IV) *require the contractor or li-*  
17                  *censee to bring the child care facility*  
18                  *and entity into compliance with the re-*  
19                  *quirements and certify to the head of*  
20                  *the agency that the facility and entity*  
21                  *are in compliance, based on an onsite*  
22                  *evaluation of the facility conducted by*  
23                  *an independent entity with expertise*  
24                  *in child care health and safety; and*

1                   (V) *in the event that deficiencies*  
2                   *determined by the Administrator to be*  
3                   *life threatening or to present a risk of*  
4                   *serious bodily harm cannot be cor-*  
5                   *rected within 2 business days after the*  
6                   *date of receipt of the notification, close*  
7                   *the child care facility, or the affected*  
8                   *portion of the facility, until such defi-*  
9                   *ciencies are corrected and notify the*  
10                  *Administrator of such closure, which*  
11                  *closure may be grounds for the imme-*  
12                  *diate termination or suspension of the*  
13                  *contract or license of the contractor or*  
14                  *licensee.*

15                  (C) *COST REIMBURSEMENT.—The Executive*  
16                  *agency shall reimburse the Administrator for the*  
17                  *costs of carrying out subparagraph (A) for child*  
18                  *care facilities located in an executive facility*  
19                  *other than an executive facility of the General*  
20                  *Services Administration. If an entity is sponsor-*  
21                  *ing a child care facility for 2 or more Executive*  
22                  *agencies, the Administrator shall allocate the*  
23                  *costs of providing such reimbursement with re-*  
24                  *spect to the entity among the agencies in a fair*  
25                  *and equitable manner, based on the extent to*

1           *which each agency is eligible to place children in*  
2           *the facility.*

3           (5) *DISCLOSURE OF PRIOR VIOLATIONS TO PAR-*  
4           *ENTS AND FACILITY EMPLOYEES.—The Administrator*  
5           *shall issue regulations that require that each entity*  
6           *sponsoring a child care facility in an Executive facil-*  
7           *ity, upon receipt by the child care facility or the en-*  
8           *tity (as applicable) of a request by any individual*  
9           *who is a parent of any child enrolled at the facility,*  
10          *a parent of a child for whom an application has been*  
11          *submitted to enroll at the facility, or an employee of*  
12          *the facility, shall provide to the individual—*

13                 (A) *copies of all notifications of deficiencies*  
14                 *that have been provided in the past with respect*  
15                 *to the facility under clause (i)(III) or (ii)(III),*  
16                 *as applicable, of paragraph (4)(B); and*

17                 (B) *a description of the actions that were*  
18                 *taken to correct the deficiencies.*

19          (c) *LEGISLATIVE BRANCH STANDARDS AND COMPLI-*  
20          *ANCE.—*

21                 (1) *STATE AND LOCAL LICENSING REQUIRE-*  
22                 *MENTS, HEALTH, SAFETY, AND FACILITY STANDARDS,*  
23                 *AND ACCREDITATION STANDARDS.—*

24                 (A) *IN GENERAL.—The Chief Administra-*  
25                 *tive Officer of the House of Representatives shall*

1        *issue regulations, approved by the Committee on*  
2        *House Oversight of the House of Representatives,*  
3        *governing the operation of the House of Rep-*  
4        *resentatives Child Care Center. The Librarian of*  
5        *Congress shall issue regulations, approved by the*  
6        *appropriate House and Senate committees with*  
7        *jurisdiction over the Library of Congress, govern-*  
8        *ing the operation of the child care center located*  
9        *at the Library of Congress. Subject to paragraph*  
10       *(3), the head of a designated entity in the Senate*  
11       *shall issue regulations, approved by the Commit-*  
12       *tee on Rules and Administration of the Senate,*  
13       *governing the operation of the Senate Employees'*  
14       *Child Care Center.*

15                (B) *STRINGENCY.—The regulations de-*  
16        *scribed in subparagraph (A) shall be no less*  
17        *stringent in content and effect than the require-*  
18        *ments of subsection (b)(1) and the regulations*  
19        *issued by the Administrator under paragraphs*  
20        *(2) and (3) of subsection (b), except to the extent*  
21        *that appropriate administrative officers, with*  
22        *the approval of the appropriate House or Senate*  
23        *committees with oversight responsibility for the*  
24        *centers, may jointly or independently determine,*  
25        *for good cause shown and stated together with*

1        *the regulations, that a modification of such regu-*  
2        *lations would be more effective for the implemen-*  
3        *tation of the requirements and standards de-*  
4        *scribed in paragraphs (1), (2), and (3) of sub-*  
5        *section (b) for child care facilities, and entities*  
6        *sponsoring child care facilities, in the cor-*  
7        *responding legislative facilities.*

8        *(2) EVALUATION AND COMPLIANCE.—*

9                *(A) ADMINISTRATION.—Subject to para-*  
10        *graph (3), the Chief Administrative Officer of the*  
11        *House of Representatives, the head of the des-*  
12        *ignated Senate entity, and the Librarian of Con-*  
13        *gress, shall have the same authorities and du-*  
14        *ties—*

15                *(i) with respect to the evaluation of,*  
16        *compliance of, and cost reimbursement for*  
17        *child care facilities, and entities sponsoring*  
18        *child care facilities, in the corresponding*  
19        *legislative facilities as the Administrator*  
20        *has under subsection (b)(4) with respect to*  
21        *the evaluation of, compliance of, and cost*  
22        *reimbursement for such facilities and enti-*  
23        *ties sponsoring such facilities, in executive*  
24        *facilities; and*

1                   (ii) with respect to issuing regulations  
2                   requiring the entities sponsoring child care  
3                   facilities in the corresponding legislative fa-  
4                   cilities to provide notifications of defi-  
5                   ciencies and descriptions of corrective ac-  
6                   tions as the Administration has under sub-  
7                   section (b)(5) with respect to issuing regula-  
8                   tions requiring the entities sponsoring child  
9                   care facilities in executive facilities to pro-  
10                  vide notifications of deficiencies and de-  
11                  scriptions of corrective actions.

12               (B) *ENFORCEMENT*.—Subject to paragraph  
13               (3), the Committee on House Oversight of the  
14               House of Representatives and the Committee on  
15               Rules and Administration of the Senate, as ap-  
16               propriate, shall have the same authorities and  
17               duties with respect to the compliance of and cost  
18               reimbursement for child care facilities, and enti-  
19               ties sponsoring child care facilities, in the cor-  
20               responding legislative facilities as the head of an  
21               Executive agency has under subsection (b)(4)  
22               with respect to the compliance of and cost reim-  
23               bursement for such facilities and entities spon-  
24               soring such facilities, in executive facilities.

1           (3) *INTERIM STATUS.*—Until such time as the  
2           *Committee on Rules and Administration of the Sen-*  
3           *ate establishes, or the head of the designated Senate*  
4           *entity establishes, standards described in paragraphs*  
5           *(1), (2), and (3) of subsection (b) governing the oper-*  
6           *ation of the Senate Employees' Child Care Center,*  
7           *such facility shall maintain current accreditation sta-*  
8           *tus.*

9           (d) *APPLICATION.*—Notwithstanding any other provi-  
10          *sion of this section, if 8 or more child care facilities are*  
11          *sponsored in facilities owned or leased by an Executive*  
12          *agency, the Administrator shall delegate to the head of the*  
13          *agency the evaluation and compliance responsibilities as-*  
14          *signed to the Administrator under subsection (b)(4)(A).*

15          (e) *TECHNICAL ASSISTANCE, STUDIES, AND RE-*  
16          *VIEWS.*—The Administrator may provide technical assist-  
17          *ance, and conduct and provide the results of studies and*  
18          *reviews, for Executive agencies, and entities sponsoring*  
19          *child care facilities in executive facilities, on a reimbursable*  
20          *basis, in order to assist the entities in complying with this*  
21          *section. The Chief Administrative Officer of the House of*  
22          *Representatives, the Librarian of Congress, and the head*  
23          *of the designated Senate entity described in subsection (c),*  
24          *may provide technical assistance, and conduct and provide*  
25          *the results of studies and reviews, or request that the Ad-*



1 *ministrator provide technical assistance, and conduct and*  
2 *provide the results of studies and reviews, for the cor-*  
3 *responding legislative offices, and entities operating child*  
4 *care facilities in the corresponding legislative facilities, on*  
5 *a reimbursable basis, in order to assist the entities in com-*  
6 *plying with this section.*

7       (f) *COUNCIL.—The Administrator shall establish an*  
8 *interagency council, comprised of representatives of all Ex-*  
9 *ecutive agencies described in subsection (d), a representative*  
10 *of the Chief Administrative Officer of the House of Rep-*  
11 *resentatives, a representative of the designated Senate entity*  
12 *described in subsection (c), and a representative of the Li-*  
13 *brarian of Congress, to facilitate cooperation and sharing*  
14 *of best practices, and to develop and coordinate policy, re-*  
15 *garding the provision of child care, including the provision*  
16 *of areas for nursing mothers and other lactation support*  
17 *facilities and services, in the Federal Government.*

18       (g) *AUTHORIZATION OF APPROPRIATIONS.—There is*  
19 *authorized to be appropriated to carry out this section*  
20 *\$900,000 for fiscal year 1999 and such sums as may be*  
21 *necessary for each subsequent fiscal year.*

22       *SEC. 703. CHILD CARE SERVICES FOR FEDERAL EM-*  
23 *PLOYEES. (a) IN GENERAL.—An Executive agency that pro-*  
24 *vides or proposes to provide child care services for Federal*  
25 *employees may use agency funds to provide the child care*

1 *services, in a facility that is owned or leased by an Execu-*  
 2 *tive agency, or through a contractor, for civilian employees*  
 3 *of such agency.*

4 *(b) AFFORDABILITY.—Funds so used with respect to*  
 5 *any such facility or contractor shall be applied to improve*  
 6 *the affordability of child care for lower income Federal em-*  
 7 *ployees using or seeking to use the child care services offered*  
 8 *by such facility or contractor.*

9 *(c) REGULATIONS.—The Director of the Office of Per-*  
 10 *sonnel Management shall, within 180 days after the date*  
 11 *of enactment of this Act, issue regulations necessary to*  
 12 *carry out this section.*

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

17 *SEC. 704. MISCELLANEOUS PROVISIONS RELATING TO*  
 18 *CHILD CARE PROVIDED BY FEDERAL AGENCIES. (a) AVAIL-*  
 19 *ABILITY OF FEDERAL CHILD CARE CENTERS FOR ONSITE*  
 20 *CONTRACTORS; PERCENTAGE GOAL.—Section 616(a) of the*  
 21 *Act of December 22, 1987 (40 U.S.C. 490b), is amended—*

22 *(1) in subsection (a), by striking paragraphs (2)*  
 23 *and (3) and inserting the following:*

1           “(2) such officer or agency determines that such  
2           space will be used to provide child care and related  
3           services to—

4                   “(A) children of Federal employees or onsite  
5           Federal contractors; or

6                   “(B) dependent children who live with Fed-  
7           eral employees or onsite Federal contractors; and

8           “(3) such officer or agency determines that such  
9           individual or entity will give priority for available  
10          child care and related services in such space to Fed-  
11          eral employees and onsite Federal contractors.”; and  
12          (2) by adding at the end the following:

13          “(e)(1)(A) The Administrator of General Services shall  
14          confirm that at least 50 percent of aggregate enrollment in  
15          Federal child care centers governmentwide are children of  
16          Federal employees or onsite Federal contractors, or depend-  
17          ent children who live with Federal employees or onsite Fed-  
18          eral contractors.

19          “(B) Each provider of child care services at an indi-  
20          vidual Federal child care center shall maintain 50 percent  
21          of the enrollment at the center of children described under  
22          subparagraph (A) as a goal for enrollment at the center.

23          “(C) If enrollment at a center does not meet the per-  
24          centage goal under subparagraph (B), the provider shall de-  
25          velop and implement a business plan with the sponsoring

1 *Federal agency to achieve the goal within a reasonable time-*  
 2 *frame. Such plan shall be approved by the Administrator*  
 3 *of General Services based on—*

4           “(i) compliance of the plan with standards estab-  
 5       lished by the Administrator; and

6           “(ii) the effect of the plan on achieving the ag-  
 7       gregate Federal enrollment percentage goal.

8           “(2) *The Administrator of General Services Adminis-*  
 9 *tration may enter into public-private partnerships or con-*  
 10 *tracts with nongovernmental entities to increase the capac-*  
 11 *ity, quality, affordability, or range of child care and related*  
 12 *services and may, on a demonstration basis, waive sub-*  
 13 *section (a)(3) and paragraph (1) of this subsection.”.*

14       (b) *PAYMENT OF COSTS OF TRAINING PROGRAMS.—*  
 15 *Section 616(b)(3) of such Act (40 U.S.C. 490(b)(3)) is*  
 16 *amended to read as follows:*

17       “(3) *If an agency has a child care facility in its space,*  
 18 *or is a sponsoring agency for a child care facility in other*  
 19 *Federal or leased space, the agency or the General Services*  
 20 *Administration may pay accreditation fees, including re-*  
 21 *newal fees, for that center to be accredited. Any agency, de-*  
 22 *partment, or instrumentality of the United States that pro-*  
 23 *vides or proposes to provide child care services for children*  
 24 *referred to in subsection (a)(2), may reimburse any Federal*  
 25 *employee or any person employed to provide such services*

1 *for the costs of training programs, conferences, and meet-*  
2 *ings and related travel, transportation, and subsistence ex-*  
3 *penses incurred in connection with those activities. Any per*  
4 *diem allowance made under this section shall not exceed*  
5 *the rate specified in regulations prescribed under section*  
6 *5707 of title 5, United States Code.”.*

7       (c) *PROVISION OF CHILD CARE BY PRIVATE ENTI-*  
8 *TIES.—Section 616(d) of such Act (40 U.S.C. 490b(d)) is*  
9 *amended to read as follows:*

10       “(d)(1) *If a Federal agency has a child care facility*  
11 *in its space, or is a sponsoring agency for a child care facil-*  
12 *ity in other Federal or leased space, the agency, the child*  
13 *care center board of directors, or the General Services Ad-*  
14 *ministration may enter into an agreement with 1 or more*  
15 *private entities under which such private entities would as-*  
16 *sist in defraying the general operating expenses of the child*  
17 *care providers including salaries and tuition assistance*  
18 *programs at the facility.*

19       “(2)(A) *Notwithstanding any other provision of law,*  
20 *if a Federal agency does not have a child care program,*  
21 *or if the Administrator of General Services has identified*  
22 *a need for child care for Federal employees at an agency*  
23 *providing child care services that do not meet the require-*  
24 *ments of subsection (a), the agency or the Administrator*  
25 *may enter into an agreement with a non-Federal, licensed,*

1 *and accredited child care facility, or a planned child care*  
 2 *facility that will become licensed and accredited, for the*  
 3 *provision of child care services for children of Federal em-*  
 4 *ployees.*

5 “(B) *Before entering into an agreement, the head of*  
 6 *the Federal agency shall determine that child care services*  
 7 *to be provided through the agreement are more cost effec-*  
 8 *tively provided through such arrangement than through es-*  
 9 *tablishment of a Federal child care facility.*

10 “(C) *The agency may provide any of the services de-*  
 11 *scribed in subsection (b)(3) if, in exchange for such services,*  
 12 *the facility reserves child care spaces for children referred*  
 13 *to in subsection (a)(2), as agreed to by the parties. The cost*  
 14 *of any such services provided by an agency to a child care*  
 15 *facility on behalf of another agency shall be reimbursed by*  
 16 *the receiving agency.*

17 “(3) *This subsection does not apply to residential child*  
 18 *care programs.”.*

19 (d) *PILOT PROJECTS.—Section 616 of such Act (40*  
 20 *U.S.C. 490b) is further amended by adding at the end the*  
 21 *following:*

22 “(f)(1) *Upon approval of the agency head, an agency*  
 23 *may conduct a pilot project not otherwise authorized by law*  
 24 *for no more than 2 years to test innovative approaches to*  
 25 *providing alternative forms of quality child care assistance*

1 *for Federal employees. An agency head may extend a pilot*  
2 *project for an additional 2-year period. Before any pilot*  
3 *project may be implemented, a determination shall be made*  
4 *by the agency head that initiating the pilot project would*  
5 *be more cost-effective than establishing a new child care fa-*  
6 *cility. Costs of any pilot project shall be borne solely by*  
7 *the agency conducting the pilot project.*

8       “(2) *The Administrator of General Services shall serve*  
9 *as an information clearinghouse for pilot projects initiated*  
10 *by other agencies to disseminate information concerning the*  
11 *pilot projects to the other agencies.*

12       “(3) *Within 6 months after completion of the initial*  
13 *2-year pilot project period, an agency conducting a pilot*  
14 *project under this subsection shall provide for an evaluation*  
15 *of the impact of the project on the delivery of child care*  
16 *services to Federal employees, and shall submit the results*  
17 *of the evaluation to the Administrator of General Services.*  
18 *The Administrator shall share the results with other Federal*  
19 *agencies.”.*

20       (e) *BACKGROUND CHECK.*—Section 616 of such Act  
21 (40 U.S.C. 490b) is further amended by adding at the end  
22 the following:

23       “(g) *Each child care center located in a federally*  
24 *owned or leased facility shall ensure that each employee of*  
25 *such center (including any employee whose employment*

1 *began before the date of enactment of this subsection) shall*  
 2 *undergo a criminal history background check consistent*  
 3 *with section 3 of the National Child Protection Act of 1993*  
 4 *(42 U.S.C. 5119a).’’.*

5       *SEC. 705. REQUIREMENT TO PROVIDE LACTATION*  
 6 *SUPPORT IN NEW FEDERAL CHILD CARE FACILITIES. (a)*  
 7 *DEFINITIONS.—In this section, the terms “Federal agency”,*  
 8 *“executive facility”, and “legislative facility” have the*  
 9 *meanings given the terms in section 702.*

10       *(b) LACTATION SUPPORT.—The head of each Federal*  
 11 *agency shall require that each child care facility in an exec-*  
 12 *utive facility or a legislative facility that is first operated*  
 13 *after the 1-year period beginning on the date of enactment*  
 14 *of this Act by the Federal agency, or under a contract or*  
 15 *licensing agreement with the Federal agency, shall provide*  
 16 *reasonable accommodations for the needs of breast-fed in-*  
 17 *fants and their mothers, including providing a lactation*  
 18 *area or a room for nursing mothers in part of the operating*  
 19 *plan for the facility.*

20       *TITLE VIII—OFFICE OF NATIONAL DRUG*  
 21       *CONTROL POLICY REAUTHORIZATION*

22       *SEC. 801. SHORT TITLE. This title may be cited as*  
 23 *the “Office of National Drug Control Policy Reauthoriza-*  
 24 *tion Act of 1998”.*

25       *SEC. 802. DEFINITIONS. In this title:*



1           (1) *DEMAND REDUCTION*.—The term “demand  
2           *reduction*” means any activity conducted by a Na-  
3           *tional Drug Control Program agency, other than an*  
4           *enforcement activity, that is intended to reduce the*  
5           *use of drugs, including—*

6                     (A) *drug abuse education;*

7                     (B) *drug abuse prevention;*

8                     (C) *drug abuse treatment;*

9                     (D) *drug abuse research;*

10                    (E) *drug abuse rehabilitation;*

11                    (F) *drug-free workplace programs; and*

12                    (G) *drug testing.*

13           (2) *DIRECTOR*.—The term “*Director*” means the  
14           *Director of National Drug Control Policy.*

15           (3) *DRUG*.—The term “*drug*” has the meaning  
16           *given the term “controlled substance” in section*  
17           *102(6) of the Controlled Substances Act (21 U.S.C.*  
18           *802(6)).*

19           (4) *DRUG CONTROL*.—The term “*drug control*”  
20           *means any activity conducted by a National Drug*  
21           *Control Program agency involving supply reduction*  
22           *or demand reduction, including any activity to re-*  
23           *duce the use of tobacco or alcoholic beverages by un-*  
24           *derage individuals.*

1           (5) *FUND.*—The term “Fund” means the fund  
2           established under section 803(d).

3           (6) *NATIONAL DRUG CONTROL PROGRAM.*—The  
4           term “National Drug Control Program” means pro-  
5           grams, policies, and activities undertaken by Na-  
6           tional Drug Control Program agencies pursuant to  
7           the responsibilities of such agencies under the Na-  
8           tional Drug Control Strategy.

9           (7) *NATIONAL DRUG CONTROL PROGRAM AGEN-*  
10          *CY.*—The term “National Drug Control Program  
11          agency” means any department or agency of the Fed-  
12          eral Government and all dedicated units thereof, with  
13          responsibilities under the National Drug Control  
14          Strategy, as designated by the President, or jointly by  
15          the Director and the head of the department or agen-  
16          cy.

17          (8) *NATIONAL DRUG CONTROL STRATEGY.*—The  
18          term “National Drug Control Strategy” means the  
19          strategy developed and submitted to Congress under  
20          section 806.

21          (9) *OFFICE.*—Unless the context clearly impli-  
22          cates otherwise, the term “Office” means the Office of  
23          National Drug Control Policy established under sec-  
24          tion 803(a).

1           (10) *STATE AND LOCAL AFFAIRS.*—*The term*  
2           *“State and local affairs” means domestic activities*  
3           *conducted by a National Drug Control Program agen-*  
4           *cy that are intended to reduce the availability and*  
5           *use of drugs, including—*

6                     *(A) coordination and facilitation of Fed-*  
7                     *eral, State, and local law enforcement drug con-*  
8                     *trol efforts;*

9                     *(B) promotion of coordination and coopera-*  
10                    *tion among the drug supply reduction and de-*  
11                    *mand reduction agencies of the various States,*  
12                    *territories, and units of local government; and*

13                    *(C) such other cooperative governmental ac-*  
14                    *tivities which promote a comprehensive approach*  
15                    *to drug control at the national, State, territory,*  
16                    *and local levels.*

17           (11) *SUPPLY REDUCTION.*—*The term “supply re-*  
18           *duction” means any activity of a program conducted*  
19           *by a National Drug Control Program agency that is*  
20           *intended to reduce the availability or use of drugs in*  
21           *the United States and abroad, including—*

22                     *(A) international drug control;*

23                     *(B) foreign and domestic drug intelligence;*

24                     *(C) interdiction; and*

1                   (D) domestic drug law enforcement, includ-  
2                   ing law enforcement directed at drug users.

3           SEC. 803. OFFICE OF NATIONAL DRUG CONTROL POL-  
4   ICY. (a) ESTABLISHMENT OF OFFICE.—There is established  
5   in the Executive Office of the President an Office of Na-  
6   tional Drug Control Policy, which shall—

7                   (1) develop national drug control policy;

8                   (2) coordinate and oversee the implementation of  
9   that national drug control policy;

10                  (3) assess and certify the adequacy of national  
11   drug control programs and the budget for those pro-  
12   grams; and

13                  (4) evaluate the effectiveness of the national drug  
14   control programs.

15   (b) DIRECTOR AND DEPUTY DIRECTORS.—

16                  (1) DIRECTOR.—There shall be at the head of the  
17   Office a Director of National Drug Control Policy.

18                  (2) DEPUTY DIRECTOR OF NATIONAL DRUG CON-  
19   TROL POLICY.—There shall be in the Office a Deputy  
20   Director of National Drug Control Policy, who shall  
21   assist the Director in carrying out the responsibilities  
22   of the Director under this title.

23                  (3) OTHER DEPUTY DIRECTORS.—There shall be  
24   in the Office—

1           (A) a Deputy Director for Demand Reduc-  
2           tion, who shall be responsible for the activities  
3           described in subparagraphs (A) through (G) of  
4           section 802(1);

5           (B) a Deputy Director for Supply Reduc-  
6           tion, who shall be responsible for the activities  
7           described in subparagraphs (A) through (C) of  
8           section 802(11); and

9           (C) a Deputy Director for State and Local  
10          Affairs, who shall be responsible for the activities  
11          described in subparagraphs (A) through (C) of  
12          section 802(10).

13          (c) ACCESS BY CONGRESS.—The location of the Office  
14          in the Executive Office of the President shall not be con-  
15          strued as affecting access by Congress, or any committee  
16          of the House of Representatives or the Senate, to any—

17               (1) information, document, or study in the pos-  
18               session of, or conducted by or at the direction of the  
19               Director; or

20               (2) personnel of the Office.

21          (d) OFFICE OF NATIONAL DRUG CONTROL POLICY  
22          GIFT FUND.—

23               (1) ESTABLISHMENT.—There is established in  
24          the Treasury of the United States a fund for the re-  
25          ceipt of gifts, both real and personal, for the purpose

1       *of aiding or facilitating the work of the Office under*  
2       *section 804(c).*

3               (2) *CONTRIBUTIONS.*—*The Office may accept,*  
4       *hold, and administer contributions to the Fund.*

5               (3) *USE OF AMOUNTS DEPOSITED.*—*Amounts de-*  
6       *posited in the Fund are authorized to be appro-*  
7       *priated, to remain available until expended for au-*  
8       *thorized purposes at the discretion of the Director.*

9       *SEC. 804. APPOINTMENT AND DUTIES OF DIRECTOR*  
10   *AND DEPUTY DIRECTORS. (a) APPOINTMENT.*—

11              (1) *IN GENERAL.*—*The Director, the Deputy Di-*  
12       *rector of National Drug Control Policy, the Deputy*  
13       *Director for Demand Reduction, the Deputy Director*  
14       *for Supply Reduction, and the Deputy Director for*  
15       *State and Local Affairs, shall each be appointed by*  
16       *the President, by and with the advice and consent of*  
17       *the Senate, and shall serve at the pleasure of the*  
18       *President. In appointing the Deputy Director for De-*  
19       *mand Reduction under this paragraph, the President*  
20       *shall take into consideration the scientific, edu-*  
21       *cational or professional background of the individual,*  
22       *and whether the individual has experience in the*  
23       *fields of substance abuse prevention, education, or*  
24       *treatment.*

1           (2) *DUTIES OF DEPUTY DIRECTOR OF NATIONAL*  
2           *DRUG CONTROL POLICY.—The Deputy Director of Na-*  
3           *tional Drug Control Policy shall—*

4                     (A) *carry out the duties and powers pre-*  
5                     *scribed by the Director; and*

6                     (B) *serve as the Director in the absence of*  
7                     *the Director or during any period in which the*  
8                     *office of the Director is vacant.*

9           (3) *DESIGNATION OF OTHER OFFICERS.—In the*  
10           *absence of the Deputy Director, or if the office of the*  
11           *Deputy Director is vacant, the Director shall des-*  
12           *ignate such other permanent employee of the Office to*  
13           *serve as the Director, if the Director is absent or un-*  
14           *able to serve.*

15           (4) *PROHIBITION.—No person shall serve as Di-*  
16           *rector or a Deputy Director while serving in any*  
17           *other position in the Federal Government.*

18           (5) *PROHIBITION ON POLITICAL CAMPAIGNING.—*  
19           *Any officer or employee of the Office who is appointed*  
20           *to that position by the President, by and with the ad-*  
21           *vice and consent of the Senate, may not participate*  
22           *in Federal election campaign activities, except that*  
23           *such official is not prohibited by this paragraph from*  
24           *making contributions to individual candidates.*

25           (b) *RESPONSIBILITIES.—The Director shall—*

1           (1) *assist the President in the establishment of*  
2           *policies, goals, objectives, and priorities for the Na-*  
3           *tional Drug Control Program;*

4           (2) *promulgate the National Drug Control Strat-*  
5           *egy and each report under section 806(b) in accord-*  
6           *ance with section 806;*

7           (3) *coordinate and oversee the implementation*  
8           *by the National Drug Control Program agencies of*  
9           *the policies, goals, objectives, and priorities estab-*  
10          *lished under paragraph (1) and the fulfillment of the*  
11          *responsibilities of such agencies under the National*  
12          *Drug Control Strategy;*

13          (4) *make such recommendations to the President*  
14          *as the Director determines are appropriate regarding*  
15          *changes in the organization, management, and budg-*  
16          *ets of Federal departments and agencies engaged in*  
17          *drug enforcement, and changes in the allocation of*  
18          *personnel to and within those departments and agen-*  
19          *cies, to implement the policies, goals, priorities, and*  
20          *objectives established under paragraph (1) and the*  
21          *National Drug Control Strategy;*

22          (5) *consult with and assist State and local gov-*  
23          *ernments with respect to the formulation and imple-*  
24          *mentation of National Drug Control Policy and their*



1       *relations with the National Drug Control Program*  
2       *agencies;*

3           (6) *appear before duly constituted committees*  
4       *and subcommittees of the House of Representatives*  
5       *and of the Senate to represent the drug policies of the*  
6       *executive branch;*

7           (7) *notify any National Drug Control Program*  
8       *agency if its policies are not in compliance with the*  
9       *responsibilities of the agency under the National Drug*  
10       *Control Strategy, transmit a copy of each such notifi-*  
11       *cation to the President, and maintain a copy of each*  
12       *such notification;*

13           (8) *provide, by July 1 of each year, budget rec-*  
14       *ommendations, including requests for specific initia-*  
15       *tives that are consistent with the priorities of the*  
16       *President under the National Drug Control Strategy,*  
17       *to the heads of departments and agencies with respon-*  
18       *sibilities under the National Drug Control Program,*  
19       *which recommendations shall—*

20           (A) *apply to next budget year scheduled for*  
21       *formulation under the Budget and Accounting*  
22       *Act of 1921, and each of the 4 subsequent fiscal*  
23       *years; and*

24           (B) *address funding priorities developed in*  
25       *the National Drug Control Strategy;*

1           (9) *serve as the representative of the President in*  
2           *appearing before Congress on all issues relating to the*  
3           *National Drug Control Program;*

4           (10) *in any matter affecting national security*  
5           *interests, work in conjunction with the Assistant to*  
6           *the President for National Security Affairs; and*

7           (11) *serve as primary spokesperson of the Ad-*  
8           *ministration on drug issues.*

9           (c) *NATIONAL DRUG CONTROL PROGRAM BUDGET.—*

10          (1) *RESPONSIBILITIES OF NATIONAL DRUG CON-*  
11          *TROL PROGRAM AGENCIES.—*

12               (A) *IN GENERAL.—For each fiscal year, the*  
13               *head of each department, agency, or program of*  
14               *the Federal Government with responsibilities*  
15               *under the National Drug Control Program*  
16               *Strategy shall transmit to the Director a copy of*  
17               *the proposed drug control budget request of the*  
18               *department, agency, or program at the same*  
19               *time as that budget request is submitted to their*  
20               *superiors (and before submission to the Office of*  
21               *Management and Budget) in the preparation of*  
22               *the budget of the President submitted to Congress*  
23               *under section 1105(a) of title 31, United States*  
24               *Code.*

1                   (B) *SUBMISSION OF DRUG CONTROL BUDGET*  
2                   *REQUESTS.—The head of each National Drug*  
3                   *Control Program agency shall ensure timely de-*  
4                   *velopment and submission to the Director of each*  
5                   *proposed drug control budget request transmitted*  
6                   *pursuant to this paragraph, in such format as*  
7                   *may be designated by the Director with the con-*  
8                   *currence of the Director of the Office of Manage-*  
9                   *ment and Budget.*

10                  (2) *NATIONAL DRUG CONTROL PROGRAM BUDGET*  
11                  *PROPOSAL.—For each fiscal year, following the trans-*  
12                  *mission of proposed drug control budget requests to*  
13                  *the Director under paragraph (1), the Director shall,*  
14                  *in consultation with the head of each National Drug*  
15                  *Control Program agency—*

16                       (A) *develop a consolidated National Drug*  
17                       *Control Program budget proposal designed to*  
18                       *implement the National Drug Control Strategy;*

19                       (B) *submit the consolidated budget proposal*  
20                       *to the President; and*

21                       (C) *after submission under subparagraph*  
22                       *(B), submit the consolidated budget proposal to*  
23                       *Congress.*

1           (3) *REVIEW AND CERTIFICATION OF BUDGET RE-*  
2           *QUESTS AND BUDGET SUBMISSIONS OF NATIONAL*  
3           *DRUG CONTROL PROGRAM AGENCIES.—*

4                   (A) *IN GENERAL.—The Director shall re-*  
5                   *view each drug control budget request submitted*  
6                   *to the Director under paragraph (1).*

7                   (B) *REVIEW OF BUDGET REQUESTS.—*

8                           (i) *INADEQUATE REQUESTS.—If the*  
9                           *Director concludes that a budget request*  
10                          *submitted under paragraph (1) is inad-*  
11                          *equately, in whole or in part, to implement*  
12                          *the objectives of the National Drug Control*  
13                          *Strategy with respect to the department,*  
14                          *agency, or program at issue for the year for*  
15                          *which the request is submitted, the Director*  
16                          *shall submit to the head of the applicable*  
17                          *National Drug Control Program agency a*  
18                          *written description of funding levels and*  
19                          *specific initiatives that would, in the deter-*  
20                          *mination of the Director, make the request*  
21                          *adequate to implement those objectives.*

22                           (ii) *ADEQUATE REQUESTS.—If the Di-*  
23                           *rector concludes that a budget request sub-*  
24                           *mitted under paragraph (1) is adequate to*  
25                           *implement the objectives of the National*

1       *Drug Control Strategy with respect to the*  
2       *department, agency, or program at issue for*  
3       *the year for which the request is submitted,*  
4       *the Director shall submit to the head of the*  
5       *applicable National Drug Control Program*  
6       *agency a written statement confirming the*  
7       *adequacy of the request.*

8               *(iii) RECORD.—The Director shall*  
9       *maintain a record of each description sub-*  
10       *mitted under clause (i) and each statement*  
11       *submitted under clause (ii).*

12       *(C) AGENCY RESPONSE.—*

13               *(i) IN GENERAL.—The head of a Na-*  
14       *tional Drug Control Program agency that*  
15       *receives a description under subparagraph*  
16       *(B)(i) shall include the funding levels and*  
17       *initiatives described by the Director in the*  
18       *budget submission for that agency to the Of-*  
19       *fice of Management and Budget.*

20               *(ii) IMPACT STATEMENT.—The head of*  
21       *a National Drug Control Program agency*  
22       *that has altered its budget submission under*  
23       *this subparagraph shall include as an ap-*  
24       *pendix to the budget submission for that*  
25       *agency to the Office of Management and*

1           *Budget an impact statement that summa-*  
2           *rizes—*

3                     *(I) the changes made to the budget*  
4                     *under this subparagraph; and*

5                     *(II) the impact of those changes*  
6                     *on the ability of that agency to per-*  
7                     *form its other responsibilities, includ-*  
8                     *ing any impact on specific missions or*  
9                     *programs of the agency.*

10                    *(iii) CONGRESSIONAL NOTIFICATION.—*  
11                    *The head of a National Drug Control Pro-*  
12                    *gram agency shall submit a copy of any*  
13                    *impact statement under clause (ii) to the*  
14                    *Senate and the House of Representatives at*  
15                    *the time the budget for that agency is sub-*  
16                    *mitted to Congress under section 1105(a) of*  
17                    *title 31, United States Code.*

18                    *(D) CERTIFICATION OF BUDGET SUBMIS-*  
19                    *SIONS.—*

20                    *(i) IN GENERAL.—At the time a Na-*  
21                    *tional Drug Control Program agency sub-*  
22                    *mits its budget request to the Office of Man-*  
23                    *agement and Budget, the head of the Na-*  
24                    *tional Drug Control Program agency shall*

1                   *submit a copy of the budget request to the*  
2                   *Director.*

3                   (ii) *CERTIFICATION.—The Director—*

4                         *(I) shall review each budget sub-*  
5                         *mission submitted under clause (i);*  
6                         *and*

7                         *(II) based on the review under*  
8                         *subclause (I), if the Director concludes*  
9                         *that the budget submission of a Na-*  
10                         *tional Drug Control Program agency*  
11                         *does not include the funding levels and*  
12                         *initiatives described under subpara-*  
13                         *graph (B)—*

14                                 *(aa) may issue a written de-*  
15                                 *certification of that agency's*  
16                                 *budget; and*

17                                 *(bb) in the case of a decerti-*  
18                                 *fication issued under item (aa),*  
19                                 *shall submit to the Senate and the*  
20                                 *House of Representatives a copy*  
21                                 *of the—*

22   *(aaa)        decertification*  
23   *issued under item (aa);*

1                                   (bbb) the description  
2                                   made under subparagraph  
3                                   (B); and  
4                                   (ccc) the budget rec-  
5                                   ommendations made under  
6                                   subsection (b)(8).

7           (4) *REPROGRAMMING AND TRANSFER RE-*  
8 *QUESTS.—*

9                   (A) *IN GENERAL.—No National Drug Con-*  
10 *trol Program agency shall submit to Congress a*  
11 *reprogramming or transfer request with respect*  
12 *to any amount of appropriated funds in an*  
13 *amount exceeding \$5,000,000 that is included in*  
14 *the National Drug Control Program budget un-*  
15 *less the request has been approved by the Direc-*  
16 *tor.*

17                   (B) *APPEAL.—The head of any National*  
18 *Drug Control Program agency may appeal to the*  
19 *President any disapproval by the Director of a*  
20 *reprogramming or transfer request under this*  
21 *paragraph.*

22           (d) *POWERS OF THE DIRECTOR.—In carrying out sub-*  
23 *section (b), the Director may—*

24                   (1) *select, appoint, employ, and fix compensation*  
25 *of such officers and employees of the Office as may be*



1       *necessary to carry out the functions of the Office*  
2       *under this title;*

3               *(2) subject to subsection (e)(3), request the head*  
4       *of a department or agency, or program of the Federal*  
5       *Government to place department, agency, or program*  
6       *personnel who are engaged in drug control activities*  
7       *on temporary detail to another department, agency,*  
8       *or program in order to implement the National Drug*  
9       *Control Strategy, and the head of the department or*  
10       *agency shall comply with such a request;*

11              *(3) use for administrative purposes, on a reim-*  
12       *bursable basis, the available services, equipment, per-*  
13       *sonnel, and facilities of Federal, State, and local*  
14       *agencies;*

15              *(4) procure the services of experts and consult-*  
16       *ants in accordance with section 3109 of title 5,*  
17       *United States Code, relating to appointments in the*  
18       *Federal Service, at rates of compensation for individ-*  
19       *uals not to exceed the daily equivalent of the rate of*  
20       *pay payable under level IV of the Executive Schedule*  
21       *under section 5311 of title 5, United States Code;*

22              *(5) accept and use gifts and donations of prop-*  
23       *erty from Federal, State, and local government agen-*  
24       *cies, and from the private sector, as authorized in sec-*  
25       *tion 803(d);*

1           (6) *use the mails in the same manner as any*  
2           *other department or agency of the executive branch;*

3           (7) *monitor implementation of the National*  
4           *Drug Control Program, including—*

5                     (A) *conducting program and performance*  
6                     *audits and evaluations;*

7                     (B) *requesting assistance from the Inspector*  
8                     *General of the relevant agency in such audits*  
9                     *and evaluations; and*

10                    (C) *commissioning studies and reports by a*  
11                    *National Drug Control Program agency, with*  
12                    *the concurrence of the head of the affected agen-*  
13                    *cy;*

14           (8) *transfer funds made available to a National*  
15           *Drug Control Program agency for National Drug*  
16           *Control Strategy programs and activities to another*  
17           *account within such agency or to another National*  
18           *Drug Control Program agency for National Drug*  
19           *Control Strategy programs and activities, except*  
20           *that—*

21                     (A) *the authority under this paragraph*  
22                     *may be limited in an annual appropriations Act*  
23                     *or other provision of Federal law;*

1           (B) the Director may exercise the authority  
2           under this paragraph only with the concurrence  
3           of the head of each affected agency;

4           (C) in the case of an interagency transfer,  
5           the total amount of transfers under this para-  
6           graph may not exceed 2 percent of the total  
7           amount of funds made available for National  
8           Drug Control Strategy programs and activities  
9           to the agency from which those funds are to be  
10          transferred;

11          (D) funds transferred to an agency under  
12          this paragraph may only be used to increase the  
13          funding for programs or activities that—

14               (i) have a higher priority than the pro-  
15               grams or activities from which funds are  
16               transferred; and

17               (ii) have been authorized by Congress;  
18          and

19          (E) the Director shall—

20               (i) submit to Congress, including to the  
21               Committees on Appropriations of the Senate  
22               and the House of Representatives and other  
23               applicable committees of jurisdiction, a re-  
24               programming or transfer request in advance  
25               of any transfer under this paragraph in ac-

1 cordance with the regulations of the affected  
2 agency or agencies; and

3 (ii) annually submit to Congress a re-  
4 port describing the effect of all transfers of  
5 funds made pursuant to this paragraph or  
6 subsection (c)(4) during the 12-month pe-  
7 riod preceding the date on which the report  
8 is submitted;

9 (9) issue to the head of a National Drug Control  
10 Program agency a fund control notice described in  
11 subsection (f) to ensure compliance with the National  
12 Drug Control Program Strategy; and

13 (10) participate in the drug certification process  
14 pursuant to section 490 of the Foreign Assistance Act  
15 of 1961 (22 U.S.C. 2291j).

16 (e) *PERSONNEL DETAILED TO OFFICE.*—

17 (1) *EVALUATIONS.*—Notwithstanding any provi-  
18 sion of chapter 43 of title 5, United States Code, the  
19 Director shall perform the evaluation of the perform-  
20 ance of any employee detailed to the Office for pur-  
21 poses of the applicable performance appraisal system  
22 established under such chapter for any rating period,  
23 or part thereof, that such employee is detailed to such  
24 office.

25 (2) *COMPENSATION.*—

1           (A) *BONUS PAYMENTS.*—*Notwithstanding*  
2           *any other provision of law, the Director may*  
3           *provide periodic bonus payments to any em-*  
4           *ployee detailed to the Office.*

5           (B) *RESTRICTIONS.*—*An amount paid*  
6           *under this paragraph to an employee for any pe-*  
7           *riod—*

8                   (i) *shall not be greater than 20 percent*  
9                   *of the basic pay paid or payable to such*  
10                  *employee for such period; and*

11                  (ii) *shall be in addition to the basic*  
12                  *pay of such employee.*

13           (C) *AGGREGATE AMOUNT.*—*The aggregate*  
14           *amount paid during any fiscal year to an em-*  
15           *ployee detailed to the Office as basic pay,*  
16           *awards, bonuses, and other compensation shall*  
17           *not exceed the annual rate payable at the end of*  
18           *such fiscal year for positions at level III of the*  
19           *Executive Schedule.*

20           (3) *MAXIMUM NUMBER OF DETAILEES.*—*The*  
21           *maximum number of personnel who may be detailed*  
22           *to another department or agency (including the Of-*  
23           *fice) under subsection (d)(2) during any fiscal year*  
24           *is—*

25                   (A) *for the Department of Defense, 50; and*

1                   (B) for any other department or agency, 10.

2           SEC. 805. COORDINATION WITH NATIONAL DRUG CON-  
3 TROL PROGRAM AGENCIES IN DEMAND REDUCTION, SUP-  
4 PLY REDUCTION, AND STATE AND LOCAL AFFAIRS. (a) AC-  
5 CESS TO INFORMATION.—

6           (1) IN GENERAL.—Upon the request of the Direc-  
7 tor, the head of any National Drug Control Program  
8 agency shall cooperate with and provide to the Direc-  
9 tor any statistics, studies, reports, and other informa-  
10 tion prepared or collected by the agency concerning  
11 the responsibilities of the agency under the National  
12 Drug Control Strategy that relate to—

13                   (A) drug abuse control; or

14                   (B) the manner in which amounts made  
15 available to that agency for drug control are  
16 being used by that agency.

17           (2) PROTECTION OF INTELLIGENCE INFORMA-  
18 TION.—

19           (A) IN GENERAL.—The authorities conferred  
20 on the Office and the Director by this title shall  
21 be exercised in a manner consistent with provi-  
22 sions of the National Security Act of 1947 (50  
23 U.S.C. 401 et seq.). The Director of Central In-  
24 telligence shall prescribe such regulations as may  
25 be necessary to protect information provided

1           *pursuant to this title regarding intelligence*  
2           *sources and methods.*

3                     *(B) DUTIES OF DIRECTOR.—The Director of*  
4           *Central Intelligence shall, to the maximum ex-*  
5           *tent practicable in accordance with subpara-*  
6           *graph (A), render full assistance and support to*  
7           *the Office and the Director.*

8                     *(3) ILLEGAL DRUG CULTIVATION.—The Secretary*  
9           *of Agriculture shall annually submit to the Director*  
10          *an assessment of the acreage of illegal drug cultiva-*  
11          *tion in the United States.*

12          *(b) CERTIFICATION OF POLICY CHANGES TO DIREC-*  
13          *TOR.—*

14                     *(1) IN GENERAL.—Subject to paragraph (2), the*  
15          *head of a National Drug Control Program agency*  
16          *shall, unless exigent circumstances require otherwise,*  
17          *notify the Director in writing regarding any proposed*  
18          *change in policies relating to the activities of that*  
19          *agency under the National Drug Control Program*  
20          *prior to implementation of such change. The Director*  
21          *shall promptly review such proposed change and cer-*  
22          *tify to the head of that agency in writing whether*  
23          *such change is consistent with the National Drug*  
24          *Control Strategy.*

1           (2) *EXCEPTION.*—If prior notice of a proposed  
2           change under paragraph (1) is not practicable—

3                   (A) the head of the National Drug Control  
4           Program agency shall notify the Director of the  
5           proposed change as soon as practicable; and

6                   (B) upon such notification, the Director  
7           shall review the change and certify to the head  
8           of that agency in writing whether the change is  
9           consistent with the National Drug Control Pro-  
10          gram.

11          (c) *GENERAL SERVICES ADMINISTRATION.*—The Ad-  
12       ministrators of General Services shall provide to the Direc-  
13       tor, in a reimbursable basis, such administrative support  
14       services as the Director may request.

15          SEC. 806. *DEVELOPMENT, SUBMISSION, IMPLEMENTA-*  
16       *TION, AND ASSESSMENT OF NATIONAL DRUG CONTROL*  
17       *STRATEGY. (a) TIMING, CONTENTS, AND PROCESS FOR DE-*  
18       *VELOPMENT AND SUBMISSION OF NATIONAL DRUG CON-*  
19       *TROL STRATEGY.*—

20               (1) *TIMING.*—Not later than February 1, 1998,  
21       the President shall submit to Congress a National  
22       Drug Control Strategy, which shall set forth a com-  
23       prehensive plan, covering a period of not more than  
24       10 years, for reducing drug abuse and the con-  
25       sequences of drug abuse in the United States, by lim-



1        *iting the availability of and reducing the demand for*  
2        *illegal drugs.*

3            (2) *CONTENTS.—*

4            (A) *IN GENERAL.—The National Drug Con-*  
5        *trol Strategy submitted under paragraph (1)*  
6        *shall include—*

7            (i) *comprehensive, research-based, long-*  
8        *range, quantifiable, goals for reducing drug*  
9        *abuse and the consequences of drug abuse in*  
10       *the United States;*

11          (ii) *annual, quantifiable, and measur-*  
12       *able objectives to accomplish long-term*  
13       *quantifiable goals that the Director deter-*  
14       *mines may be realistically achieved during*  
15       *each year of the period beginning on the*  
16       *date on which the National Drug Control*  
17       *Strategy is submitted;*

18          (iii) *5-year projections for program*  
19       *and budget priorities; and*

20          (iv) *a review of State, local, and pri-*  
21       *ivate sector drug control activities to ensure*  
22       *that the United States pursues well-coordi-*  
23       *nated and effective drug control at all levels*  
24       *of government.*

1                   (B) *CLASSIFIED INFORMATION.*—Any con-  
 2                   tents of the National Drug Control Strategy that  
 3                   involves information properly classified under  
 4                   criteria established by an Executive order shall  
 5                   be presented to Congress separately from the rest  
 6                   of the National Drug Control Strategy.

7                   (3) *PROCESS FOR DEVELOPMENT AND SUBMIS-*  
 8                   SION.—

9                   (A) *CONSULTATION.*—In developing and ef-  
 10                  fectively implementing the National Drug Con-  
 11                  trol Strategy, the Director—

12                   (i) shall consult with—

13                               (I) the heads of the National Drug  
 14                               Control Program agencies;

15                               (II) Congress;

16                               (III) State and local officials;

17                               (IV) private citizens and organi-  
 18                               zations with experience and expertise  
 19                               in demand reduction; and

20                               (V) private citizens and organiza-  
 21                               tions with experience and expertise in  
 22                               supply reduction; and

23                   (ii) may require the National Drug In-  
 24                   telligence Center and the El Paso Intel-  
 25                   ligence Center to undertake specific tasks or

1            *projects to implement the National Drug*  
2            *Control Strategy.*

3            (B) *INCLUSION IN STRATEGY.*—*The Na-*  
4            *tional Drug Control Strategy under this sub-*  
5            *section, and each report submitted under sub-*  
6            *section (b), shall include a list of each entity*  
7            *consulted under subparagraph (A)(i).*

8            (4) *MODIFICATION AND RESUBMITTAL.*—*Not-*  
9            *withstanding any other provision of law, the Presi-*  
10          *dent may modify a National Drug Control Strategy*  
11          *submitted under paragraph (1) at any time.*

12          (b) *ANNUAL STRATEGY REPORT.*—

13            (1) *IN GENERAL.*—*Not later than February 1,*  
14            *1999, and on February 1 of each year thereafter, the*  
15            *President shall submit to Congress a report on the*  
16            *progress in implementing the Strategy under sub-*  
17            *section (a), which shall include—*

18            (A) *an assessment of the Federal effective-*  
19            *ness in achieving the National Drug Control*  
20            *Strategy goals and objectives using the perform-*  
21            *ance measurement system described in subsection*  
22            *(c), including—*

23            (i) *an assessment of drug use and*  
24            *availability in the United States; and*

1                   (ii) an estimate of the effectiveness of  
2                   interdiction, treatment, prevention, law en-  
3                   forcement, and international programs  
4                   under the National Drug Control Strategy  
5                   in effect during the preceding year, or in ef-  
6                   fect as of the date on which the report is  
7                   submitted;

8                   (B) any modifications of the National Drug  
9                   Control Strategy or the performance measure-  
10                  ment system described in subsection (c);

11                  (C) an assessment of the manner in which  
12                  the budget proposal submitted under section  
13                  804(c) is intended to implement the National  
14                  Drug Control Strategy and whether the funding  
15                  levels contained in such proposal are sufficient to  
16                  implement such Strategy;

17                  (D) beginning on February 1, 1999, and  
18                  annually thereafter, measurable data evaluating  
19                  the success or failure in achieving the annual  
20                  measurable objectives described in subsection  
21                  (a)(2)(A)(ii);

22                  (E) an assessment of current drug use (in-  
23                  cluding inhalants) and availability, impact of  
24                  drug use, and treatment availability, which as-  
25                  sessment shall include—

1                   (i) estimates of drug prevalence and  
2 frequency of use as measured by national,  
3 State, and local surveys of illicit drug use  
4 and by other special studies of—

5                   (I) casual and chronic drug use;

6                   (II) high-risk populations, includ-  
7 ing school dropouts, the homeless and  
8 transient, arrestees, parolees, proba-  
9 tioners, and juvenile delinquents; and

10                  (III) drug use in the workplace  
11 and the productivity lost by such use;

12                  (ii) an assessment of the reduction of  
13 drug availability against an ascertained  
14 baseline, as measured by—

15                  (I) the quantities of cocaine, her-  
16 oin, marijuana, methamphetamine,  
17 and other drugs available for consump-  
18 tion in the United States;

19                  (II) the amount of marijuana, co-  
20 caine, and heroin entering the United  
21 States;

22                  (III) the number of hectares of  
23 marijuana, poppy, and coca cultivated  
24 and destroyed;

1                   (IV) the number of metric tons of  
2                   marijuana, heroin, and cocaine seized;

3                   (V) the number of cocaine and  
4                   methamphetamine processing labora-  
5                   tories destroyed;

6                   (VI) changes in the price and pu-  
7                   rity of heroin and cocaine;

8                   (VII) the amount and type of con-  
9                   trolled substances diverted from legiti-  
10                  mate retail and wholesale sources; and

11                  (VIII) the effectiveness of Federal  
12                  technology programs at improving  
13                  drug detection capabilities in interdic-  
14                  tion, and at United States ports of  
15                  entry;

16                  (iii) an assessment of the reduction of  
17                  the consequences of drug use and availabil-  
18                  ity, which shall include estimation of—

19                       (I) the burden drug users placed  
20                       on hospital emergency departments in  
21                       the United States, such as the quantity  
22                       of drug-related services provided;

23                       (II) the annual national health  
24                       care costs of drug use, including costs  
25                       associated with people becoming in-

1           *fected with the human immuno-*  
2           *deficiency virus and other infectious*  
3           *diseases as a result of drug use;*

4                     *(III) the extent of drug-related*  
5           *crime and criminal activity; and*

6                     *(IV) the contribution of drugs to*  
7           *the underground economy, as measured*  
8           *by the retail value of drugs sold in the*  
9           *United States;*

10                    *(iv) a determination of the status of*  
11           *drug treatment in the United States, by as-*  
12           *sessing—*

13                     *(I) public and private treatment*  
14           *capacity within each State, including*  
15           *information on the treatment capacity*  
16           *available in relation to the capacity*  
17           *actually used;*

18                     *(II) the extent, within each State,*  
19           *to which treatment is available;*

20                     *(III) the number of drug users the*  
21           *Director estimates could benefit from*  
22           *treatment; and*

23                     *(IV) the specific factors that re-*  
24           *strict the availability of treatment*  
25           *services to those seeking it and pro-*

1                   posed administrative or legislative  
2                   remedies to make treatment available  
3                   to those individuals; and

4                   (v) a review of the research agenda of  
5                   the Counter-Drug Technology Assessment  
6                   Center to reduce the availability and abuse  
7                   of drugs; and

8                   (F) an assessment of private sector initia-  
9                   tives and cooperative efforts between the Federal  
10                  Government and State and local governments for  
11                  drug control.

12               (2) SUBMISSION OF REVISED STRATEGY.—The  
13               President may submit to Congress a revised National  
14               Drug Control Strategy that meets the requirements of  
15               this section—

16                   (A) at any time, upon a determination by  
17                   the President, in consultation with the Director,  
18                   that the National Drug Control Strategy in effect  
19                   is not sufficiently effective; and

20                   (B) if a new President or Director takes of-  
21                   fice.

22               (c) PERFORMANCE MEASUREMENT SYSTEM.—

23                   (1) IN GENERAL.—Not later than February 1,  
24                   1998, the Director shall submit to Congress a descrip-  
25                   tion of the national drug control performance meas-



1        *urement system, designed in consultation with af-*  
2        *ected National Drug Control Program agencies,*  
3        *that—*

4                *(A) develops performance objectives, meas-*  
5                *ures, and targets for each National Drug Control*  
6                *Strategy goal and objective;*

7                *(B) revises performance objectives, meas-*  
8                *ures, and targets, to conform with National Drug*  
9                *Control Program Agency budgets;*

10               *(C) identifies major programs and activities*  
11               *of the National Drug Control Program agencies*  
12               *that support the goals and objectives of the Na-*  
13               *tional Drug Control Strategy;*

14               *(D) evaluates implementation of major pro-*  
15               *gram activities supporting the National Drug*  
16               *Control Strategy;*

17               *(E) monitors consistency between the drug-*  
18               *related goals and objectives of the National Drug*  
19               *Control Program agencies and ensures that drug*  
20               *control agency goals and budgets support and*  
21               *are fully consistent with the National Drug Con-*  
22               *trol Strategy; and*

23               *(F) coordinates the development and imple-*  
24               *mentation of national drug control data collec-*  
25               *tion and reporting systems to support policy for-*

1            *mulation and performance measurement, includ-*  
2            *ing an assessment of—*

3                    *(i) the quality of current drug use*  
4                    *measurement instruments and techniques to*  
5                    *measure supply reduction and demand re-*  
6                    *duction activities;*

7                    *(ii) the adequacy of the coverage of ex-*  
8                    *isting national drug use measurement in-*  
9                    *struments and techniques to measure the*  
10                   *casual drug user population and groups*  
11                   *that are at risk for drug use; and*

12                   *(iii) the actions the Director shall take*  
13                   *to correct any deficiencies and limitations*  
14                   *identified pursuant to subparagraphs (A)*  
15                   *and (B) of subsection (b)(4).*

16            *(2) MODIFICATIONS.—*

17                   *(A) IN GENERAL.—A description of any*  
18                   *modifications made during the preceding year to*  
19                   *the national drug control performance measure-*  
20                   *ment system described in paragraph (1) shall be*  
21                   *included in each report submitted under sub-*  
22                   *section (b).*

23                   *(B) ANNUAL PERFORMANCE OBJECTIVES,*  
24                   *MEASURES, AND TARGETS.—Not later than Feb-*  
25                   *ruary 1, 1999, the Director shall submit to Con-*

1           gress a modified performance measurement sys-  
2           tem that—

3                   (i) develops annual performance objec-  
4                   tives, measures, and targets for each Na-  
5                   tional Drug Control Strategy goal and ob-  
6                   jective; and

7                   (ii) revises the annual performance ob-  
8                   jectives, measures, and targets to conform  
9                   with the National Drug Control Program  
10                  agency budgets.

11       SEC. 807. HIGH INTENSITY DRUG TRAFFICKING  
12 AREAS PROGRAM. (a) ESTABLISHMENT.—There is estab-  
13 lished in the Office a program to be known as the High  
14 Intensity Drug Trafficking Areas Program.

15       (b) DESIGNATION.—The Director, upon consultation  
16 with the Attorney General, the Secretary of the Treasury,  
17 heads of the National Drug Control Program agencies, and  
18 the Governor of each State, may designate any specified  
19 area of the United States as a high intensity drug traffick-  
20 ing area. After making such a designation and in order  
21 to provide Federal assistance to the area so designated, the  
22 Director may—

23                   (1) obligate such sums as appropriated for the  
24       High Intensity Drug Trafficking Areas Program;

1           (2) *direct the temporary reassignment of Federal*  
2           *personnel to such area, subject to the approval of the*  
3           *head of the department or agency that employs such*  
4           *personnel;*

5           (3) *take any other action authorized under sec-*  
6           *tion 804 to provide increased Federal assistance to*  
7           *those areas;*

8           (4) *coordinate activities under this subsection*  
9           *(specifically administrative, recordkeeping, and funds*  
10          *management activities) with State and local officials.*

11          (c) *FACTORS FOR CONSIDERATION.—In considering*  
12          *whether to designate an area under this section as a high*  
13          *intensity drug trafficking area, the Director shall consider,*  
14          *in addition to such other criteria as the Director considers*  
15          *to be appropriate, the extent to which—*

16               (1) *the area is a center of illegal drug produc-*  
17               *tion, manufacturing, importation, or distribution;*

18               (2) *State and local law enforcement agencies*  
19               *have committed resources to respond to the drug traf-*  
20               *ficking problem in the area, thereby indicating a de-*  
21               *termination to respond aggressively to the problem;*

22               (3) *drug-related activities in the area are having*  
23               *a harmful impact in other areas of the country; and*

1           (4) *a significant increase in allocation of Fed-*  
2           *eral resources is necessary to respond adequately to*  
3           *drug-related activities in the area.*

4           *SEC. 808. COUNTER-DRUG TECHNOLOGY ASSESSMENT*  
5           *CENTER. (a) ESTABLISHMENT.—There is established within*  
6           *the Office the Counter-Drug Technology Assessment Center*  
7           *(referred to in this section as the “Center”). The Center*  
8           *shall operate under the authority of the Director of National*  
9           *Drug Control Policy and shall serve as the central counter-*  
10           *drug technology research and development organization of*  
11           *the United States Government.*

12           *(b) DIRECTOR OF TECHNOLOGY.—There shall be at the*  
13           *head of the Center the Director of Technology, who shall*  
14           *be appointed by the Director of National Drug Control Pol-*  
15           *icy from among individuals qualified and distinguished in*  
16           *the area of science, medicine, engineering, or technology.*

17           *(c) ADDITIONAL RESPONSIBILITIES OF THE DIRECTOR*  
18           *OF NATIONAL DRUG CONTROL POLICY.—*

19           *(1) IN GENERAL.—The Director, acting through*  
20           *the Director of Technology shall—*

21                   *(A) identify and define the short-,*  
22                   *medium-, and long-term scientific and techno-*  
23                   *logical needs of Federal, State, and local drug*  
24                   *supply reduction agencies, including—*

- 1                   (i) *advanced surveillance, tracking,*  
2                   *and radar imaging;*
- 3                   (ii) *electronic support measures;*
- 4                   (iii) *communications;*
- 5                   (iv) *data fusion, advanced computer*  
6                   *systems, and artificial intelligence; and*
- 7                   (v) *chemical, biological, radiological*  
8                   *(including neutron, electron, and graviton),*  
9                   *and other means of detection;*
- 10                  (B) *identify demand reduction basic and*  
11                  *applied research needs and initiatives, in con-*  
12                  *sultation with affected National Drug Control*  
13                  *Program agencies, including—*
- 14                   (i) *improving treatment through*  
15                   *neuroscientific advances;*
- 16                   (ii) *improving the transfer of bio-*  
17                   *medical research to the clinical setting; and*
- 18                   (iii) *in consultation with the National*  
19                   *Institute on Drug Abuse, and through inter-*  
20                   *agency agreements or grants, examining ad-*  
21                   *dition and rehabilitation research and the*  
22                   *application of technology to expanding the*  
23                   *effectiveness or availability of drug treat-*  
24                   *ment;*

1           (C) make a priority ranking of such needs  
2           identified in subparagraphs (A) and (B) accord-  
3           ing to fiscal and technological feasibility, as part  
4           of a National Counter-Drug Enforcement Re-  
5           search and Development Program;

6           (D) oversee and coordinate counter-drug  
7           technology initiatives with related activities of  
8           other Federal civilian and military departments;

9           (E) provide support to the development and  
10          implementation of the national drug control per-  
11          formance measurement system; and

12          (F) pursuant to the authority of the Direc-  
13          tor of National Drug Control Policy under sec-  
14          tion 804, submit requests to Congress for the re-  
15          programming or transfer of funds appropriated  
16          for counter-drug technology research and develop-  
17          ment.

18          (2) *LIMITATION ON AUTHORITY.*—The authority  
19          granted to the Director under this subsection shall not  
20          extend to the award of contracts, management of indi-  
21          vidual projects, or other operational activities.

22          (d) *ASSISTANCE AND SUPPORT TO OFFICE OF NA-*  
23          *TIONAL DRUG CONTROL POLICY.*—The Secretary of Defense  
24          and the Secretary of Health and Human Services shall, to  
25          the maximum extent practicable, render assistance and sup-

1 port to the Office and to the Director in the conduct of  
2 counter-drug technology assessment.

3 SEC. 809. PRESIDENT'S COUNCIL ON COUNTER-NAR-  
4 COTICS. (a) ESTABLISHMENT.—There is established a coun-  
5 cil to be known as the President's Council on Counter-Nar-  
6 cotics (referred to in this section as the "Council").

7 (b) MEMBERSHIP.—

8 (1) IN GENERAL.—Subject to paragraph (2), the  
9 Council shall be composed of 18 members, of whom—

10 (A) 1 shall be the President, who shall serve  
11 as Chairman of the Council;

12 (B) 1 shall be the Vice President;

13 (C) 1 shall be the Secretary of State;

14 (D) 1 shall be the Secretary of the Treasury;

15 (E) 1 shall be the Secretary of Defense;

16 (F) 1 shall be the Attorney General;

17 (G) 1 shall be the Secretary of Transpor-  
18 tation;

19 (H) 1 shall be the Secretary of Health and  
20 Human Services;

21 (I) 1 shall be the Secretary of Education;

22 (J) 1 shall be the Representative of the  
23 United States of America to the United Nations;

24 (K) 1 shall be the Director of the Office of  
25 Management and Budget;



1                   (L) 1 shall be the Chief of Staff to the Presi-  
2                   dent;

3                   (M) 1 shall be the Director of the Office,  
4                   who shall serve as the Executive Director of the  
5                   Council;

6                   (N) 1 shall be the Director of Central Intel-  
7                   ligence;

8                   (O) 1 shall be the Assistant to the President  
9                   for National Security Affairs;

10                  (P) 1 shall be the Counsel to the President;

11                  (Q) 1 shall be the Chairman of the Joint  
12                  Chiefs of Staff; and

13                  (R) 1 shall be the National Security Adviser  
14                  to the Vice President.

15                  (2) *ADDITIONAL MEMBERS.*—The President may,  
16                  in the discretion of the President, appoint additional  
17                  members to the Council.

18                  (c) *FUNCTIONS.*—The Council shall advise and assist  
19                  the President in—

20                   (1) providing direction and oversight for the na-  
21                   tional drug control strategy, including relating drug  
22                   control policy to other national security interests and  
23                   establishing priorities; and

24                   (2) ensuring coordination among departments  
25                   and agencies of the Federal Government concerning

1       *implementation of the National Drug Control Strat-*  
 2       *egy.*

3       (d) *ADMINISTRATION.*—

4           (1) *IN GENERAL.*—*The Council may utilize es-*  
 5       *tablished or ad hoc committees, task forces, or inter-*  
 6       *agency groups chaired by the Director (or a represent-*  
 7       *ative of the Director) in carrying out the functions of*  
 8       *the Council under this section.*

9           (2) *STAFF.*—*The staff of the Office, in coordina-*  
 10      *tion with the staffs of the Vice President and the As-*  
 11      *stant to the President for National Security Affairs,*  
 12      *shall act as staff for the Council.*

13          (3) *COOPERATION FROM OTHER AGENCIES.*—  
 14      *Each department and agency of the executive branch*  
 15      *shall—*

16           (A) *cooperate with the Council in carrying*  
 17           *out the functions of the Council under this sec-*  
 18           *tion; and*

19           (B) *provide such assistance, information,*  
 20           *and advice as the Council may request, to the ex-*  
 21           *tent permitted by law.*

22      *SEC. 810. PARENTS ADVISORY COUNCIL ON YOUTH*  
 23      *DRUG ABUSE. (a) IN GENERAL.*—

24           (1) *ESTABLISHMENT.*—*There is established a*  
 25      *Council to be known as the Parents Advisory Council*

1       *on Youth Drug Abuse (referred to in this section as*  
2       *the “Council”).*

3           (2) *MEMBERSHIP.*—

4           (A) *COMPOSITION.*—*The Council shall be*  
5       *composed of 16 members, of whom—*

6           (i) *4 shall be appointed by the Presi-*  
7       *dent, each of whom shall be a parent or*  
8       *guardian of a child who is not less than 6*  
9       *and not more than 18 years of age as of the*  
10      *date on which the appointment is made;*

11          (ii) *4 shall be appointed by the Major-*  
12      *ity Leader of the Senate, 3 of whom shall*  
13      *be a parent or guardian of a child who is*  
14      *not less than 6 and not more than 18 years*  
15      *of age as of the date on which the appoint-*  
16      *ment is made;*

17          (iii) *2 shall be appointed by the Mi-*  
18      *nority Leader of the Senate, each of whom*  
19      *shall be a parent or guardian of a child*  
20      *who is not less than 6 and not more than*  
21      *18 years of age as of the date on which the*  
22      *appointment is made;*

23          (iv) *4 shall be appointed by the Speak-*  
24      *er of the House of Representatives, 3 of*  
25      *whom shall be a parent or guardian of a*

1 *child who is not less than 6 and not more*  
2 *than 18 years of age as of the date on which*  
3 *the appointment is made; and*

4 *(v) 2 shall be appointed by the Minor-*  
5 *ity Leader of the House of Representatives,*  
6 *each of whom shall be a parent or guardian*  
7 *of a child who is not less than 6 and not*  
8 *more than 18 years of age as of the date on*  
9 *which the appointment is made.*

10 *(B) REQUIREMENTS.—*

11 *(i) IN GENERAL.—Each member of the*  
12 *Council shall be an individual from the pri-*  
13 *rate sector with a demonstrated interest and*  
14 *expertise in research, education, treatment,*  
15 *or prevention activities related to youth*  
16 *drug abuse.*

17 *(ii) REPRESENTATIVES OF NONPROFIT*  
18 *ORGANIZATIONS.—Not less than 1 member*  
19 *appointed under each of clauses (i) through*  
20 *(v) of paragraph (1)(A) shall be a rep-*  
21 *resentative of a nonprofit organization fo-*  
22 *cused on involving parents in antidrug edu-*  
23 *cation and prevention.*

24 *(C) DATE.—The appointments of the initial*  
25 *members of the Council shall be made not later*

1        *than 60 days after the date of enactment of this*  
2        *section.*

3                *(D) DIRECTOR.—The Director may, in the*  
4        *discretion of the Director, serve as an adviser to*  
5        *the Council and attend such meetings and hear-*  
6        *ings of the Council as the Director considers to*  
7        *be appropriate.*

8        *(3) PERIOD OF APPOINTMENT; VACANCIES.—*

9                *(A) PERIOD OF APPOINTMENT.—Each mem-*  
10       *ber of the Council shall be appointed for a term*  
11       *of 3 years, except that, of the initial members of*  
12       *the Council—*

13                *(i) 1 member appointed under each of*  
14       *clauses (i) through (v) of paragraph (1)(A)*  
15       *shall be appointed for a term of 1 year; and*

16                *(ii) 1 member appointed under each of*  
17       *clauses (i) through (v) of paragraph (1)(A)*  
18       *shall be appointed for a term of 2 years.*

19                *(B) VACANCIES.—Any vacancy in the*  
20       *Council shall not affect its powers, provided that*  
21       *a quorum is present, but shall be filled in the*  
22       *same manner as the original appointment. Any*  
23       *member appointed to fill a vacancy occurring be-*  
24       *fore the expiration of the term for which the*

1        *member's predecessor was appointed shall be ap-*  
2        *pointed only for the remainder of that term.*

3            (C) *APPOINTMENT OF SUCCESSOR.—To the*  
4        *extent necessary to prevent a vacancy in the*  
5        *membership of the Council, a member of the*  
6        *Council may serve for not more than 6 months*  
7        *after the expiration of the term of that member,*  
8        *if the successor of that member has not been ap-*  
9        *pointed.*

10          (4) *INITIAL MEETING.—Not later than 120 days*  
11        *after the date on which all initial members of the*  
12        *Council have been appointed, the Council shall hold*  
13        *its first meeting.*

14          (5) *MEETINGS.—The Council shall meet at the*  
15        *call of the Chairperson.*

16          (6) *QUORUM.—Nine members of the Council*  
17        *shall constitute a quorum, but a lesser number of*  
18        *members may hold hearings.*

19          (7) *CHAIRPERSON AND VICE CHAIRPERSON.—*

20            (A) *IN GENERAL.—The members of the*  
21        *Council shall select a Chairperson and Vice*  
22        *Chairperson from among the members of the*  
23        *Council.*

24            (B) *DUTIES OF CHAIRPERSON.—The Chair-*  
25        *person of the Council shall—*

1                   (i) *serve as the executive director of the*  
2                   *Council;*

3                   (ii) *direct the administration of the*  
4                   *Council;*

5                   (iii) *assign officer and committee du-*  
6                   *ties relating to the Council; and*

7                   (iv) *issue the reports, policy positions,*  
8                   *and statements of the Council.*

9                   (C) *DUTIES OF VICE CHAIRPERSON.—If the*  
10                  *Chairperson of the Council is unable to serve, the*  
11                  *Vice Chairperson shall serve as the Chairperson.*

12               (b) *DUTIES OF THE COUNCIL.—*

13               (1) *IN GENERAL.—The Council—*

14                   (A) *shall advise the President and the Mem-*  
15                   *bers of the Cabinet, including the Director, on*  
16                   *drug prevention, education, and treatment; and*

17                   (B) *may issue reports and recommendations*  
18                   *on drug prevention, education, and treatment, in*  
19                   *addition to the annual report detailed in para-*  
20                   *graph (2), as the Council considers appropriate.*

21               (2) *SUBMISSION TO CONGRESS.—Any report or*  
22               *recommendation issued by the Council shall be sub-*  
23               *mitted to Congress.*

24               (3) *ADVICE ON THE NATIONAL DRUG CONTROL*  
25               *STRATEGY.—Not later than December 1, 1998, and on*

1     *December 1 of each year thereafter, the Council shall*  
2     *submit to the Director an annual report containing*  
3     *drug control strategy recommendations on drug pre-*  
4     *vention, education, and treatment. Each report sub-*  
5     *mitted to the Director under this paragraph shall be*  
6     *included as an appendix to the report submitted by*  
7     *the Director under section 806(b).*

8     *(c) POWERS OF THE COUNCIL.—*

9             *(1) HEARINGS.—The Council may hold such*  
10     *hearings, sit and act at such times and places, take*  
11     *such testimony, and receive such evidence as the*  
12     *Council considers advisable to carry out this section.*

13            *(2) INFORMATION FROM FEDERAL AGENCIES.—*  
14     *The Council may secure directly from any depart-*  
15     *ment or agency of the Federal Government such infor-*  
16     *mation as the Council considers to be necessary to*  
17     *carry out this section. Upon request of the Chair-*  
18     *person of the Council, the head of that department or*  
19     *agency shall furnish such information to the Council,*  
20     *unless the head of that department or agency deter-*  
21     *mines that furnishing the information to the Council*  
22     *would threaten the national security of the United*  
23     *States, the health, safety, or privacy of any individ-*  
24     *ual, or the integrity of an ongoing investigation.*



1           (3) *POSTAL SERVICES.*—*The Council may use*  
 2           *the United States mails in the same manner and*  
 3           *under the same conditions as other departments and*  
 4           *agencies of the Federal Government.*

5           (4) *GIFTS.*—*The Council may solicit, accept, use,*  
 6           *and dispose of gifts or donations of services or prop-*  
 7           *erty in connection with performing the duties of the*  
 8           *Council under this section.*

9           (d) *EXPENSES.*—*The members of the Council shall be*  
 10          *allowed travel expenses, including per diem in lieu of sub-*  
 11          *sistence, at rates authorized for employees of agencies under*  
 12          *subchapter I of chapter 57 of title 5, United States Code,*  
 13          *while away from their homes or regular places of business*  
 14          *in the performance of services for the Council.*

15          (e) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*  
 16          *authorized to be appropriated to the Council such sums as*  
 17          *may be necessary carry out this section.*

18          *SEC. 811. DRUG INTERDICTION. (a) DEFINITION.*—*In*  
 19          *this section, the term “Federal drug control agency”*  
 20          *means—*

21                 (1) *the Office of National Drug Control Policy;*

22                 (2) *the Department of Defense;*

23                 (3) *the Drug Enforcement Administration;*

24                 (4) *the Federal Bureau of Investigation;*

25                 (5) *the Immigration and Naturalization Service;*

1           (6) *the United States Coast Guard;*

2           (7) *the United States Customs Service; and*

3           (8) *any other department or agency of the Fed-*  
4       *eral Government that the Director determines to be*  
5       *relevant.*

6       (b) *REPORT.—In order to assist Congress in determin-*  
7       *ing the personnel, equipment, funding, and other resources*  
8       *that would be required by Federal drug control agencies in*  
9       *order to achieve a level of interdiction success at or above*  
10       *the highest level achieved before the date of enactment of*  
11       *this title, not later than 90 days after the date of enactment*  
12       *of this Act, the Director shall submit to Congress and to*  
13       *each Federal drug control program agency a report, which*  
14       *shall include—*

15           (1) *with respect to the southern and western bor-*  
16       *der regions of the United States (including the Pacific*  
17       *coast, the border with Mexico, the Gulf of Mexico*  
18       *coast, and other ports of entry) and in overall totals,*  
19       *data relating to—*

20           (A) *the amount of marijuana, heroin, meth-*  
21       *amphetamine, and cocaine—*

22           (i) *seized during the year of highest re-*  
23       *corded seizures for each drug in each region*  
24       *and during the year of highest recorded*  
25       *overall seizures; and*

1                   (ii) disrupted during the year of high-  
2                   est recorded disruptions for each drug in  
3                   each region and during the year of highest  
4                   recorded overall seizures; and

5                   (B) the number of persons arrested for vio-  
6                   lations of section 1010(a) of the Controlled Sub-  
7                   stances Import and Export Act (21 U.S.C.  
8                   960(a)) and related offenses during the year of  
9                   the highest number of arrests on record for each  
10                  region and during the year of highest recorded  
11                  overall arrests;

12                (2) the price of cocaine, heroin, methamphet-  
13                amine, and marijuana during the year of highest  
14                price on record during the preceding 10-year period,  
15                adjusted for purity where possible; and

16                (3) a description of the personnel, equipment,  
17                funding, and other resources of the Federal drug con-  
18                trol agency devoted to drug interdiction and securing  
19                the borders of the United States against drug traffick-  
20                ing for each of the years identified in paragraphs (1)  
21                and (2) for each Federal drug control agency.

22                (b) BUDGET PROCESS.—

23                (1) INFORMATION TO DIRECTOR.—Based on the  
24                report submitted under subsection (b), each Federal  
25                drug control agency shall submit to the Director, as

1 *part of each annual drug control budget request sub-*  
 2 *mitted by the Federal drug control agency to the Di-*  
 3 *rector under section 804(c)(2), a description of the*  
 4 *specific personnel, equipment, funding, and other re-*  
 5 *sources that would be required for the Federal drug*  
 6 *control agency to meet or exceed the highest level of*  
 7 *interdiction success for that agency identified in the*  
 8 *report submitted under subsection (b).*

9 (2) *INFORMATION TO CONGRESS.—The Director*  
 10 *shall include each submission under paragraph (1) in*  
 11 *each annual consolidated National Drug Control Pro-*  
 12 *gram budget proposal submitted by the Director to*  
 13 *Congress under section 804(c), which submission shall*  
 14 *be accompanied by a description of any additional*  
 15 *resources that would be required by the Federal drug*  
 16 *control agencies to meet the highest level of interdic-*  
 17 *tion success identified in the report submitted under*  
 18 *subsection (b).*

19 *SEC. 812. REPORT ON AN ALLIANCE AGAINST NARCOT-*  
 20 *ICS TRAFFICKING IN THE WESTERN HEMISPHERE. (a)*  
 21 *SENSE OF CONGRESS ON DISCUSSIONS FOR ALLIANCE.—*

22 (1) *SENSE OF CONGRESS.—It is the sense of*  
 23 *Congress that the President should discuss with the*  
 24 *democratically elected governments of the Western*  
 25 *Hemisphere the prospect of forming a multilateral al-*

1        *liance to address problems relating to international*  
2        *drug trafficking in the Western Hemisphere.*

3            (2) *CONSULTATIONS.—In the consultations on*  
4        *the prospect of forming an alliance described in para-*  
5        *graph (1), the President should seek the input of such*  
6        *governments on the possibility of forming 1 or more*  
7        *structures within the alliance—*

8            (A) *to develop a regional, multilateral strat-*  
9        *egy to address the threat posed to nations in the*  
10       *Western Hemisphere by drug trafficking; and*

11          (B) *to establish a new mechanism for im-*  
12       *proving multilateral coordination of drug inter-*  
13       *diction and drug-related law enforcement activi-*  
14       *ties in the Western Hemisphere.*

15        (b) *REPORT.—*

16          (1) *REQUIREMENT.—Not later than 60 days*  
17       *after the date of enactment of this Act, the President*  
18       *shall submit to Congress a report on the proposal dis-*  
19       *cussed under subsection (a), which shall include—*

20          (A) *an analysis of the reactions of the gov-*  
21       *ernments concerned to the proposal;*

22          (B) *an assessment of the proposal, including*  
23       *an evaluation of the feasibility and advisability*  
24       *of forming the alliance;*

1           (C) a determination in light of the analysis  
2           and assessment whether or not the formation of  
3           the alliance is in the national interests of the  
4           United States;

5           (D) if the President determines that the for-  
6           mation of the alliance is in the national interests  
7           of the United States, a plan for encouraging and  
8           facilitating the formation of the alliance; and

9           (E) if the President determines that the for-  
10          mation of the alliance is not in the national in-  
11          terests of the United States, an alternative pro-  
12          posal to improve significantly efforts against the  
13          threats posed by narcotics trafficking in the  
14          Western Hemisphere, including an explanation  
15          of the manner in which the alternative proposal  
16          will—

17               (i) improve upon current cooperation  
18               and coordination of counter-drug efforts  
19               among nations in the Western Hemisphere;

20               (ii) provide for the allocation of the re-  
21               sources required to make significant  
22               progress in disrupting and disbanding the  
23               criminal organizations responsible for the  
24               trafficking of illegal drugs in the Western  
25               Hemisphere; and

1                   (iii) differ from and improve upon  
 2                   past strategies adopted by the United States  
 3                   Government which have failed to make suf-  
 4                   ficient progress against the trafficking of il-  
 5                   legal drugs in the Western Hemisphere.

6                   (2) UNCLASSIFIED FORM.—The report under  
 7                   paragraph (1) shall be submitted in unclassified form,  
 8                   but may contain a classified annex.

9                   SEC. 813. ESTABLISHMENT OF SPECIAL FORFEITURE  
 10                  FUND. Section 6073 of the Asset Forfeiture Amendments Act  
 11                  of 1988 (21 U.S.C. 1509) is amended—

12                   (1) in subsection (b)—

13                   (A) by striking “section 524(c)(9)” and in-  
 14                   serting “section 524(c)(8)”; and

15                   (B) by striking “section 9307(g)” and in-  
 16                   serting “section 9703(g)”; and

17                   (2) in subsection (e), by striking “strategy” and  
 18                   inserting “Strategy”.

19                   SEC. 814. TECHNICAL AND CONFORMING AMEND-  
 20                  MENTS. (a) TITLE 5, UNITED STATES CODE.—Chapter 53  
 21                  of title 5, United States Code, is amended—

22                   (1) in section 5312, by adding at the end the fol-  
 23                   lowing:

24                   “Director of National Drug Control Policy.”;

1           (2) in section 5313, by adding at the end the fol-  
 2       lowing:

3           “Deputy Director of National Drug Control Pol-  
 4       icy.”; and

5           (3) in section 5314, by adding at the end the fol-  
 6       lowing:

7           “Deputy Director for Demand Reduction, Office  
 8       of National Drug Control Policy.

9           “Deputy Director for Supply Reduction, Office  
 10      of National Drug Control Policy.

11          “Deputy Director for State and Local Affairs,  
 12      Office of National Drug Control Policy.”.

13          (b) NATIONAL SECURITY ACT OF 1947.—Section 101  
 14      of the National Security Act of 1947 (50 U.S.C. 402) is  
 15      amended by redesignating subsection (f) as subsection (g)  
 16      and inserting after subsection (e) the following:

17          “(f) The Director of National Drug Control Policy  
 18      may, in the role of the Director as principal adviser to the  
 19      National Security Council on national drug control policy,  
 20      and subject to the direction of the President, attend and  
 21      participate in meetings of the National Security Council.”.

22          (c) SUBMISSION OF NATIONAL DRUG CONTROL PRO-  
 23      GRAM BUDGET WITH ANNUAL BUDGET REQUEST OF  
 24      PRESIDENT.—Section 1105(a) of title 31, United States



1 *Code, is amended by inserting after paragraph (25) the fol-*  
 2 *lowing:*

3           “(26) *a separate statement of the amount of ap-*  
 4           *propriations requested for the Office of National Drug*  
 5           *Control Policy and each program of the National*  
 6           *Drug Control Program.”.*

7           *SEC. 815. AUTHORIZATION OF APPROPRIATIONS. There*  
 8           *are authorized to be appropriated to carry out this title,*  
 9           *to remain available until expended, such sums as may be*  
 10           *necessary for each of fiscal years 1998 through 2002.*

11           *SEC. 816. TERMINATION OF OFFICE OF NATIONAL*  
 12           *DRUG CONTROL POLICY. (a) IN GENERAL.—Except as pro-*  
 13           *vided in subsection (b), effective on September 30, 2002, this*  
 14           *title and the amendments made by this title are repealed.*

15           *(b) EXCEPTION.—Subsection (a) does not apply to sec-*  
 16           *tion 813 or the amendments made by that section.*

17           *TITLE IX—HAITIAN REFUGEE IMMIGRATION*  
 18           *FAIRNESS ACT OF 1998*

19           *SEC. 901. SHORT TITLE. This title may be cited as*  
 20           *the “Haitian Refugee Immigration Fairness Act of 1998”.*

21           *SEC. 902. ADJUSTMENT OF STATUS OF CERTAIN HAI-*  
 22           *TIAN NATIONALS. (a) ADJUSTMENT OF STATUS.—*

23                   *(1) IN GENERAL.—The status of any alien de-*  
 24           *scribed in subsection (b) shall be adjusted by the At-*

1        *torney General to that of an alien lawfully admitted*  
2        *for permanent residence, if the alien—*

3                *(A) applies for such adjustment before April*  
4                *1, 2000; and*

5                *(B) is otherwise admissible to the United*  
6                *States for permanent residence, except that, in*  
7                *determining such admissibility, the grounds for*  
8                *inadmissibility specified in paragraphs (4), (5),*  
9                *(6)(A), (7)(A), and (9)(B) of section 212(a) of*  
10               *the Immigration and Nationality Act shall not*  
11               *apply.*

12               *(2) RELATIONSHIP OF APPLICATION TO CERTAIN*  
13               *ORDERS.—An alien present in the United States who*  
14               *has been ordered excluded, deported, removed, or or-*  
15               *dered to depart voluntarily from the United States*  
16               *under any provision of the Immigration and Nation-*  
17               *ality Act may, notwithstanding such order, apply for*  
18               *adjustment of status under paragraph (1). Such an*  
19               *alien may not be required, as a condition on submit-*  
20               *ting or granting such application, to file a separate*  
21               *motion to reopen, reconsider, or vacate such order. If*  
22               *the Attorney General grants the application, the At-*  
23               *torney General shall cancel the order. If the Attorney*  
24               *General makes a final decision to deny the applica-*

1        *tion, the order shall be effective and enforceable to the*  
2        *same extent as if the application had not been made.*

3        *(b) ALIENS ELIGIBLE FOR ADJUSTMENT OF STA-*  
4        *TUS.—The benefits provided by subsection (a) shall apply*  
5        *to any alien who is a national of Haiti who—*

6                *(1) was present in the United States on Decem-*  
7        *ber 31, 1995, who—*

8                *(A) filed for asylum before December 31,*  
9        *1995,*

10               *(B) was paroled into the United States*  
11        *prior to December 31, 1995, after having been*  
12        *identified as having a credible fear of persecu-*  
13        *tion, or paroled for emergent reasons or reasons*  
14        *deemed strictly in the public interest, or*

15               *(C) was a child (as defined in the text above*  
16        *subparagraph (A) of section 101(b)(1) of the Im-*  
17        *migration and Nationality Act (8 U.S.C.*  
18        *1101(b)(1)) at the time of arrival in the United*  
19        *States and on December 31, 1995, and who—*

20               *(i) arrived in the United States with-*  
21        *out parents in the United States and has*  
22        *remained without parents in the United*  
23        *States since such arrival,*

24               *(ii) became orphaned subsequent to ar-*  
25        *rival in the United States, or*

1                   (iii) was abandoned by parents or  
2                   guardians prior to April 1, 1998 and has  
3                   remained abandoned since such abandon-  
4                   ment; and

5                   (2) has been physically present in the United  
6                   States for a continuous period beginning not later  
7                   than December 31, 1995, and ending not earlier than  
8                   the date the application for such adjustment is filed,  
9                   except that an alien shall not be considered to have  
10                  failed to maintain continuous physical presence by  
11                  reason of an absence, or absences, from the United  
12                  States for any period or periods amounting in the ag-  
13                  gregate to not more than 180 days.

14               (c) *STAY OF REMOVAL*.—

15               (1) *IN GENERAL*.—The Attorney General shall  
16               provide by regulation for an alien who is subject to  
17               a final order of deportation or removal or exclusion  
18               to seek a stay of such order based on the filing of an  
19               application under subsection (a).

20               (2) *DURING CERTAIN PROCEEDINGS*.—Notwith-  
21               standing any provision of the Immigration and Na-  
22               tionality Act, the Attorney General shall not order  
23               any alien to be removed from the United States, if the  
24               alien is in exclusion, deportation, or removal proceed-  
25               ings under any provision of such Act and has applied

1     *for adjustment of status under subsection (a), except*  
2     *where the Attorney General has made a final deter-*  
3     *mination to deny the application.*

4             (3) *WORK AUTHORIZATION.*—*The Attorney Gen-*  
5     *eral may authorize an alien who has applied for ad-*  
6     *justment of status under subsection (a) to engage in*  
7     *employment in the United States during the pendency*  
8     *of such application and may provide the alien with*  
9     *an “employment authorized” endorsement or other*  
10    *appropriate document signifying authorization of em-*  
11    *ployment, except that if such application is pending*  
12    *for a period exceeding 180 days, and has not been de-*  
13    *nied, the Attorney General shall authorize such em-*  
14    *ployment.*

15            (d) *ADJUSTMENT OF STATUS FOR SPOUSES AND CHIL-*  
16    *DREN.*—

17             (1) *IN GENERAL.*—*The status of an alien shall be*  
18     *adjusted by the Attorney General to that of an alien*  
19     *lawfully admitted for permanent residence, if—*

20                (A) *the alien is a national of Haiti;*

21                (B) *the alien is the spouse, child, or unmar-*  
22     *ried son or daughter, of an alien whose status is*  
23     *adjusted to that of an alien lawfully admitted for*  
24     *permanent residence under subsection (a), except*  
25     *that, in the case of such an unmarried son or*

1        *daughter, the son or daughter shall be required*  
2        *to establish that he or she has been physically*  
3        *present in the United States for a continuous pe-*  
4        *riod beginning not later than December 31,*  
5        *1995, and ending not earlier than the date the*  
6        *application for such adjustment is filed;*

7                *(C) the alien applies for such adjustment*  
8        *and is physically present in the United States on*  
9        *the date the application is filed; and*

10               *(D) the alien is otherwise admissible to the*  
11        *United States for permanent residence, except*  
12        *that, in determining such admissibility, the*  
13        *grounds for inadmissibility specified in para-*  
14        *graphs (4), (5), (6)(A), (7)(A), and (9)(B) of sec-*  
15        *tion 212(a) of the Immigration and Nationality*  
16        *Act shall not apply.*

17               *(2) PROOF OF CONTINUOUS PRESENCE.—For*  
18        *purposes of establishing the period of continuous*  
19        *physical presence referred to in paragraph (1)(B), an*  
20        *alien shall not be considered to have failed to main-*  
21        *tain continuous physical presence by reason of an ab-*  
22        *sence, or absences, from the United States for any pe-*  
23        *riod or periods amounting in the aggregate to not*  
24        *more than 180 days.*

1       (e) *AVAILABILITY OF ADMINISTRATIVE REVIEW.*—The  
2   Attorney General shall provide to applicants for adjustment  
3   of status under subsection (a) the same right to, and proce-  
4   dures for, administrative review as are provided to—

5           (1) applicants for adjustment of status under  
6       section 245 of the Immigration and Nationality Act;  
7       or

8           (2) aliens subject to removal proceedings under  
9       section 240 of such Act.

10       (f) *LIMITATION ON JUDICIAL REVIEW.*—A determina-  
11   tion by the Attorney General as to whether the status of  
12   any alien should be adjusted under this section is final and  
13   shall not be subject to review by any court.

14       (g) *NO OFFSET IN NUMBER OF VISAS AVAILABLE.*—  
15   When an alien is granted the status of having been lawfully  
16   admitted for permanent resident pursuant to this section,  
17   the Secretary of State shall not be required to reduce the  
18   number of immigrant visas authorized to be issued under  
19   any provision of the Immigration and Nationality Act.

20       (h) *APPLICATION OF IMMIGRATION AND NATIONALITY*  
21   *ACT PROVISIONS.*—Except as otherwise specifically pro-  
22   vided in this title, the definitions contained in the Immi-  
23   gration and Nationality Act shall apply in the administra-  
24   tion of this section. Nothing contained in this title shall  
25   be held to repeal, amend, alter, modify, effect, or restrict

1 *the powers, duties, functions, or authority of the Attorney*  
2 *General in the administration and enforcement of such Act*  
3 *or any other law relating to immigration, nationality, or*  
4 *naturalization. The fact that an alien may be eligible to*  
5 *be granted the status of having been lawfully admitted for*  
6 *permanent residence under this section shall not preclude*  
7 *the alien from seeking such status under any other provi-*  
8 *sion of law for which the alien may be eligible.*

9       *(i) ADJUSTMENT OF STATUS HAS NO EFFECT ON ELI-*  
10 *GIBILITY FOR WELFARE AND PUBLIC BENEFITS.—No alien*  
11 *whose status has been adjusted in accordance with this sec-*  
12 *tion and who was not a qualified alien on the date of enact-*  
13 *ment of this Act may, solely on the basis of such adjusted*  
14 *status, be considered to be a qualified alien under section*  
15 *431(b) of the Personal Responsibility and Work Oppor-*  
16 *tunity Reconciliation Act of 1996 (8 U.S.C. 1641(b)), as*  
17 *amended by section 5302 of the Balanced Budget Act of*  
18 *1997 (Public Law 105–33; 111 Stat. 598), for purposes of*  
19 *determining the alien’s eligibility for supplemental security*  
20 *income benefits under title XVI of the Social Security Act*  
21 *(42 U.S.C. 1381 et seq.) or medical assistance under title*  
22 *XIX of such Act (42 U.S.C. 1396 et seq.).*

23       *(j) PERIOD OF APPLICABILITY.—Subsection (i) shall*  
24 *not apply after October 1, 2003.*



1        *SEC. 903. COLLECTION OF DATA ON DETAINED ASY-*  
2 *LUM SEEKERS. (a) IN GENERAL.—The Attorney General*  
3 *shall regularly collect data on a nation-wide basis with re-*  
4 *spect to asylum seekers in detention in the United States,*  
5 *including the following information:*

6            (1) *The number of detainees.*

7            (2) *An identification of the countries of origin of*  
8 *the detainees.*

9            (3) *The percentage of each gender within the*  
10 *total number of detainees.*

11           (4) *The number of detainees listed by each year*  
12 *of age of the detainees.*

13           (5) *The location of each detainee by detention fa-*  
14 *cility.*

15           (6) *With respect to each facility where detainees*  
16 *are held, whether the facility is also used to detain*  
17 *criminals and whether any of the detainees are held*  
18 *in the same cells as criminals.*

19           (7) *The number and frequency of the transfers of*  
20 *detainees between detention facilities.*

21           (8) *The average length of detention and the num-*  
22 *ber of detainees by category of the length of detention.*

23           (9) *The rate of release from detention of detain-*  
24 *ees for each district of the Immigration and Natu-*  
25 *ralization Service.*

1           (10) *A description of the disposition of cases.*

2           (b) *ANNUAL REPORTS.*—*Beginning October 1, 1999,*  
3 *and not later than October 1 of each year thereafter, the*  
4 *Attorney General shall submit to the Committee on the Ju-*  
5 *diciary of each House of Congress a report setting forth the*  
6 *data collected under subsection (a) for the fiscal year ending*  
7 *September 30 of that year.*

8           (c) *AVAILABILITY TO PUBLIC.*—*Copies of the data col-*  
9 *lected under subsection (a) shall be made available to mem-*  
10 *bers of the public upon request pursuant to such regulations*  
11 *as the Attorney General shall prescribe.*

12        *SEC. 904. COLLECTION OF DATA ON OTHER DETAINED*  
13 *ALIENS. (a) IN GENERAL.*—*The Attorney General shall reg-*  
14 *ularly collect data on a nationwide basis on aliens being*  
15 *detained in the United States by the Immigration and Nat-*  
16 *uralization Service other than the aliens described in sec-*  
17 *tion 903, including the following information:*

18           (1) *The number of detainees who are criminal*  
19 *aliens and the number of detainees who are noncrimi-*  
20 *nal aliens who are not seeking asylum.*

21           (2) *An identification of the ages, gender, and*  
22 *countries of origin of detainees within each category*  
23 *described in paragraph (1).*

24           (3) *The types of facilities, whether facilities of*  
25 *the Immigration and Naturalization Service or other*

1       *Federal, State, or local facilities, in which each of the*  
2       *categories of detainees described in paragraph (1) are*  
3       *held.*

4       **(b) LENGTH OF DETENTION, TRANSFERS, AND DIS-**  
5       **POSITIONS.**—*With respect to detainees who are criminal*  
6       *aliens and detainees who are noncriminal aliens who are*  
7       *not seeking asylum, the Attorney General shall also collect*  
8       *data concerning—*

9               *(1) the number and frequency of transfers be-*  
10       *tween detention facilities for each category of de-*  
11       *tainee;*

12              *(2) the average length of detention of each cat-*  
13       *egory of detainee;*

14              *(3) for each category of detainee, the number of*  
15       *detainees who have been detained for the same length*  
16       *of time, in 3-month increments;*

17              *(4) for each category of detainee, the rate of re-*  
18       *lease from detention for each district of the Immigra-*  
19       *tion and Naturalization Service; and*

20              *(5) for each category of detainee, the disposition*  
21       *of detention, including whether detention ended due to*  
22       *deportation, release on parole, or any other release.*

23       **(c) CRIMINAL ALIENS.**—*With respect to criminal*  
24       *aliens, the Attorney General shall also collect data concern-*  
25       *ing—*

1           (1) *the number of criminal aliens apprehended*  
2           *under the immigration laws and not detained by the*  
3           *Attorney General; and*

4           (2) *a list of crimes committed by criminal aliens*  
5           *after the decision was made not to detain them, to the*  
6           *extent this information can be derived by cross-check-*  
7           *ing the list of criminal aliens not detained with other*  
8           *databases accessible to the Attorney General.*

9           (d) *ANNUAL REPORTS.*—*Beginning on October 1,*  
10          *1999, and not later than October 1 of each year thereafter,*  
11          *the Attorney General shall submit to the Committee on the*  
12          *Judiciary of each House of Congress a report setting forth*  
13          *the data collected under subsections (a), (b), and (c) for the*  
14          *fiscal year ending September 30 of that year.*

15          (e) *AVAILABILITY TO PUBLIC.*—*Copies of the data col-*  
16          *lected under subsections (a), (b), and (c) shall be made*  
17          *available to members of the public upon request pursuant*  
18          *to such regulations as the Attorney General shall prescribe.*

1        *This Act may be cited as the “Treasury and General*  
2 *Government Appropriations Act, 1999”.*

Passed the House of Representatives July 16, 1998.

Attest: ROBIN H. CARLE,  
*Clerk.*

Passed the Senate September 3 (legislative day, August 31), 1998.

Attest: GARY SISCO,  
*Secretary.*