

Republican campaign finance reform bill an individual will be able to give up to \$3.1 million. As my Republican colleagues also said, "The average American will be left even further behind in the Washington money chase as they are frozen out of the political process." I urge my Republican colleagues to listen to their own caucus members and vote against this weak reform legislation.

PERMISSION FOR SUNDRY COMMITTEES AND THEIR SUBCOMMITTEES TO SIT TODAY DURING THE 5-MINUTE RULE

Mr. LIGHTFOOT. Mr. Speaker, I ask unanimous consent that the following committees and their subcommittees be permitted to sit today while the House is meeting in the Committee of the Whole House under the 5-minute rule: Committee on Agriculture, Committee on Commerce, Committee on Government Reform and Oversight, Committee on International Relations, Committee on the Judiciary, Committee on National Security, Committee on Resources, Committee on Small Business, Committee on Transportation and Infrastructure, and Permanent Select Committee on Intelligence.

It is my understanding that the minority has been consulted and that there is no objection to these requests.

The SPEAKER pro tempore (Mr. NEY). Is there objection to the request of the gentleman from Iowa?

There was no objection.

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1997

The SPEAKER pro tempore. Pursuant to House Resolution 475 and rule XXIII the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 3756.

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IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 3756) making appropriations for the Treasury Department, the U.S. Postal Service, the Executive Office of the President, and certain independent agencies, for the fiscal year ending September 30, 1997, and for other purposes, with Mr. DREIER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose on Tuesday, July 16, 1996, amendment No. 3 printed in part 2 of House Report 104-671 offered by the gentleman from Minnesota [Mr. GUTKNECHT] had been disposed of.

Pursuant to the order of the House of that day, the bill is considered as read.

The text of the remainder of the bill is as follows:

TITLE II—POSTAL SERVICE

PAYMENTS TO THE POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code, \$85,080,000: *Provided*, That mail for overseas voting and mail for the blind shall continue to be free: *Provided further*, That 6-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further*, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further*, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in the fiscal year ending on September 30, 1997.

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

COMPENSATION OF THE PRESIDENT AND

THE WHITE HOUSE OFFICE

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of \$50,000 per annum as authorized by 3 U.S.C. 102, \$250,000: *Provided*, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31, United States Code: *Provided further*, That none of the funds made available for official expenses shall be considered as taxable to the President.

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed \$3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; including subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed \$100,000 to be expended and accounted for as provided by 3 U.S.C. 103); not to exceed \$19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President; \$40,193,000: *Provided*, That \$420,000 of the funds appropriated may not be obligated until the Director of the Office of Administration has submitted, and the Committees on Appropriations of the House and Senate have approved, a report that identifies, evaluates, and prioritizes all computer systems investments planned for fiscal year 1997, a milestone schedule for the development and implementation of all projects included in the systems investment plan, and a systems architecture plan.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

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

SPECIAL ASSISTANCE TO THE PRESIDENT AND THE OFFICIAL RESIDENCE OF THE VICE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions, services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles; \$3,280,000: *Provided*, That \$150,000 of the funds appropriated may not be obligated until the Director of the Office of Administration has submitted, and the Committees on Appropriations of the House and Senate have approved, a report that identifies, evaluates, and prioritizes all computer systems investments planned for fiscal year 1997, a milestone schedule for the development and implementation of all projects included in the systems investment plan, and a systems architecture plan.

OPERATING EXPENSES

For the care, operation, refurbishing, improvement, heating and lighting, including electric power and fixtures, of the official residence of the Vice President, the hire of passenger motor vehicles, and not to exceed \$90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate; \$324,000: *Provided*, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities: *Provided further*, That \$8,000 of the funds appropriated may not be obligated until the Director of the Office of Administration has submitted for approval to the Committees on Appropriations of the House and Senate a report that identifies, evaluates, and prioritizes all computer systems investments planned for fiscal year 1997, a milestone schedule for the development and implementation of all projects included in the systems investment plan, and a systems architecture plan.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

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

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109, and 3 U.S.C. 107; \$3,867,000: *Provided*, That \$45,000 of the funds appropriated may not be obligated until the Director of the Office of Administration has submitted, and the Committees on Appropriations of the House and Senate have approved, a report that identifies, evaluates, and prioritizes all computer systems investments planned for fiscal year 1997, a milestone schedule for the development and implementation of all projects included in the systems investment plan, and a systems architecture plan.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109, \$6,648,000: *Provided*, That \$3,000 of the funds appropriated may not be obligated until the Director of the Office of Administration has submitted, and the Committees on Appropriations of the House and Senate have approved, a report that identifies, evaluates, and prioritizes all computer systems investments planned for fiscal year 1997, a milestone schedule for the development and implementation of all

projects included in the systems investment plan, and a systems architecture plan.

OFFICE OF ADMINISTRATION
SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, \$26,100,000, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles: *Provided*, That \$340,700 of the funds appropriated may not be obligated until the Director of the Office of Administration has submitted, and the Committees on Appropriations of the House and Senate have approved, a report that identifies, evaluates, and prioritizes all computer systems investments planned for fiscal year 1997, a milestone schedule for the development and implementation of all projects included in the systems investment plan, and a systems architecture plan.

OFFICE OF MANAGEMENT AND BUDGET
SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109, \$55,573,000, of which not to exceed \$5,000,000 shall be available to carry out the provisions of 44 U.S.C. chapter 35: *Provided*, That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made except as otherwise provided by law: *Provided further*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the House and Senate Committees on Appropriations or the House and Senate Committees on Veterans' Affairs or their subcommittees: *Provided further*, That this proviso shall not apply to printed hearings released by the House and Senate Committees on Appropriations or the House and Senate Committees on Veterans' Affairs.

OFFICE OF NATIONAL DRUG CONTROL POLICY
SALARIES AND EXPENSES
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to title I of Public Law 100-690; not to exceed \$8,000 for official reception and representation expenses; and for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement; \$34,838,000, of which \$18,000,000 shall remain available until expended, consisting of \$1,000,000 for policy research and evaluation and \$17,000,000 for the Counter-Drug Technology Assessment Center for counternarcotics research and development projects, and of which \$1,268,000 shall be obligated for drug prevention public service announcements, and of which \$1,000,000 shall be obligated for State conferences on model State drug laws: *Provided*, That the \$17,000,000 for the Counter-Drug Technology Assessment Center shall be available for transfer to other Federal departments or agencies: *Provided further*, That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, for the purpose of aiding or facilitating the work of the Office: *Provided further*, That the Sec-

retary of the Treasury is authorized to receive all unavailable collections transferred from the Special Forfeiture Fund established by section 6073 of the Anti-Drug Abuse Act of 1988 (21 U.S.C. 1509) by the Director of the Office of Drug Control Policy as a deposit into the Treasury Forfeiture Fund (31 U.S.C. 9703(a)).

FEDERAL DRUG CONTROL PROGRAMS
HIGH INTENSITY DRUG TRAFFICKING AREAS
PROGRAM
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, \$113,000,000 for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which \$3,000,000 shall be used for a newly designated High Intensity Drug Trafficking Area in Lake County, Indiana; of which \$2,000,000 shall be used for a newly designated High Intensity Drug Trafficking Area for the Gulf Coast States of Louisiana, Alabama, and Mississippi; of which \$5,000,000 shall be used for a newly designated High Intensity Drug Trafficking Area dedicated to combating methamphetamine use, production and trafficking in a five State area including Iowa, Missouri, Nebraska, South Dakota, and Kansas; of which no less than \$59,000,000 shall be transferred to State and local entities for drug control activities; and of which up to \$54,000,000 may be transferred to Federal agencies and departments at a rate to be determined by the Director: *Provided*, That the funds made available under this head shall be obligated within 90 days of the date of enactment of this Act.

This title may be cited as the "Executive Office Appropriations Act, 1997".

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

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

FEDERAL ELECTION COMMISSION
SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended, \$27,524,000, of which no less than \$2,500,000 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.

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 as authorized by 5 U.S.C. 3109, including hire of experts and consultants, hire of passenger motor vehicles, rental of conference rooms in the District of Columbia and elsewhere; \$21,588,000: *Provided*, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further*, That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

GENERAL SERVICES ADMINISTRATION
FEDERAL BUILDINGS FUND
LIMITATIONS ON AVAILABILITY OF REVENUE

For additional expenses necessary to carry out the purpose of the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)), \$209,193,000, to be deposited into said Fund. The revenues and collections deposited into the Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of Federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of Federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, taxes, and any other obligations for public buildings acquired by installment purchase and purchase contract, in the aggregate amount of \$5,364,392,000, of which (1) not to exceed \$540,000,000 shall remain available until expended for construction of additional projects at locations as follows: Fresno, California, Federal Building and U.S. Courthouse; Denver, Colorado, U.S. Courthouse; District of Columbia, U.S. Courthouse Annex; Miami, Florida, U.S. Courthouse; Orlando, Florida, U.S. Courthouse; Covington, Kentucky, U.S. Courthouse; London, Kentucky, U.S. Courthouse; Babb, Montana, Piegan Border Station; Sweetgrass, Montana, Border Station; Las Vegas, Nevada, U.S. Courthouse; Brooklyn, New York, U.S. Courthouse; Cleveland, Ohio, U.S. Courthouse; Youngstown, Ohio, U.S. Courthouse; Portland, Oregon, Consolidated Law Enforcement Federal Office Building; Erie, Pennsylvania, U.S. Courthouse; Philadelphia, Pennsylvania, Department of Veterans Affairs—Federal Complex, phase II; Columbia, South Carolina, U.S. Courthouse; Corpus Christi, Texas, U.S. Courthouse; Salt Lake City, Utah, Moss Courthouse Annex and Alteration; Blaine, Washington, U.S. Border Station; Oroville, Washington, U.S. Border Station; Seattle, Washington, U.S. Courthouse; and, Sumas, Washington, U.S. Border Station, (Claim): *Provided*, That the total cost of the immediately foregoing United States Courthouse or United States Courthouse annex construction projects shall be reduced by no less than 10 percent from the prospectus level estimate by improving design efficiencies, curtailing planned interior finishes requiring more efficient use of courtroom and library space, and by otherwise limiting space requirements: *Provided further*, That each of the immediately foregoing construction projects may not exceed the original authorized level for site acquisition, design, or construction, unless advanced approval is obtained from the House and Senate Committees on Appropriations: *Provided further*, That from funds available in the Federal Buildings Fund, \$20,000,000 shall be available until expended for environmental clean up activities at the Southeast

Federal Center in the District of Columbia: *Provided further*, That all funds for direct construction projects shall expire on September 30, 1999, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: *Provided further*, That claims against the Government of less than \$250,000 arising from direct construction projects, acquisitions of buildings and purchase contract projects pursuant to Public Law 92-313, be liquidated with prior notification to the Committees on Appropriations of the House and Senate to the extent savings are effected in other such projects; (2) not to exceed \$635,000,000 shall remain available until expended, for repairs and alterations which includes associated design and construction services, as follows: District of Columbia, Ariel Rios Building; District of Columbia, Department of Justice Building (Main), phase, 1; District of Columbia, Lafayette Building; District of Columbia, State Department Building; Honolulu, Hawaii, Prince Jonah Kūhio Kalanianaʻole Federal Building and U.S. Courthouse; Chicago, Illinois, Everett M. Dirksen Federal Building; Chicago, Illinois, John C. Kluczynski, Jr. Federal Building (IRS); Andover, Massachusetts, IRS Regional Service Center; Concord, New Hampshire, J.C. Cleveland Federal Building; Camden, New Jersey, U.S. Post Office-Courthouse; Albany, New York, James T. Foley Post Office-Courthouse; Brookhaven, New York, IRS Service Center; New York, New York, Jacob K. Javits Federal Building; Scranton, Pennsylvania, Federal Building-U.S. Courthouse; Providence, Rhode Island, Federal Building-U.S. Courthouse; Fort Worth, Texas, Federal Center; Nationwide repairs and alterations: Security Upgrades; Chlorofluorocarbons Program; Elevator Program; and, Energy Program: *Provided further*, That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations of the House and Senate: *Provided further*, That the amounts provided in this or any prior Act for Repairs and Alterations may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: *Provided further*, That funds in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the originally authorized amount, except each project may be increased by an amount not to exceed 10 percent when advance approval is obtained from the Committees on Appropriations of the House and Senate of a greater amount: *Provided further*, That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading "Repairs and Alterations", may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: *Provided further*, That such sums as may be necessary shall be made available for ongoing renovation and consolidation efforts at the National Veterinary Services Laboratory and a biocontainment facility at the National Animal Disease Center, as directed in Public Law 104-52: *Provided further*, That all funds for repairs and alterations prospectus projects shall expire on September 30, 1999, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: *Provided further*, That the amount provided in this or any prior Act for Basic Repairs and

Alterations may be used to pay claims against the Government arising from any projects under the heading "Repairs and Alterations" or used to fund authorized increases in prospectus projects: *Provided further*, That \$5,700,000 of the funds provided under this heading in Public Law 103-329, for the IRS Service Center, Holtsville, New York, shall be available until September 30, 1998; (3) not to exceed \$173,075,000 for installment acquisition payments including payments on purchase contracts which shall remain available until expended; (4) not to exceed \$3,903,205,000, to remain available until expended, for building operations, leasing activities, and rental of space, of which up to \$205,000,000 shall be available for security enhancements; and (5) not to exceed \$4,800,000 for the development and acquisition of automatic data processing equipment, software, and services for the Public Buildings Service which shall remain available until September 30, 1999 for transfer to accounts and in amounts as necessary to satisfy the requirements of the Public Buildings Service: *Provided further*, That funds available to the General Services Administration shall not be available for expenses in connection with any construction, repair, alteration, and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, as amended, has not been approved, except that necessary funds may be expended for each project for required expenses in connection with the development of a proposed prospectus: *Provided further*, That the Administrator is authorized in fiscal year 1997 and thereafter, to enter into and perform such leases, contracts, or other transactions with any agency or instrumentality of the United States, the several States, or the District of Columbia, or with any person, firm, association, or corporation, as may be necessary to implement the trade center plan at the Federal Triangle Project and is hereby granted all the rights and authorities of the former Pennsylvania Avenue Development Corporation (PADC) with regards to property transferred from PADC to the General Services Administration in fiscal year 1996: *Provided further*, That for the purposes of this authorization, buildings constructed pursuant to the purchase contract authority of the Public Buildings Amendments of 1972 (40 U.S.C. 602a), buildings occupied pursuant to installment purchase contracts, and buildings under the control of another department or agency where alterations of such buildings are required in connection with the moving of such other department or agency from buildings then, or thereafter to be, under the control of the General Services Administration shall be considered to be federally owned buildings: *Provided further*, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations of the House and Senate: *Provided further*, That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)(6)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, as amended, shall be available from such revenues and collections: *Provided further*, That revenues and collections and any other sums accruing to this Fund during fiscal year 1997, excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)(6)) in excess of \$5,364,392,000 shall re-

main in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

POLICY AND OPERATIONS

For expenses authorized by law, not otherwise provided for, for Government-wide policy and oversight activities associated with asset management activities; utilization and donation of surplus personal property; transportation management activities; procurement and supply management activities; Government-wide and internal responsibilities relating to automated data management, telecommunications, information resources management, and related technology activities; utilization survey, deed compliance inspection, appraisal, environmental and cultural analysis, and land use planning functions pertaining to excess and surplus real property; agency-wide policy direction; Board of Contract Appeals; accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Federal Claims; services as authorized by 5 U.S.C. 3109; and not to exceed \$5,000 for official reception and representation expenses; \$109,091,000.

OFFICE OF INSPECTOR GENERAL

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

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

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

EXPENSES, PRESIDENTIAL TRANSITION

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

GENERAL PROVISIONS—GENERAL SERVICES ADMINISTRATION

SECTION 401. The appropriate appropriation or fund available to the General Services Administration shall be credited with the cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).

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

SEC. 403. Funds in the Federal Buildings Fund made available for fiscal year 1997 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements: *Provided*, That any proposed transfers shall be approved in advance by the Committees on Appropriations of the House and Senate.

SEC. 404. Section 10 of the General Services Administration General Provisions, Public Law 100-440, dated September 22, 1988, is hereby repealed.

SEC. 405. No funds made available by this Act shall be used to transmit a fiscal year 1998 request for United States Courthouse construction that does not meet the design guide standards for construction as established by the General Services Administration, the Judicial Conference of the United

States, and the Office of Management and Budget and does not reflect the priorities of the Judicial Conference of the United States as set out in its approved 5-year construction plan: *Provided*, That the request must be accompanied by a standardized courtroom utilization study of each facility to be replaced or expanded.

SEC. 406. (a) Section 210 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490) is amended by adding at the end the following new subsection:

"(1) The Administrator may establish, acquire space for, and equip flexiplace work telecommuting centers (in this subsection referred to as 'telecommuting centers') for use by employees of Federal agencies, State and local governments, and the private sector in accordance with this subsection.

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

"(3)(A) The Administrator shall charge user fees for the use of any telecommuting center. The amount of the user fee shall approximate commercial charges for comparable space and services except that in no instance shall such fee be less than that necessary to pay the cost of establishing and operating the center, including the reasonable cost of renovation and replacement of furniture, fixtures, and equipment.

"(B) Amounts received by the Administrator after September 30, 1993, as user fees for use of any telecommuting center may be deposited into the Fund established under subsection (f) of this section and may be used by the Administrator to pay costs incurred in the establishment and operation of the center.

"(4) The Administrator may provide guidance, assistance, and oversight to any person regarding establishment and operation of alternative workplace arrangements, such as telecommuting, hoteling, virtual offices, and other distributive work arrangements.

"(5) In considering whether to acquire any space, quarters, buildings, or other facilities for use by employees of any executive agency, the head of that agency shall consider whether the need for the facilities can be met using alternative workplace arrangements referred to in paragraph (4).

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

(1) by striking "(xi)" and inserting in lieu thereof "(xii)"; and

(2) by striking "and (x)" and inserting in lieu thereof "(x) telecommuting centers and (xi)".

SEC. 407. None of the funds provided in this Act may be used to implement a plan for the Ronald Reagan Building (International Trade Center, Washington, D.C.) which would permit the Woodrow Wilson Center to pay the General Services Administration less than the rate per square foot assessment for space and services which is paid by other Federal entities.

SEC. 408. None of the funds provided in this Act may be used to increase the amount of occupiable square feet, provide cleaning services, security enhancements, or any other service usually provided through the Federal Buildings Fund, to any agency which does not pay the requested rate per square foot assessment for space and services as determined by the General Services Administration in compliance with the Public Buildings Amendments Act of 1972 (Public Law 92-313).

SEC. 409. The Administrator of the General Services is directed to ensure that the mate-

rials used for the facade on the United States Courthouse Annex, Savannah, Georgia project are compatible with the existing Savannah Federal Building-U.S. Courthouse facade, in order to ensure compatibility of this new facility with the Savannah historic district and to ensure that the Annex will not endanger the National Landmark status of the Savannah historic district.

SEC. 410. Notwithstanding any other provision of this or any other Act, during the fiscal year ending September 30, 1997, and thereafter, the Administrator of General Services may sell or exchange real property, related assets or interests therein under the custody and control of the General Services Administration, whether or not such property or interests therein are excess to its needs, when the Administrator determines that such sale or exchange is consistent with economical management of the Federal real property portfolio, as such portfolio may be defined by the Administrator: *Provided*, That any proceeds from such sale or exchange remaining after reimbursing the Administrator for the costs of such sales or changes, including the costs of relocating Federal agencies occupying the property, shall be deposited in the Federal Buildings Fund and shall remain available until expended.

JOHN F. KENNEDY ASSASSINATION RECORDS REVIEW BOARD

For necessary expenses to carry out the John F. Kennedy Assassination Records Collection Act of 1992, \$2,150,000.

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 Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform 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 vehicles, and direct procurement of survey printing, \$23,297,000, together with not to exceed \$2,430,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives (including the Information Security Oversight Office) and records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, and for the hire of passenger motor vehicles, \$195,109,000: *Provided*, That the Archivist of the United States is authorized to use any excess funds available from the amount borrowed for construction of the National Archives facility, for expenses necessary to move into the facility.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (RESCISSION)

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

ARCHIVES FACILITIES AND PRESIDENTIAL LIBRARIES REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities and presidential libraries, \$9,500,000 to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, as amended, \$4,000,000 to remain available until expended.

OFFICE OF GOVERNMENT ETHICS SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, as amended by Public Law 100-598, and the Ethics Reform Act of 1989, Public Law 101-194, 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 vehicles, and not to exceed \$1,500 for official reception and representation expenses; \$8,078,000.

OFFICE OF PERSONNEL MANAGEMENT SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109; medical examinations performed for veterans by private physicians on a fee basis; rental of conference rooms in the District of Columbia and elsewhere; hire of passenger motor vehicles; not to exceed \$2,500 for official reception and representation expenses; advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order 10422 of January 9, 1953, as amended; and payment of per diem and/or subsistence allowances to employees where Voting Rights Act activities require an employee to remain overnight at his or her post of duty; \$86,576,000; and in addition \$93,486,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of printing materials for annuitants, for the retirement and insurance programs, of which \$2,250,000 shall be transferred at such times as the Office of Personnel Management deems appropriate, and shall remain available until expended for the costs of automating the retirement record-keeping systems, together with remaining amounts authorized in previous Acts for the recordkeeping systems: *Provided*, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by section 8348(a)(1)(B) of title 5, United States Code: *Provided further*, That, except as may be consistent with 5 U.S.C. 8902a(f)(1) and (i), no payment may be made from the Employees Health Benefits Fund to any physician, hospital, or other provider of health care services or supplies who is, at the time such services or supplies are provided to an individual covered under chapter 89 of title 5, United States Code, excluded, pursuant to section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a-7a), from participation in any program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.): *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission on White House Fellows, established by Executive Order 11183 of October 3, 1964, may, during

the fiscal year ending September 30, 1997, accept donations of money, property, and personal services in connection with the development of a publicity brochure to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

GENERAL PROVISIONS—OFFICE OF PERSONNEL
MANAGEMENT

SEC. 421. The first sentence of section 1304(e)(1) of title 5, United States Code, is amended by inserting after "basis" the following ", including personnel management services performed at the request of individual agencies (which would otherwise be the responsibility of such agencies), or at the request of nonappropriated fund instrumentalities".

OFFICE OF INSPECTOR GENERAL
SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, as amended, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles, \$960,000; and in addition, not to exceed \$8,645,000 for administrative expenses to audit the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere.

REVOLVING FUND

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

GOVERNMENT PAYMENT FOR ANNUITANTS,
EMPLOYEES HEALTH BENEFITS

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

GOVERNMENT PAYMENT FOR ANNUITANTS,
EMPLOYEE LIFE INSURANCE

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

PAYMENT TO CIVIL SERVICE RETIREMENT AND
DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: *Provided*, That annuities authorized by the Act of May 29, 1944, as amended, and the Act of August 19, 1950, as amended (33 U.S.C. 771-75), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

OFFICE OF SPECIAL COUNSEL
SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95-454), the Whistleblower Protection Act of 1989 (Public Law 101-12), Public Law 103-424, and the Uniformed Services Employment and Reemployment Act of 1994 (Public Law 103-353), including services as authorized by 5 U.S.C. 3109, payment of fees

and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; \$7,840,000.

UNITED STATES TAX COURT
SALARIES AND EXPENSES

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

This title may be cited as the "Independent Agencies Appropriations Act, 1997".

TITLE V—GENERAL PROVISIONS

THIS ACT

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

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

SEC. 503. None of the funds made available to the General Services Administration pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949 shall be obligated or expended after the date of enactment of this Act for the procurement by contract of any guard, elevator operator, messenger or custodial services if any permanent veterans preference employee of the General Services Administration at said date, would be terminated as a result of the procurement of such services, except that such funds may be obligated or expended for the procurement by contract of the covered services with sheltered workshops employing the severely handicapped under Public Law 92-28. Only if such workshops decline to contract for the provision of the covered services may the General Services Administration procure the services by competitive contract, for a period not to exceed 5 years. At such time as such competitive contract expires or is terminated for any reason, the General Services Administration shall again offer to contract for the services from a sheltered workshop prior to offering such services for competitive procurement.

SEC. 504. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930.

SEC. 505. None of the funds made available by this Act shall be available for the purpose of transferring control over the Federal Law Enforcement Training Center located at Glynco, Georgia, and Artesia, New Mexico, out of the Treasury Department.

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

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

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any officer or employee of the United States Postal Service from having any direct oral or written communication or contact with any

Member or committee of Congress in connection with any matter pertaining to the employment of such officer or employee or pertaining to the United States Postal Service in any way, irrespective of whether such communication or contact is at the initiative of such officer or employee or in response to the request or inquiry of such Member or committee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any officer or employee of the United States Postal Service, or attempts or threatens to commit any of the foregoing actions with respect to such officer or employee, by reason of any communication or contact of such officer or employee with any Member or committee of Congress as described in paragraph (1).

SEC. 508. The Office of Personnel Management may, during the fiscal year ending September 30, 1997, accept donations of supplies, services, land, and equipment for the Federal Executive Institute and Management Development Centers to assist in enhancing the quality of Federal management.

SEC. 509. The United States Secret Service may, during the fiscal year ending September 30, 1997, and hereafter, accept donations of money to off-set costs incurred while protecting former Presidents and spouses of former Presidents when the former President or spouse travels for the purpose of making an appearance or speech for a payment of money or any thing of value.

SEC. 510. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and has satisfactorily completed his period of active military or naval service and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

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

SEC. 512. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly known as the "Buy American Act").

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

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 514. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made

in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in section 9.400 through 9.409 of title 48, Code of Federal Regulations.

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

SEC. 516. Where appropriations in this Act are expendable for travel expenses of employees and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amount set forth in the budget estimates submitted for appropriations without the advance approval of the House and Senate Committees on Appropriations: *Provided*, That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards in the Selective Service System; to travel performed directly in connection with care and treatment of medical beneficiaries of the Department of Veterans Affairs; to travel of the Office of Personnel Management in carrying out its observation responsibilities of the Voting Rights Act; or to payments to interagency motor pools separately set forth in the budget schedules.

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

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

(2) The authority of the special police officers of the United States Mint extends to the buildings and land under the custody and control of the Mint; to the streets, sidewalks and open areas in the vicinity to such facilities; to surrounding parking facilities used by Mint employees; and to the protection in transit of bullion, coins, dies, and other property and assets of, or in the custody of, the Mint.

(3) The exercise of police authority by Bureau or Mint officers, with the exception of the exercise of authority upon property under the custody and control of the Bureau or the Mint, respectively, shall be deemed supplementary to the Federal police force with primary jurisdictional responsibility. This authority shall be in addition to any

other law enforcement authority which has been provided to these officers under other provisions of law or regulations.

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

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

SEC. 520. No part of any appropriation made available in this Act shall be used to implement Bureau of Alcohol, Tobacco and Firearms Ruling TD ATF-360; Re: Notice Nos. 782, 780, 91F009P.

SEC. 521. Notwithstanding title 5, United States Code, Personal Service Contractors (PSC) employed by the Department of the Treasury for assignment in a country other than the United States, shall be considered as Federal Government employees for purposes of making available Federal employee health and life insurance.

SEC. 522. Section 5131 of title 31, United States Code, is amended by striking subsection (c); and by redesignating subsection (d) as subsection (c).

SEC. 523. Section 5112(i)(4) of title 31, United States Code, is amended by adding at the end the following new subparagraph:

"(C) The Secretary may continue to mint and issue coins in accordance with the specifications contained in paragraphs (7), (8), (9), and (10) of subsection (a) and paragraph (1)(A) of this subsection at the same time the Secretary in minting and issuing other bullion and proof gold coins under this subsection in accordance with such program procedures and coin specifications, designs, varieties, quantities, denominations, and inscriptions as the Secretary, in the Secretary's discretion, may prescribe from time to time." *Provided*, That profits generated from the sale of gold to the United States Mint for this program shall be considered as a receipt to be deposited into the General Fund of the Treasury.

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

"(k) The Secretary may mint and issue bullion and proof platinum coins in accordance with such specifications, designs, varieties, quantities, denominations, and inscriptions as the Secretary, in the Secretary's discretion, may prescribe from time to time." *Provided*, That the Secretary is authorized to use Government platinum reserves stockpiled at the United States Mint as working inventory and shall ensure that reserves utilized are replaced by the Mint.

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

(1) the term "agency" means the Internal Revenue Service, the Bureau of Alcohol, Tobacco and Firearms, and the United States Customs Service;

(2) the term "employee" means an employee (as defined by section 2105 of title 5, United States Code) who is employed by an agency, is serving under an appointment without time limitation, and has been currently employed for a continuous period of at least 12 months, but does not include—

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

(B) a reemployed annuitant under subchapter III of chapter 83 or chapter 84 of title

5, United States Code, or another retirement system for employees of the agency;

(C) an employee having a disability on the basis of which such employee is or would be eligible for disability retirement under the applicable retirement system referred to in subparagraph (A);

(D) an employee who is in receipt of a specific notice of involuntary separation for misconduct or unacceptable performance;

(E) an employee who, upon completing an additional period of service is referred to in section 3(b)(2)(B)(ii) of the Federal Workforce Restructuring Act of 1994 (5 U.S.C. 5597 note), would qualify for a voluntary separation incentive payment under section 3 of such Act;

(F) an employee who has previously received any voluntary separation incentive payment by the Federal Government under this section or any other authority and has not repaid such payment;

(G) an employee covered by statutory re-employment rights who is on transfer to another organization; or

(H) any employee who, during the twenty four month period preceding the date of separation, has received a recruitment or relocation bonus under section 5753 of title 5, United States Code, or who, within the twelve month period preceding the date of separation, received a retention allowable under section 5754 of title 5, United States Code.

(b) AGENCY STRATEGIC PLAN.—

(1) IN GENERAL.—The head of each agency, prior to obligating any resources for voluntary separation incentive payments, shall submit to the House and Senate Committees on Appropriations and the Committee on Governmental Affairs of the Senate and the Committee on Government Reform and Oversight of the House of Representatives a strategic plan outlining the intended use of such incentive payments and a proposed organizational chart for the agency once such incentive payments have been completed.

(2) CONTENTS.—The agency's plan shall include—

(A) the positions and functions to be reduced or eliminated, identified by organizational unit, geographic location, occupational category and grade level;

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

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

(c) AUTHORITY TO PROVIDE VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—

(1) IN GENERAL.—A voluntary separation incentive payment under this section may be paid by an agency to any employee only to the extent necessary to eliminate the positions and functions identified by the strategic plan.

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

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

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

(C) shall be equal to the lesser of—

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

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

(D) may not be made except in the case of any qualifying employee who voluntarily separates (whether by retirement or resignation) before February 1, 1997;

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

(F) shall not be taken into account in determining the amount of any severance pay to which the employee may be entitled under section 5595 of title 5, United States Code, based on any other separation.

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

(1) IN GENERAL.—In addition to any other payments which it is required to make under subchapter III of chapter 83 of title 5, United States Code, an agency shall remit to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Civil Service Retirement and Disability Fund an amount equal to 15 percent of the final basic pay of each employee of the agency who is covered under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, to whom a voluntary separation incentive has been paid under this section.

(2) DEFINITION.—For the purpose of paragraph (1), the term "final basic pay", with respect to an employee, means the total amount of basic pay which would be payable for a year of service by such employee, computed using the employee's final rate of basic pay, and, if last serving on other than a full-time basis, with appropriate adjustment therefor.

(e) EFFECT OF SUBSEQUENT EMPLOYMENT WITH THE GOVERNMENT.—An individual who has received a voluntary separation incentive payment under this section and accepts any employment for compensation with the Government of the United States, or who works for any agency of the United States Government through a personal services contract, within 5 years after the date of the separation on which the payment is based shall be required to pay, prior to the individual's first day of employment, the entire amount of the incentive payment to the agency that paid the incentive payment.

(f) REDUCTION OF AGENCY EMPLOYMENT LEVELS.—

(1) IN GENERAL.—The total number of funded employee positions in the agency shall be reduced by one position for each vacancy created by the separation of any employee who has received, or is due to receive, a voluntary separation incentive payment under this section. For the purposes of this subsection, positions shall be counted on a full-time-equivalent basis.

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

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

SEC. 526. That provisions of law governing procurement or public contracts shall not be applicable to the procurement of goods or services necessary for carrying out Bureau of Engraving and Printing program and operation: *Provided*, That the authority contained in this provision shall expire on September 30, 1999.

SEC. 527. The United States Mint is hereby authorized to establish a demonstration project under the authorities of title V, U.S.C., chapter 47: *Provided*, That the Director of the United States Mint shall be appointed by the President, by and with the advice and consent of the Senate; the Director shall serve on the basis of a six-year contract, which may be renewed, so long as the Director's performance, as set forth in an annual performance agreement with the Secretary of the Treasury, is satisfactory; and the Director shall receive as basic compensation for a calendar year an amount equal to the annual rate of basic pay for level I of the Executive Schedule under section 5312 of title 5 and, in addition, may receive an annual bonus awarded by the Secretary, based

upon the Secretary's evaluation of the Director's performance in accordance with the performance agreement.

SEC. 528. (a) REIMBURSEMENT OF CERTAIN ATTORNEY FEES AND COSTS.—

(1) IN GENERAL.—The Secretary of the Treasury shall pay from amounts appropriated in title I of this Act under the heading, "Departmental Offices, Salaries and Expenses", up to \$500,000 to reimburse former employees of the White House Travel Office whose employment in that Office was terminated on May 19, 1993, for any attorney fees and costs they incurred with respect to that termination.

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

(3) NO INFERENCE OF LIABILITY.—Liability of the United States shall not be inferred from enactment of or payment under this subsection.

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

(c) REDUCTION.—The amount paid pursuant to this section to an individual for attorney fees and costs described in subsection (a) shall be reduced by any amount received before the date of the enactment of this Act, without obligation for repayment by the individual, for payment of such attorney fees and costs (including any amount received from the funds appropriated for the individual in the matter relating to the "Office of the General Counsel" under the heading "Office of the Secretary" in title I of the Department of Transportation and Related Agencies Appropriations Act, 1994).

(d) PAYMENT IN FULL SETTLEMENT OF CLAIMS AGAINST THE UNITED STATES.—Payment under this section, when accepted by an individual described in subsection (a), shall be in full satisfaction of all claims of, or on behalf of, the individual against the United States that arose out of the termination of the White House Travel Office employment of that individual on May 19, 1993.

SEC. 529. None of the funds made available in this Act may be used by the Executive Office of the President to request from the Federal Bureau of Investigation any official background investigation report on any individual, except when it is made known to the Federal official having authority to obligate or expend such funds that—

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

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

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

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

SEC. 602. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 1997 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees of

such department, agency, or instrumentality.

SEC. 603. Notwithstanding 31 U.S.C. 1345, any agency, department or instrumentality of the United States which provides or proposes to provide child care services for Federal employees may reimburse any Federal employee or any person employed to provide such services for travel, transportation, and subsistence expenses incurred for training classes, conferences or other meetings in connection with the provision of such services: *Provided*, That any per diem allowance made pursuant to this section shall not exceed the rate specified in regulations prescribed pursuant to section 5707 of title 5, United States Code.

SEC. 604. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at \$8,100 except station wagons for which the maximum shall be \$9,100: *Provided*, That these limits may be exceeded by not to exceed \$3,700 for police-type vehicles, and by not to exceed \$4,000 for special heavy-duty vehicles: *Provided further*, That the limits set forth in this section may not be exceeded by more than 5 percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further*, That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101-549 over the cost of comparable conventionally fueled vehicles.

SEC. 605. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922-24.

SEC. 606. Unless otherwise specified during the current fiscal year, no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person (1) is a citizen of the United States, (2) is a person in the service of the United States on the date of enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States, (3) is a person who owes allegiance to the United States, (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence, (5) is a South Vietnamese, Cambodian, or Laotian refugee paroled in the United States after January 1, 1975, or (6) is a national of the People's Republic of China who qualifies for adjustment of status pursuant to the Chinese Student Protection Act of 1992: *Provided*, That for the purpose 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 the 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. 607. 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 and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

SEC. 608. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

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

(2) Other Federal agency environmental management programs, including, but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

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

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

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

SEC. 611. For the fiscal year ending September 30, 1997, and thereafter, any department or agency to which the Administrator of General Services has delegated the authority to operate, maintain or repair any building or facility pursuant to section 205(d) of the Federal Property and Administrative Services Act of 1949, as amended, shall retain that portion of the GSA rental payment available for operation, maintenance or repair of the building or facility, as determined by the Administrator, and expend such funds directly for the operation, main-

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

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

“§ 1306. Use of foreign credits

“(a) IN GENERAL.—Foreign credits (including currencies) owed to or owned by the United States may be used by any agency for any purpose for which appropriations are made for the agency for the current fiscal year (including the carrying out of Acts requiring or authorizing the use of such credits), but only when reimbursement therefor is made to the Treasury from applicable appropriations of the agency.

“(b) EXCEPTION TO REIMBURSEMENT REQUIREMENT.—Credits described in subsection (a) that are received as exchanged allowances, or as the proceeds of the sale of personal property, may be used in whole or partial payment for the acquisition of similar items, to the extent and in the manner authorized by law, without reimbursement to the Treasury.”.

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

SEC. 613. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards, commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 614. Funds made available by this or any other Act to the “Postal Service Fund” (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service and under the charge and control of the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318), and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318a, 318b), attaching thereto penal consequences under the authority and within the limits provided in section 4 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318c).

SEC. 615. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States.

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

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

(2) during the period consisting of the remainder of fiscal year 1997, in an amount

that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 1997 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 1997 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in fiscal year 1996 under such section.

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

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 1996, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 1996, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

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

(f) For the purpose of administering any provision of law (including section 8431 of title 5, United States Code, and any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

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

SEC. 617. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of \$5,000 to furnish or redecorate the office of such department head, agency head, officer or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations of the House and Senate. For the purposes of this section, the word “office” shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 618. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous

to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the House and Senate Committees on Appropriations.

SEC. 619. Notwithstanding section 1346 of title 31, United States Code, or section 613 of this Act, funds made available for fiscal year 1997 by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order Numbered 12472 (April 3, 1984).

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

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

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

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

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

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of Central Intelligence.

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

SEC. 622. No part of any appropriation contained in this Act may be used to pay for the expenses of travel of employees, including employees of the Executive Office of the President, not directly responsible for the discharge of official governmental tasks and duties: *Provided*, That this restriction shall not apply to the family of the President, Members of Congress or their spouses, Heads of State of a foreign country or their designees, persons providing assistance to the President for official purposes, or other individuals so designated by the President.

SEC. 623. Notwithstanding any provision of law, the President, or his designee, must certify to Congress, annually, that no person or persons with direct or indirect responsibility for administering the Executive Office of the President's Drug-Free Workplace Plan are themselves subject to a program of individual random drug testing.

SEC. 624. (a) None of the funds made available in this Act or any other Act may be ob-

ligated or expended for any employee training when it is made known to the Federal official having authority to obligate or expend such funds that such employee training—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

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

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

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N-915.022, dated September 2, 1988;

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace; or

(6) includes content related to human immunodeficiency virus/acquired immune deficiency syndrome (HIV/AIDS) other than that necessary to make employees more aware of the medical ramifications of HIV/AIDS and the workplace rights of HIV-positive employees.

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

SEC. 625. No funds appropriated in this or any other Act for fiscal year 1997 may be used to implement or enforce the agreements in Standard Forms 312 and 4355 of the Government or any other nondisclosure policy, form, or agreement if such policy, form, or agreement does not contain the following provisions: "These restrictions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by Executive Order 12356; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents); and the statutes which protect against disclosure that may compromise the national security, including sections 641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. section 783(b)). The definitions, requirements, obligations, rights, sanctions, and liabilities created by said Executive Order and listed statutes are incorporated into this agreement and are controlling." *Provided*, That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms shall also make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of

Justice that are essential to reporting a substantial violation of law.

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

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

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

(A) that agency's requirements for such procurement are unique and cannot be satisfied by property and service procured by the Administrator of General Services as part of the procurement known as "FTS2000"; and

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

(b) After July 31, 1997, subsection (a) shall apply only if the Administrator of General Services has reported that the FTS2000 procurement is producing prices that allow the Government to satisfy its requirements for such procurement in the most cost-effective manner.

SEC. 627. Subsection (f) of section 403 of Public Law 103-356 is amended by deleting "October 1, 1999" and inserting "October 1, 2001".

SEC. 628. (a) IN GENERAL.—Notwithstanding any other provision of law, none of the funds made available by this Act for the Department of the Treasury shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would permit the Secretary of the Treasury to make any loan or extension of credit under section 5302 of title 31, United States Code, with respect to a single foreign entity or government of a foreign country (including agencies or other entities of that government)—

(1) with respect to a loan or extension of credit for more than 60 days, unless the President certifies to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking and Financial Services of the House of Representatives that—

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

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

(2) other than as provided by an Act of Congress, if that loan or extension of credit would result in expenditures and obligations, including contingent obligations, aggregating more than \$1,000,000,000 with respect to that foreign country for more than 180 days during the 12-month period beginning on the date on which the first such action is taken.

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

(c) EXPEDITED PROCEDURES IN THE SENATE FOR A RESOLUTION OF DISAPPROVAL.—A presidential certification pursuant to subsection

(b) shall not take effect, if the Congress, within 30 calendar days after receiving such certification, enacts a joint resolution of disapproval, as described in paragraph (5) of this subsection.

(1) REFERENCE TO COMMITTEES.—All joint resolutions introduced in the Senate to disapprove the certification shall be referred to the Committee on Banking, Housing, and Urban Affairs.

(2) DISCHARGE OF COMMITTEES.—(A) If the committee of the Senate to which a joint resolution has been referred has not reported it at the end of 15 days after its introduction, it is in order to move either to discharge the committee from further consideration of the joint resolution or to discharge the committee from further consideration of any other joint resolution introduced with respect to the same matter, except no motion to discharge shall be in order after the committee has reported a joint resolution with respect to the same matter.

(B) In the Senate a motion to discharge may be made only by an individual favoring the joint resolution, and is privileged; and debate thereon shall be limited to not more than 1 hour, the time to be divided equally between, and controlled by, the majority leader and the minority leader or their designees.

(3) FLOOR CONSIDERATION.—(A) A motion in the Senate to proceed to the consideration of a joint resolution shall be privileged.

(B) Debate in the Senate on a joint resolution, and all debatable motions and appeals in connection therewith, shall be limited to not more than 4 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(C) Debate in the Senate on any debatable motion or appeal in connection with a joint resolution shall be limited to not more than 20 minutes, to be equally divided between, and controlled by, the mover and the manager of the joint resolution, except that in the event the manager of the joint resolution is in favor of any such motion or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from time under their control on the passage of a joint resolution, allot additional time to any Senator during the consideration of any debatable motion or appeal.

(D) A motion in the Senate to further limit debate on a joint resolution, debatable motion, or appeal is not debatable. No amendment to, or motion to recommit, a resolution is in order.

(4) If prior to the passage by the Senate of a resolution, the Senate receives a joint resolution with respect to the same matter from the House of Representatives, then—

(A) the procedure in the Senate shall be the same as if no resolution had been received from the House; but

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

(5) For purposes of this subsection, the term "joint resolution" means only a joint resolution of the 2 Houses of Congress, the matter after the resolving clause of which is as follows: "That the Congress disapproves the action of the President under section 628(c) of the Treasury, Postal Service, and General Government Appropriations Act, 1997, notice of which was submitted to the Congress on _____," with the blank space being filled with the appropriate date.

(d) APPLICABILITY.—This section—

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

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

SEC. 629. (a) TECHNICAL AMENDMENT.—Section 640 of Public Law 104-52 (109 Stat. 513) is amended by striking "Service performed" and inserting "Hereafter, service performed".

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

SEC. 630. Notwithstanding any other provision of law, no part of any appropriation contained in this Act for any fiscal year shall be available for paying Sunday premium or differential pay to any employee unless such employee actually performed work during the time corresponding to such premium or differential pay.

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

SEC. 632. (a) FEDERAL EMPLOYEE REPRESENTATION IMPROVEMENT.—Subsection (d) of section 205 of title 18, United States Code, is amended to read as follows:

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

"(A) any person who is the subject of disciplinary, loyalty, or other personnel administration proceedings in connection with those proceedings; or

"(B) except as provided in paragraph (2), any cooperative, voluntary, professional, recreational, or similar organization or group not established or operated for profit, if a majority of the organization's or group's members are current officers or employees of the United States or of the District of Columbia, or their spouses or dependent children.

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

"(A) is a claim under subsection (a)(1) or (b)(1);

"(B) is a judicial or administrative proceeding where the organization or group is a party; or

"(C) involves a grant, contract, or other agreement (including a request for any such grant, contract, or agreement) providing for the disbursement of Federal funds to the organization or group."

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

"(i) Nothing in this section prevents an employee from acting pursuant to—

"(1) chapter 71 of title 5;

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

"(3) section 3 of the Tennessee Valley Authority Act of 1933 (16 U.S.C. 831b);

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

"(5) any provision of any other Federal or District of Columbia law that authorizes labor-management relations between an agency or instrumentality of the United States or the District of Columbia and any labor organization that represents its employees."

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

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

(1) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8341(e) of title 5, United States Code, is amended by adding at the end the following:

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

"(A) any lump sum paid is returned to the Fund; and

"(B) that individual is not otherwise ineligible for such annuity."

(2) FEDERAL EMPLOYEES' RETIREMENT SYSTEM.—Section 8443(b) of such title is amended by adding at the end the following: "If the annuity of a child under this subchapter terminates under subparagraph (E) because of marriage, then, if such marriage ends, such annuity shall resume on the first day of the month in which it ends, but only if any lump sum paid is returned to the Fund, and that individual is not otherwise ineligible for such annuity."

(b) APPLICABILITY.—The amendments made by section 1 shall apply with respect to any termination of marriage taking effect on or after November 1, 1993, except that any recomputation of benefits shall be payable only with respect to amounts accruing for periods beginning on or after the date of the enactment of this Act.

SEC. 634. AVAILABILITY OF ANNUAL LEAVE TO MEET MINIMUM AGE AND SERVICE REQUIREMENTS FOR TITLE TO AN IMMEDIATE ANNUITY.—(a) CIVIL SERVICE RETIREMENT SYSTEM.—Section 8336 of title 5, United States Code, is amended by adding at the end the following:

"(c)(1) An employee involuntarily separated from service due to a reduction in force shall, upon written election, be given credit for days of unused annual leave standing to such employee's credit under a formal leave system as of the date of separation, if and to the extent necessary in order to meet the minimum age and service requirements for title to an annuity under this section.

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

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

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

Contributions under the preceding sentence shall be determined based on the rate of basic pay last in effect before separation.

"(3) Nothing in this subsection shall be considered—

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

"(B) to permit or require the making of any contributions to the Thrift Savings Fund with respect to any period after the date of separation; or

"(C) to make any days of annual leave creditable for purposes of section 8333, any determination of average pay, or any computation of annuity.

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

"(B) The use of any leave for purposes of this subsection shall not reduce the amount

of leave for which a lump-sum payment is payable under section 5551 or other similar authority.

"(5) This subsection shall apply with respect to separations occurring on or after the date of the enactment of this subsection and before July 1, 2002."

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

"(1) An employee involuntarily separated from service due to a reduction in force shall, upon written election, be given credit for days of unused annual leave standing to such employee's credit under a formal leave system as of the date of separation, if and to the extent necessary in order to meet the minimum age and service requirements for title to an annuity under this section or section 8414.

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

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

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

Contributions under the preceding sentence shall be determined based on the rate of basic pay last in effect before separation.

"(3) Nothing in this subsection shall be considered—

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

"(B) to permit or require the making of any contributions to the Thrift Savings Fund with respect to any period after the date of separation; or

"(C) to make any days of annual leave creditable for purposes of section 8410, any determination of average pay, or any computation of annuity.

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

"(B) The use of any leave for purposes of this subsection shall not reduce the amount of leave for which a lump-sum payment is payable under section 5551 or other similar authority.

"(5) This subsection shall apply with respect to separations occurring on or after the date of the enactment of this subsection and before July 1, 2002."

SEC. 635. Section 207(e)(6)(B) of title 18, United States Code, is amended by striking "level V of the Executive Schedule" and inserting "level 5 of the Senior Executive Service".

SEC. 636. REIMBURSEMENTS RELATING TO PROFESSIONAL LIABILITY INSURANCE.—(a) AUTHORITY.—Notwithstanding any other provision of law, amounts appropriated by this Act (or any other Act for fiscal year 1997 or any fiscal year thereafter) for salaries and expenses may be used to reimburse any qualified employee for not to exceed one-half the costs incurred by such employee for professional liability insurance. A payment under this section shall be contingent upon the submission of such information or documentation as the employing agency may require.

(b) QUALIFIED EMPLOYEE.—For purposes of this section, the term "qualified employee"

means an agency employee whose position is that of—

(1) a law enforcement officer; or

(2) a supervisor or management official.

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

(1) the term "agency" means an Executive agency, as defined by section 105 of title 5, United States Code;

(2) the term "law enforcement officer" means an employee, the duties of whose position are primarily the investigation, apprehension, prosecution, or detention of individuals suspected or convicted of offenses against the criminal laws of the United States, including any law enforcement officer under section 8331(20) or 8401(17) of such title 5;

(3) the terms "supervisor" and "management official" have the respective meanings given them by section 7103(a) of such title 5, and

(4) the term "professional liability insurance" means insurance which provides coverage for—

(A) legal liability for damages due to injuries to other persons, damage to their property, or other damage or loss to such other persons (including the expenses of litigation and settlement) resulting from or arising out of any tortious act, error, or omission of the covered individual (whether common law, statutory, or constitutional) while in the performance of such individual's official duties as a qualified employee; and

(B) the cost of legal representation for the covered individual in connection with any administrative or judicial proceeding (including any investigation or disciplinary proceeding) relating to any act, error, or omission of the covered individual while in the performance of such individual's official duties as a qualified employee, and other legal costs and fees relating to any such administrative or judicial proceeding.

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

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

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" to be used in connection with investigations of arson at religious institutions, \$12,011,000, available upon enactment of this Act and to remain available until expended.

INTERNAL REVENUE SERVICE

INFORMATION SYSTEMS

(RESCISSION)

Of the funds made available under this heading for Tax Systems Modernization in Public Law 104-52, \$12,011,000 are rescinded.

This Act may be cited as the "Treasury, Postal Service, and General Government Appropriations Act, 1997".

The CHAIRMAN. Are there any points of order against provisions in the bill?

POINT OF ORDER

Mrs. SEASTRAND. Mr. Chairman, I make a point of order against section 406 beginning on page 53, line 15 through page 55, line 12, which authorizes the establishment of telecommuting centers, on the ground that it is legislation on an appropriation bill in violation of rule XXI, clause 2(b) of the rules of the House.

The CHAIRMAN. Are there any Members who wish to be heard on the point of order?

If not, for the reasons stated by the gentlewoman from California, the point of order is sustained. The section is stricken. Are there any other points of order?

POINT OF ORDER

Mrs. SEASTRAND. Mr. Chairman, I make a point of order against section 410 beginning on page 56, line 13 through page 57, line 3, which authorizes the administrator of GSA to sell or exchange real property whether or not it is excess to the needs of the United States, on the ground that it is legislation on an appropriation bill in violation of rule XXI, clause 2(b) of the rules of the House.

The CHAIRMAN. Are there any Members who wish to be heard on the point of order?

Mr. HOYER. Mr. Chairman, on the point of order, is it appropriate for me from a parliamentary standpoint to ask the chairman of the subcommittee for a clarification of the facts while I make my point of order?

The CHAIRMAN. The chairman of the subcommittee can also be heard on the point of order, and if the gentleman from Maryland wishes to defer to the gentleman from Iowa, he certainly may.

Mr. HOYER. Mr. Chairman, is it my understanding that the rule does not protect this provision but does protect all other provisions in the bill which would have been subject to a similar point of order, that that is why this is in order; is that correct?

Mr. LIGHTFOOT. Mr. Chairman, the gentleman is correct, with the exception of section 406 which she has already raised a point of order against.

Mr. HOYER. Mr. Chairman, in light of the fact that the Ways and Means Committee, as I understand it, did not contact the Rules Committee but that the committee which the gentlewoman from California is representing now did, my understanding is the Rules Committee did not protect it, I will not contest the point of order.

The CHAIRMAN. The point of order is sustained for the reasons stated by the gentlewoman from California. The section is stricken.

Pursuant to the order of the House of Tuesday, July 16, 1996, no further amendments shall be in order except the following amendments, not necessarily in any prescribed order, which shall be considered read, shall not be subject to amendment or to a demand for division of the question, and shall be debatable for the time specified, equally divided and controlled by the proponent and a member opposed: An amendment by the gentleman from Massachusetts [Mr. KENNEDY] regarding the Customs Service, for 10 minutes.

Mr. HOYER. Mr. Chairman, is unanimous consent in order so that I might have a colloquy prior to the consideration of the amendments with the chairman of the subcommittee?

The CHAIRMAN. The gentleman can, of course, move to strike the last word

by unanimous consent. The Chair would like to proceed with outlining the agreement that was struck yesterday.

Mr. HOYER. Mr. Chairman, as a practical matter, we have some Members that are just getting word that we are going forward. We need to do this colloquy. I thought it might be helpful to do this colloquy first while Members are coming to the floor.

The CHAIRMAN. To encourage Members to come to the floor, the 3-page statement which the Chair is about to proceed with would help in the shared goal.

An amendment by the gentleman from Massachusetts [Mr. KENNEDY] regarding the Customs Service, for 10 minutes; an amendment by the gentleman from Illinois [Mr. DURBIN] regarding firearms disabilities, for 30 minutes; an amendment by the gentleman from Connecticut [Mrs. JOHNSON] regarding IRS funding, for 10 minutes; an amendment by the gentleman from Ohio [Mr. TRAFICANT], for 10 minutes; an amendment by the gentleman from Maryland [Mr. HOYER] or the gentlewoman from New York [Mrs. LOWEY] to strike sections 518 and 519, for 30 minutes; an amendment by the gentleman from Maryland [Mr. HOYER] regarding buyouts, for 10 minutes; an amendment by the gentleman from Virginia [Mr. WOLF] regarding buyouts, for 10 minutes; an amendment by the gentleman from Georgia [Mr. KINGSTON] regarding customs ports of entry, for 9 minutes; an amendment by the gentleman from Minnesota [Mr. GUTKNECHT] regarding an across-the-board cut, for 20 minutes; an amendment by the gentleman from Vermont [Mr. SANDERS] regarding health maintenance organizations, for 20 minutes; an amendment by the gentlewoman from Ohio [Mr. KAPTUR] regarding China tariffs, for 10 minutes; an amendment by the gentleman from New York [Mr. SOLOMON] regarding a limitation on the comptroller of the currency, for 10 minutes; an amendment by the gentleman from Arizona [Mr. SALMON] regarding the White House travel office, for 10 minutes; an amendment by the gentleman from Maryland [Mr. HOYER], for 10 minutes; and an amendment by the gentleman from Pennsylvania [Mr. GEKAS], for 10 minutes.

AMENDMENT OFFERED BY MR. KENNEDY OF MASSACHUSETTS

Mr. KENNEDY of Massachusetts. Mr. Chairman, I offered an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. KENNEDY of Massachusetts: Page 16, line 19, strike the second semicolon and insert the following: "(increased by \$500,000) (reduced by \$500,000);".

The CHAIRMAN. Pursuant to the order of the House of Tuesday, July 16, 1996, the gentleman from Massachusetts [Mr. KENNEDY] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts [Mr. KENNEDY].

Mr. KENNEDY of Massachusetts. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I offer this amendment with the gentleman from New Jersey [Mr. SMITH], and I appreciate the willingness of the chairman of the committee to work with us in supporting this amendment as he indicated last evening.

I think the chairman of this committee ought to be commended for the initiatives that he has established in terms of trying to make certain that unfair labor practices that go on in countries that we regularly trade with, specifically China and other countries, have made it a course of their nation's national policy to utilize terribly, terribly, not only unfair but really despicable practices in terms of the kinds of labor use that takes place in these countries.

In China, we know of people who are forced into labor in terms of the kinds of actions that take place in the prison systems. In other countries, such as Pakistan and India, we are all too cruelly aware of the fact that there are millions of soccer balls, for instance, that come from Pakistan; 25 percent of the world's soccer balls come from Pakistan where child labor is utilized. Children are forced to work 8 or 10 hours a day at the ages of as young as 3 and 4 and 5 years old. They work for 15, 16, 17 cents an hour.

Mr. Chairman, we are about to establish the Olympics right down the street at RFK Stadium, and the soccer balls used by the Olympics this year in many cases will be balls that were made with child slave labor. Kids all over America are playing with soccer balls that are made with child labor. Kids that are forced into labor without any of their personal consent, working in dark, dingy conditions, 8 or 10 hours a day, no proper food or nutrition, no proper health care or any kind of reasonable hourly wage.

In Pakistan, we also know of kids, like Iqbal Masih, who are chained to rug looms and forced over and over each and every day to work 10, 12, 15 hours a day, and are sold by their families to individuals that then have whole factories of kids that are making products which we then import into the United States. It not only is unconscionable, and millions of American consumers that buy these goods on a regular basis have no idea that these kinds of conditions are actually taking place in terms of the work force that are making the goods.

Mr. Chairman, we sometimes wonder why we can buy goods these days at such cheap prices. I remember CHRIS SMITH telling me that his family ran a sporting goods store in New Jersey and that 15 years ago or so a soccer ball used to cost \$35. Today it costs \$15 or \$18. He says the reason why the price has dropped so significantly is because the cost of labor in terms of the child

slave wages that are being paid has dropped so significantly.

What this amendment will do is take a few dollars out of the general fund that is appropriated and use those moneys specifically for the purposes of hiring an individual who will work for the Department of Commerce to inspect the goods that are made in both India and Pakistan, one employee per country, to make sure that child slave labor is not involved in the manufacture of those products that we import from those countries.

I just want to thank the gentleman from New Jersey [Mr. SMITH], and I want to thank in particular the gentleman from Iowa [Mr. LIGHTFOOT]. I know in talking with his staff that there have been difficulties in the past in terms of working out these arrangements with the Department of State, but I think we have put enough funds into this legislation to make certain that we have the necessary wherewithal to reimburse the State Department.

Mr. Chairman, I also want to thank the gentleman from Maryland [Mr. HOYER], my good friend, who has been a very outspoken critic of the kinds of unfair labor practices that take place in so many foreign countries and who has been a great supporter of this legislation.

Mr. Chairman, I have an amendment at the desk, and I ask unanimous consent that it be considered as read. I appreciate the willingness of Chairman LIGHTFOOT and Mr. HOYER to accept this amendment, and I would like to thank Mr. SMITH for his strong support on behalf of this amendment.

I think the chairman of this committee should be commended for the initiatives that he has established trying to end unfair labor practices in all countries—especially countries which utilize forced labor and child labor, and I thank him again for his support of my amendment.

The purpose of my amendment is to fund two additional overseas positions for customs service investigators. The bill already funds three overseas positions—in Singapore, Hong Kong, and Beijing. My amendment will fund a criminal investigator in New Delhi, India, and in the Sialkot region of Pakistan.

These are two areas in the world where child labor is a particularly significant problem.

We know that there are factories where children, who were sold into slavery by their families, are making products which then are imported into the United States. This is unconscionable. Millions of American consumers who buy these goods on a regular basis have no idea that these goods are being produced using child labor.

These children are forced into labor, without their consent, working in dark, dingy conditions, without proper food or nutrition, without proper health care, without any kind of reasonable hourly wage.

In Pakistan and in India children are chained to rug looms for 10 to 12 hours at a time, being forced to tie tiny knots with their small fingers.

Children in Pakistan help produce 35m soccer balls annually—25 percent of these balls are stitched by children being paid only 5

cents an hour. Each child earns an average of \$.70 per ball—and an average daily wage of \$1.20. These children work 80 hours a week in near total darkness and total silence.

I have long fought to end the forced labor of children. I have heard the sad testimony of children like Iqbal Masih, enslaved in a rug making factory in Pakistan for 6 long years, only to be killed a year after he managed to escape and after he had started to fight for the rights of children in forced labor.

I have heard the stories of the children of Broadmeadow School in Quincy, MA, who raised over \$100,000 to build a school in Iqbal's home town, because the children there didn't have access to a basic education.

And I have heard firsthand the stories of witnesses who have observed children as young as 3 and 4 struggling to stitch soccer balls to be exported around the world. In some instances the needles being used to stitch the balls are longer than the fingers of the children doing the stitching. One 3-year-old was able to manage the needle but couldn't handle the scissors, and had to have another small co-worker help her.

Mr. Chairman, Washington DC, will soon be hosting Olympic soccer games just down the street from the U.S. Capitol, and the soccer balls being used by the Olympics this year in many cases will be balls stitched with child slave labor.

We sometimes wonder why we can buy goods these days at such cheap prices. I remember Chris Smith telling me that his family ran a sporting goods store in New Jersey and that 15 years ago a soccer ball used to cost \$35. Today it costs \$15 or \$18. He says the reason why the price has dropped so significantly is because the cost of labor has dropped significantly. Why? Because child labor is being employed.

Adding these two overseas investigator positions will also be an important step in executing the FoulBall Campaign. The FoulBall Campaign is a coordinated international effort using both the power of legislation and consumer action to end the use of child labor in the soccer ball industry.

Launched on June 28 by Representative KENNEDY, Labor Secretary Robert Reich, and others, the Campaign strives to increase awareness of the widespread use of child workers by soccer ball manufacturers and to encourage the public and soccer organizations in every city and town across America to reject balls stitched by child workers.

I hope we all see the day where child slavery no longer exists, and I applaud initiatives such as Rugmark, which seeks to educate consumers about the exploitation of children, and to mobilize consumers to support products not made with child labor.

Consumers have a right to know that the products they are purchasing were not made with child slave labor. They have a right to know that their children are not learning to walk on rugs knotted by young children, and that their sons and daughters are not playing with a soccer ball that was stitched by little hands.

By adding two inspectors positions overseas, we will be better able to identify the goods being manufactured with child labor, and keep those items from being shipped to the United States and from being placed on the shelves of stores across this country.

Mr. Chairman, I reserve the balance of my time.

□ 1045

Mr. LIGHTFOOT. Mr. Chairman, I ask unanimous consent to control the other 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LIGHTFOOT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am willing to accept the amendment of the gentleman from Massachusetts and would like to briefly address some concerns we have with it. I think it is something we can work on. We obviously need to very carefully target our overseas personnel, where we put them, why we put them there. The concern with the amendment is we are putting people in the locations where we have not passed any legislation yet here in the House that addresses that.

As the gentleman knows, the bill includes additional Customs people to go into China. That was not done in a vacuum. We did not include that provision without first talking with Commissioner Weise and the Secretary of State, Mr. Christopher, as well, to get sign-off on it.

If the gentleman is willing to work with me as we go to conference with the Senate on my concern as well as any that the administration may have to be sure that everyone is signed off on this, I really do not see why they should not be, I would be very happy, pleased, to accept the amendment because I think he is trying to do the right thing.

Mr. HOYER. Mr. Chairman, will the gentleman yield?

Mr. LIGHTFOOT. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Chairman, I rise in strong support of this amendment and am very pleased that the chairman saw fit to accept it. I am one of those who believes that our policy, whether it deals with trade or any other facet of international relations, ought to reflect our commitment to human rights. Of course our commitment to human rights ought to be particularly keen when it comes to the most vulnerable people in our world, and that is our children.

America itself suffered and from time to time still suffers from the abuse of children. We talk about child abuse, this is child abuse. This is the utilization of children for economic gain, while substantially damaging their health and robbing them of their childhood and ruining their lives. America, among the nations, ought to stand tallest and most strongly raise the issue that we will not be complicit in this treatment or maltreatment of children.

I congratulate the gentleman from Massachusetts. No voice has been stronger in this Congress or in this country on behalf of the rights of those who have been disenfranchised and discriminated against and undermined in this health and in their quality of liv-

ing than has the voice of the gentleman from Massachusetts, JOE KENNEDY, and I am pleased to be allied with him in this amendment and thank him for his leadership and offering of this amendment.

Mr. KENNEDY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. LIGHTFOOT. I yield to the gentleman from Massachusetts.

Mr. KENNEDY of Massachusetts. Mr. Chairman, I very much appreciate the gentleman's cautions with regard to the State Department's willingness to work some of these issues out in terms of the local countries. I do believe that it is important, and I appreciate your willingness to accept this amendment because I think that it is important for the Congress of the United States to let the executive branch know and particularly the State Department know that we are very interested in human rights, as the gentleman from Maryland [Mr. HOYER] indicated, being a major portion of this country's foreign policy.

I do not think we should stand for having other countries export into the United States when they are being abusive of their own citizens, particularly of young children that they are forcing into these kinds of labor situations.

So I think that we ought to take the stand, and I appreciate the gentleman's willingness to fight for it when we get into conference. I would hope that the administration would be supportive. They have given us indications of their support, but I know that with the gentleman out there leading the fight, Mr. Chairman, that we will fare well.

Mr. LIGHTFOOT. Reclaiming my time, Mr. Chairman, let me quickly respond to my friend, the gentleman from Massachusetts [Mr. KENNEDY]. I appreciate the kind words and I think, as I said earlier, I think this is the right thing to do.

A lot of things we cannot settle around here legislatively, but this is one I think we can. It would be very important that we do get the sign-off, I think, from the administration and obviously the gentleman can help us a great deal in that measure. So I appreciate his bringing this amendment forward. I think it is timely and hopefully it will solve a problem we are all very concerned with.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. KENNEDY].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. TRAFICANT

Mr. TRAFICANT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TRAFICANT: Page 24, after line 3, insert the following new section:

SEC. 105. The Internal Revenue Service shall contract with an independent accounting firm to determine the revenue losses (if

any) which would result from implementing H.R. 2450, as introduced in the 104th Congress.

The CHAIRMAN. The gentleman from Ohio [Mr. TRAFICANT] will be recognized for 5 minutes in support of his amendment, and a Member in opposition will be recognized for 5 minutes.

The Chair recognizes the gentleman from Ohio [Mr. TRAFICANT].

Mr. TRAFICANT. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment is straightforward. It says that there shall be an outside objective study performed on H.R. 2450, which would in fact change the burden of proof in a civil tax case and require judicial consent before the Internal Revenue Service can lien on our property or take our assets.

To all the members of this committee, right now in a civil tax case proceeding, a taxpayer is deemed guilty in the eyes of the law and must prove themselves innocent. Now, the IRS keeps telling us that this is going to break the bank if we treat taxpayers like anybody else in our country, subject to the basic judicial tenet that you are innocent until proven guilty. I guess that works everywhere except for the taxpayer who pays the freight on this train coming down the track.

The Traficant amendment simply says let us get an outside group. It is not that I do not trust anybody. Contract with an outside group, tell us what the cost is going to be and, by God, let us get the facts on it and see if we can bring the taxpayer under the realm of protection the Constitution affords in the Bill of Rights for everybody.

Finally, Mr. Chairman, this business about cost in the first place. Could you see the Founders in Philadelphia debating the Bill of Rights, saying this is great, Mr. Chairman, but my God, what is it going to cost? I am asking for an affirmative vote.

Mr. Chairman, with that, I yield to the distinguished chairman of the committee.

Mr. LIGHTFOOT. I thank the gentleman for yielding.

PARLIAMENTARY INQUIRY

Mr. HOYER. Mr. Chairman, it may be too late to reserve a parliamentary objection.

Mr. TRAFICANT. Parliamentary procedure, Mr. Chairman.

Mr. HOYER. Mr. Chairman, it is my understanding the Ways and Means Committee, I am just informed, was going to raise a point of order.

Mr. TRAFICANT. Parliamentary procedure, Mr. Chairman.

The CHAIRMAN. The Chair will state that that opportunity was posed when the gentleman from Ohio offered the amendment and no Member chose to raise a point of order at that time.

Mr. HOYER. I thank the Chair for his advice.

The CHAIRMAN. The gentleman from Ohio [Mr. TRAFICANT] has yielded

to the gentleman from Iowa [Mr. LIGHTFOOT].

Mr. LIGHTFOOT. Mr. Chairman, I thank the gentleman for yielding to me.

I would like to say the gentleman from Ohio [Mr. TRAFICANT] has done a tremendous job in protecting U.S. taxpayers from overaggressive IRS auditors and inspectors. I think H.R. 2450, which was introduced by the gentleman from Ohio [Mr. TRAFICANT], changes the burden of proof from the taxpayer to the IRS, it is just that simple. In other words, it requires the IRS to prove that the taxpayer is wrong, rather than the taxpayer having to prove that they are right. I think with tax collection, it is the only thing in our country where we have upset the judicial system which has the idea that you are innocent until proven guilty. On taxpaying matters, you are considered guilty until you can prove yourself innocent. In essence, this just brings us into step with what everyone else does in the country.

As the gentleman from Ohio [Mr. TRAFICANT] has mentioned, the Committee on Ways and Means has said that it is going to reduce the amount of revenue generated by the IRS. However, there are no specific estimates of that total cost of lost revenue. Basically the amendment requires the IRS to contract with an independent accounting firm to determine the level of revenue loss that would result from his bill, H.R. 2450.

Therefore, I would be more than willing to work with the Committee on Ways and Means, work in conference to find whatever small amount of money it might take to do or pay for this particular study because, in essence as I understand it, the amendment calls for a study of this process. I think that it is a timely thing to do and support the gentleman's initiative and would do what I could to help him forward it.

Mr. TRAFICANT. Mr. Chairman, I want to thank the gentleman with the little bit of time I have.

Mr. Chairman, I also want to say I want to commend my good friend, the gentleman from Iowa [Mr. LIGHTFOOT], on the distinguished career he has had here in the House. I want to wish him the very best in the future.

Let me also say in closing that I do not rule out as assessment, and objective review by the Joint Taxation Committee, but it does require an outside objective review, as well.

With that, I urge an "aye" vote and yield back the balance of my time.

The CHAIRMAN. Is there any Member who seeks time in opposition to the amendment?

If not, the question is on the amendment offered by the gentleman from Ohio [Mr. TRAFICANT].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DURBIN

Mr. DURBIN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DURBIN: Page 15, beginning on line 10, strike "for felons convicted of a violent crime, firearms violations, or drug-related crimes".

POINT OF ORDER

Mr. PARKER. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state his point of order against the amendment.

Mr. PARKER. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and therefore violates clause 2 of rule XXI.

The rule states in pertinent part: "No amendment to a general appropriation bill shall be in order if changing existing law."

The amendment gives affirmative direction in effect, modifies existing powers and duties, and does not apply solely to the appropriations under consideration.

Mr. DURBIN. Mr. Chairman, may I be heard?

The CHAIRMAN. Does the gentleman from Illinois wish to be heard in opposition to the point of order?

Mr. DURBIN. Yes, I do.

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. DURBIN. Mr. Chairman, I oppose the position of the gentleman from Mississippi and I would like to make it clear to the Chair what is at issue here with this amendment.

Several years ago, this Congress adopted legislation which allows people who have been convicted of a felony, once released from prison, to apply to the Department of the Treasury, the Bureau of Alcohol, Tobacco and Firearms, for permission to be rearmed. People across America remember the bumper sticker which said: "firearms do not commit crimes, criminals commit crimes." But this provision in law currently existing allows convicted felons to be rearmed with firearms.

It is a provision pushed for and supported by the National Rifle Association. It defies logic and good sense. What I am attempting to do is to make it abundantly clear that once a person is convicted of a felony, that person is disqualified from owning a firearm in America.

We have ample evidence that convicted felons have applied to the Federal Government, have cost the taxpayers \$10,000 per application to be rearmed with a firearm. If I might be allowed to continue.

The CHAIRMAN. The gentleman must address the point of order.

Mr. DURBIN. I am about to address it.

What this amendment addresses is a provision in the appropriations bill which says that no court can overcome what we have done by the appropriation language, which basically eliminates the right of the bureau to grant these new applications to give convicted felons firearms. With my motion

to strike, we will in fact say to the courts, you can consider no applications from convicted felons. It is in fact lessening the responsibility of the courts that is presently in the bill. It does not broaden the scope or jurisdiction of the bill.

Now those on the other side, my friend, the gentleman from Mississippi, frankly believe that some convicted felons ought to have firearms. I do not think any should. My language will make it clear that a court cannot give a convicted felon a firearm. I think it is not only sensible, it is parliamentarily acceptable and I think the gentleman's point of order should be ruled down.

The CHAIRMAN. The Chair is prepared to rule. Are there other Members who wish to be heard on the point of order?

Mr. OBEY. Mr. Chairman, I wish to be heard on the point of order.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin.

Mr. OBEY. Mr. Chairman, I had not known that this point of order was going to be raised, and I think that it is on sound grounds for the gentleman to raise the point of order.

I would simply say that I do not think the point of order should be determined on the basis of a judgment that the Durbin amendment would in fact narrow the scope of what is happening here. In fact, the language in the committee bill would keep us closer to the court decision which was produced some time ago. It makes some exceptions for felons who are not convicted of a violent crime, who were not convicted of firearms violations or drug-related crimes.

□ 1100

And it seems to me, therefore, that the Durbin amendment would go further than the language in the bill in overturning existing law.

I would simply state that if any Member of this House feels that there are no people in this society who committed a nonviolent crime 20 years ago, who have lived an exemplary life since that time, that they are not entitled to have the slate eventually wiped clean, I think most people would happen to disagree with that. And I think that the grounds the gentleman has cited for the point of order are correct.

Mr. PARKER. Mr. Chairman, I ask for a ruling of the Chair.

The CHAIRMAN. The Chair is prepared to rule based on the arguments propounded by the gentleman from Wisconsin and the gentleman from Mississippi.

The pending portion of the bill includes several provisions relating to applications for relief from firearms disabilities under the Federal criminal code. Among those provisions is the proviso that begins on page 15 at line 5. That proviso includes two features. The first is a limitation prohibiting the use of funds in the bill to investigator act upon disabilities relief applica-

tions. The second is a legislative prescription that the inability of the Bureau of Alcohol, Tobacco and Firearms to process or act upon specified subsets of all disability-relief applications shall not be subject to judicial review.

The amendment offered by the gentleman from Illinois proposes to strike from the second feature of the proviso the language specifying subsets.

Under settled precedent, where legislative language is permitted to remain in a general appropriation bill, a germane amendment merely perfecting that language and not adding further legislation is in order, but an amendment affecting further legislation is not in order even in the form of a motion to strike.

The precedent of November 15, 1989, recorded on page 641 of the House Rules and Manual is pertinent. In that situation, a legislative provision applicable to Federal funds was permitted to remain in the general appropriation bill for the District of Columbia. An amendment striking the word Federal was held to broaden the provision to address District of Columbia funds as well.

The amendment offered by the gentleman from Illinois would expand the sweep of a legislative prescription in the bill from some disability-relief applications to all disability-relief applications. Rather than merely perfecting the legislation in the bill, the amendment affects further legislation.

The point of order is sustained.

Are there further amendments to the bill?

PARLIAMENTARY INQUIRY

Mr. DURBIN. Parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. DURBIN. Mr. Chairman, I would like a clarification on that, because under the existing language of the bill, the courts are only restricted in granting these applications for rearming felons for three specific categories. With my amendment we would eliminate all convicted felons in their right to be rearmed; their right to have another firearm.

I would say to the gentleman, from the Chair's ruling, that that gives to the courts a much clearer mandate to eliminate the Al Capone's and John Gotti's and those who did not commit those three specific crimes.

Mr. PARKER. Regular order, Mr. Chairman.

Mr. DURBIN. And I would say that the Chair's ruling suggesting that I am broadening—

Mr. PARKER. Mr. Chairman, regular order.

The CHAIRMAN. The gentleman may be correct in his statement, but the Chair has ruled that the amendment of the gentleman does go further in broadening the legislative intent here, and so that is the ruling of the Chair.

Are there further amendments to the bill?

AMENDMENT OFFERED BY MR. HOYER

Mr. HOYER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. HOYER. Page 73, strike lines 1 through 9 (sections 518 and 519).

The CHAIRMAN. Pursuant to the order of the House of Tuesday, July 16, 1996, the gentleman from Maryland [Mr. HOYER] will be recognized for 15 minutes in support of the amendment, and a Member opposed will be recognized for 15 minutes.

The Chair recognizes the gentleman from Maryland [Mr. HOYER].

Mr. HOYER. Mr. Chairman, I yield myself 3½ minutes.

Mr. Chairman, for some years we carried language which said that the Federal employee health benefit plan purchased by Federal employees with both their own funds and the part of the pay package which they received from the Federal Government would be restricted in terms of what coverage could be purchased. Mr. Chairman, this language was reincluded last year and in this year's bill. I rise to strike the restrictive language.

This issue has been a contentious one, and I understand there are strong feelings on all sides. It is my belief and contention, Mr. Chairman, that as is the case in the private sector, in the public sector, with respect to Federal employees, their compensation package is composed of three elements: their pay, which they are getting in their paycheck less deductions on a bi-weekly or monthly basis; their health benefits, reflected by a partial deduction from their paychecks and a contribution by the Federal Government which is 72 percent of the average cost of health insurance for Federal employees; and their retirement benefit. They also get a life insurance benefit as well.

Those four items compose their compensation package. It is my contention that that is their compensation. They own it. Just as this Congress would not deem it appropriate to pass an amendment which said that you may not spend your salary on X, Y, or Z, nobody in the House would contend that that was an appropriate action for the House of Representatives to take.

It is my belief and contention and suggestion to the House that we ought not to do that with respect to what kind of health insurance they deem it appropriate to purchase, not Big Brother telling them what to purchase but what they choose to purchase.

Now, with respect to the Federal employee health benefit plan, in this area there are some 25 to 35 plans available to Federal employees. They have a great choice. The Federal Government, as the employer, does not make a determination that we will spend X, if you buy this policy; or Y, if you buy this policy. They contribute 72 percent of the average premium cost to whatever purchase the employee decides to make.

In that context, therefore, it is inappropriate because it is not our money.

It is the employee's money that they are applying. It is the employee's compensation, some in salary, some in benefit payments, but their compensation package. It has been historically my contention, and it is today, that we ought not to interject our judgment in place of our employees' judgment for what policies they themselves, individually, want to purchase.

That is what this amendment is all about. It is not whether we can condone abortion, whether we believe that it ought to be precluded altogether. The fact of the matter is the employees in the private sector and the public sector ought to be able to choose what policies they want to buy.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. Is there a Member who rises in opposition to the amendment offered by the gentleman from Maryland [Mr. HOYER]?

Mr. SMITH of New Jersey. Mr. Chairman, I rise in opposition to the amendment, and I reserve the balance of my time.

The CHAIRMAN. The gentleman from New Jersey [Mr. SMITH] is recognized for 15 minutes in opposition to the amendment and reserves the balance of his time.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York [Mrs. LOWEY], the cosponsor of this amendment.

Mrs. LOWEY. Mr. Chairman, as my colleague made it very clear, last year the anti-choice majority included a ban in this bill that prevents the FEHBP from offering insurance that covers abortion services.

The ban does not make any sense. What it does is relegate Federal employees to second class status. American women should not have their constitutional right taken away by Congress simply because they work for the Federal Government.

The issue before us today is very simple. Should women be allowed the freedom to choose a private health insurance plan that includes coverage of abortion, or should Congress dictate their choices to them? Federal employees, like other American workers, should be able to choose a health plan that covers the full range of reproductive health services, including abortion. Like other workers, Federal employees pay for their insurance with their own funds. It is simply not right that the Congress would bar women from purchasing the reproductive services they need with their own money.

Before this ban was put in place, Federal employees had many options. Of the 345 plans, just about half, 178, covered abortion. If women wanted to participate in the plan that covered abortions, they could. If they found abortion objectionable, they could belong to a plan that did not cover abortion. The choice was theirs, not mine, not this institution's.

When we passed the bill last year, we took health care choices away from

Federal employees. There are 1.2 million women of reproductive age who rely on FEHBP for their medical care, 1.2 million American women who lost the right to choose when this bill was enacted.

The bill was wrong last year, it is still wrong, and I urge my colleagues to support this amendment. Let us return the choice to the people that deserve it, the women who work for this Government.

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself such time as I may consume.

First of all, I want to thank the gentleman from Iowa, Chairman LIGHTFOOT, for his humane and courageous leadership in ensuring in this legislation that taxpayers are not forced to subsidize the killing of unborn baby boys and girls by abortion.

Let me make it very clear that the taxpayers pay into this program approximately more than 70 percent of the total funding. The premium payers, all of us who are part of the Federal employees health benefits program, pick up the remaining 30 percent of the cost of our health insurance, but the taxpayers of the United States of America are paying for 70 percent of the cost associated with this program. So this is very much akin to the Hyde amendment because the taxpayers are indeed paying for abortion on demand if the Hoyer amendment is enacted into law.

Let me just say, Mr. Chairman, that I have always been struck by the considerable lengths some people will go to sanitize and to deny realities that are unflattering to their cause, inconvenient and messy to face. The plain fact of the matter is that abortion methods either dismember an unborn child's fragile body or burn her alive in a poison solution, while some babies are killed by the partial birth abortion method. Those victim babies are stabbed in the back of the neck with scissors and have their brains sucked out. Yet all of this cruelty is euphemistically referred to as choice and vigorously defended as an expression of freedom rather than the child abuse that it is.

Whole societies, Mr. Chairman, have at times bought into gross evils dressed up as legitimate and good. The abomination of slavery was vigorously defended by the best and the brightest of its day. Just read Roger Taney's Dred Scott decision—an apologetic that looks and sounds remarkably like Roe versus Wade.

□ 1115

The subjugation of whole nations, bride burning, female genital mutilation, and even human sacrifice have had their sincere and sophisticated apologists. Of course, they were and are dead wrong, but these human rights abuses have their apologists. In the past three decades, the abortion rights movement, a multimillion-dollar industry, takes the prize for intel-

lectual dishonesty, the art of the skillful dodge, and the clever manipulation of euphemisms designed to conceal an utterly gruesome reality.

All of the arguments marched out to justify the slaughter of unborn babies used in today's debate and used in other debates that we have had on this floor were first conceived, tested, and marketed by public opinion specialists, pollsters, and focus groups. Those talking points that routinely find their way into our offices from NARAL and Planned Parenthood are the best that market research can buy.

Still, it is amazing to me that in 1996, with all of the breathtaking advances in fetology, the use of the ultrasound technology and microsurgery for the baby in the womb, that some can still stand here with straight faces and argue that the taxpayers and the premium payers should pay millions of dollars to dismember and to poison these precious little kids. The sanitizing of these child killings has so insulated some from the cruelty of abortion that they somehow believe that they are enlightened to take that point of view.

Way back in 1976, Mr. Chairman, I asked my predecessor, then Congressman Frank Thompson, who swore he was personally opposed to abortion, and I kept saying to him, why are you personally opposed? He just came back and said, well, I am personally opposed. Well, I asked him if he thought that a baby was involved in abortion. Was a baby killed? He said, and I quote, "You can't have an abortion unless there is a baby involved." Then he became a little bit red-faced, after he saw what he had just admitted. And a reporter who was on the scene at the time, and my wife, were frankly shocked, but pleased with his candor. He at least admitted that a human baby was killed as a result of abortion.

Recently I read in the Weekly Standard an article by Tucker Carlson entitled, "What Pro-choice Republicans Believe." I frankly was absolutely amazed by the answers given by some of my good friends and colleagues on our side of the aisle, and it was a kind of *deja vu* of the conversation that I had some 20 years ago with my predecessor, then Congressman Frank Thompson. One prominent lawmaker was asked why he was personally opposed to abortion. The article described it this way. Senator SPECTER stopped cold. Eighteen seconds of uncomfortable silence pass. The Senator has spent much of the past year talking incessantly about abortion, and yet he seems baffled by the question, as if it has never been asked before or even imagined that it could be asked.

When Senator SPECTER finally replies, his tone has changed. He speaks through clenched teeth: "Well, it is something I would not choose to do, and I would just leave it at that." And Senator SPECTER does leave it at that.

Asked to elaborate on his views, he angrily refuses. "I think it says all

there is to say that I'm opposed to it. Now, do you have another question?"

Mr. Chairman, I would like to ask that question of the Members that are arguing for abortion funding today. I especially want to ask this of my colleague from Illinois [Mr. DURBIN]. And again let me remind you, 70 percent of the funding used for the Federal Employees Health Benefits Program is taxpayers' dollars. So Mr. LIGHTFOOT's language is very much a parallel to the Hyde amendment. Yes, there is some money that you and I and others kick in. It is only 30 percent in terms of premium payers, and even many of those, like myself, a premium payer, do not want that money as well to be bundled and used to pay for abortions on demand. That is what the Hoyer amendment would do.

It is abortion on demand, abortion for birth control reasons. And if the Hoyer amendment is passed, if his amendment becomes law, the U.S. Government will subsidize the slaying of children. Back in 1983, before the pro-life rider was in effect, some 17,000 babies were killed each year, facilitated and subsidized by the Federal Employees Health Benefits Program and by the taxpayers.

I would like to ask my friend from Illinois, Mr. DURBIN, who is standing here waiting to speak, do you believe that an unborn child is a human being? Perhaps you would like to answer. On your time, I hope you will.

Mr. Chairman, I reserve the balance of my time. I do hope the gentleman will answer that when he takes the podium, whether or not there is a human life destroyed by abortion.

Mr. HOYER. Mr. Chairman, I yield 2 minutes to my distinguished colleague, the gentlewoman from Maryland [Mrs. MORELLA].

Mrs. MORELLA. Mr. Chairman, I rise in strong support of the Lowey-Hoyer-Morella amendment. Please do not be misled by the highly charged emotional rhetoric, because this amendment is not about that. This amendment is to avert discrimination against Federal employees.

Last year, Congress voted to deny Federal employees coverage for abortions that had been provided to most of the rest of this country's workforce through their health insurance plans. This decision was discriminatory and is just another example of Congress chipping away at the benefits of Federal employees and their opportunity to choose an insurance plan that best meets their own health care needs.

The coverage of abortion services in Federal health plans would not mean that abortions are being subsidized by the Federal Government. Currently, the Government simply contributes to the premiums of Federal employees in order to allow them to purchase private health insurance. The many participating plans in the FEHBP may or may not choose to include coverage for abortion services—and, prior to last year's decision, about half of the par-

ticipating plans provided this coverage. Thus, an employee who did not wish to choose a plan with abortion coverage could do just that.

Unfortunately, Congress denied Federal employees their access to abortion coverage, thereby discriminating against them and treating them differently than the vast majority of private sector employees. Currently, two-thirds of private fee-for-service plans and 70 percent of HMO's provide abortion coverage. It is insulting to Federal employees that they are being told that part of their own compensation package is not under their control.

Thousands of Federal employees struggle to make ends meet. Many Federal employees are single parents or the sole wage earners in their families. For these workers, the cost of an abortion would be a significant hardship, interfering with a woman's constitutionally protected right to choose. For these women, the lack of this health coverage could result in delayed abortions occurring later in the pregnancy, an outcome no one here wants to see.

Mr. Chairman, this amendment simply restores the rights of Federal employees to the same health care services covered by most private sector health plans. I urge my colleagues to support this amendment and to reverse last year's unwise decision.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Florida [Mr. STEARNS].

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Mr. Chairman, I rise in opposition to the Hoyer amendment, which would allow, as brought out here before, abortion on demand under the Federal employee health insurance plan. The question I pose to my colleagues is, should the American taxpayers have an interest in the health care coverage of Federal employees? Of course, they should. Why not. They pay for it.

They are the employers of the Federal workers. OK, so if the people who pay for it have an interest, why do we not ask them?

Well, we have done that. The CBS news poll done this year, the end of March, 72 percent of the people who are polled say they do not want their tax dollars going toward abortion on demand. Another poll was done by the Journal of American Medical Association; 69 percent said the same thing. The American taxpayers do not want their tax dollars going for abortion on demand.

This amendment goes way beyond the bounds of the pro-life/pro-choice debate. This issue involves providing abortions for anyone enrolled in the Federal Employee Health Benefits Program, regardless of income level. The concept of the anyone subsidizing abortion is difficult enough, but asking the American taxpayers to pay for abortions for Federal employees under this

plan is wrong, realizing that this is abortion on demands, even into the third trimester.

Supporters of this amendment claim that the Federal benefits health program should pay for all the medical procedures. However, in agreement with a 1980 Supreme Court decision, I say that an abortion cannot be considered as part of these procedures. It is, in fact, the termination of a life we are talking about here, Mr. Chairman, not a simple health care procedure. So when the Members on this side, perhaps some on this side of the aisle, would say this is a simple health care procedure, we just have to go to the 1980 Supreme Court decision. It clearly says this is not a simple health care procedure we are talking about. So do not be confused.

So I ask my colleagues to think about what the majority of American taxpayers, roughly 70 percent in two separate polls have said. They do not want to pay for abortion on demand for Federal employees. So, truly, let us defeat the Hoyer amendment, regardless of your stance on abortion on this debate. You must recognize what this amendment does. I ask all of my colleagues to defeat this amendment today.

Mr. HOYER. Mr. Chairman, I yield 45 seconds to my friend, the gentleman from Colorado [Mr. SKAGGS].

Mr. SKAGGS. Mr. Chairman, over a million women rely on the Federal Employee Health Benefit Program for their health insurance. These women work for the American people, for us. They are not children. They are perfectly capable of making decisions about their own health insurance.

By what right does this House make it more difficult and dangerous for these citizens to exercise their constitutional rights about abortion?

By what right does this House limit the medical procedures available in what are the most difficult and trying circumstances anyone woman can face?

Treat these public servants like other American workers. They should be allowed to choose health care insurance without the interference of the heavy ideological hands of Congress. Vote "yes" on the Hoyer amendment.

Mr. Chairman, I rise in support of the gentleman from Maryland's amendment and in opposition to the continuing efforts of many on the majority side to interfere with a woman's privacy rights and freedom of choice about abortion.

In this bill as written, the compensation of Federal employees is manipulated to serve the ideological purposes of those who disagree with the U.S. Supreme Court about a woman's right to choose. Simply because they happen to work for the Federal Government, Federal employees are prohibited from selecting a health insurance carrier through their employer health plan that provides coverage for abortion services in most cases.

Over a million American women rely on the Federal Employee Health Benefit Program for their health insurance. These women work for the American people; they work for you. Look

around you, look around your offices. These women aren't children. They are adults capable of making their own health care decisions. By what right does this House make it more difficult and dangerous for these women to exercise their constitutional right to choose about abortion? By what right does this House limit the medical procedures available in what is one of the most difficult and trying circumstances a woman can encounter? The answer is simple. It suits some Members' political ideology—never mind the rights and needs of the women who work for the Government.

The U.S. Constitution guarantees women a right to privacy and choice about abortion. Without the Hoyer amendment, the bill before us diminishes that right for those who work for this country, for us.

Treat these public servants like other American workers. They should be allowed to choose health care insurance without interference from the heavy ideological hand of Congress.

Vote "yes" on the Hoyer amendment.

The CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Mr. STEARNS) assumed the chair.

SUNDRY MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Edwin Thomas, one of his secretaries.

The SPEAKER pro tempore. The Committee will resume its sitting.

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1997

The Committee resumed its sitting.

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Missouri [Mr. TALENT].

Mr. TALENT. Mr. Chairman, I thank the gentleman for yielding me the time.

I rise in opposition to the Hoyer amendment. I want to say right up front that I appreciate, as always, the very gracious style of the gentleman who is offering the amendment and his attempts to keep this debate squarely on the merits and not let it get personal. I want to proceed in that vein as well. Let me speak from the heart about why I am opposing his amendment.

Mr. Chairman, when I look at abortion, I cannot get past looking first and foremost at what the status of an unborn child really is. The scientific facts, and these are scientific facts, is that we are dealing with a life, no question, an unborn child is alive. It is a member of the human species. Not anything else. Has a genetic code, is completely separate from its parents. It seems to me that makes the unborn child a person, a human being. To say otherwise is to make personhood turn

on standards of development, how developed a person is, which is a dangerous principle going into the law.

I know the argument on the other side, an argument based on choice. It is a good argument when you are dealing with one person. But it just seems to me it is very circular, when you have to address the question how many people are involved in here. How many people's choices should be taken into account.

That is why I am opposed to abortion and why I believe that as time goes on and as we present these facts to the American people, we will persuade them, and that is what we have to do, we have to persuade them. We cannot now, the Supreme Court has said, we cannot now prohibit this procedure, but we can still try and persuade. One of the ways that we can persuade is say, look, we do not want taxpayers funding the programs to have anything to do with this procedure. Whatever people can or cannot do under the Supreme Court decision is for themselves. We do not want to participate in this with Federal taxpayer dollars. That is all that the bill says, and I do not want the Hoyer amendment to take that out.

You can argue fine questions about whose money this is. I would just say, Mr. Chairman, with the greatest respect to my friend, the gentleman from Maryland, when you get down to fine questions, let us err on the side of life. Let us err on the side of saying, we do not want to have anything to do with this procedure and continue persuading the American people.

Mr. HOYER. Mr. Chairman, I yield 30 seconds to the distinguished gentleman from California [Ms. HARMAN].

(Ms. HARMAN asked and was given permission to revise and extend her remarks.)

Ms. HARMAN. Mr. Chairman. I rise in strong support of the Hoyer amendment to strike the language that prohibits Federal employees from choosing health care plans that include abortion services.

Let's be perfectly clear: the issue here is not Federal funding for abortions. It's about this Congress forcing its social agenda on the American people, and in this case a specific group of individuals: Federal workers. What's at stake here is the right of Federal employees to use their own money, compensation they have earned, to purchase the health plan of their choice. Congress has no business obstructing private insurance companies from offering services that are necessary for women's health. At least two-thirds of private health insurance plans currently include coverage for abortions. Those private sector employees who object to abortion have the freedom to purchase plans that do not cover such procedures. Federal employees should have the same right to make these personal decisions, and until Congress imposed this policy last year, they did.

Mr. Chairman, this unreasonable restriction of the rights of Federal em-

ployees is just one more example of this Congress' fixation on divisive social issues. There are a host of real problems facing America today, from the threat of terrorism to the deteriorating quality of our public schools, which Congress can and should address immediately. Instead, we have met time and again to clash over the right of women to obtain legal abortions with their own funds.

Mr. Chairman, this mother of four urges strong support for the Hoyer amendment to restore the freedom of Federal workers to purchase the health care policy of their choice. Let's shift the focus away from divisive social issues and onto the real problems facing our Nation.

□ 1130

Mr. SMITH of New Jersey. Mr. Chairman, I yield myself 15 seconds just to respond briefly, just to say to my good friend and just to point out that this is indeed a Federal funding, U.S. taxpayer funding issue. I am dismayed at attempts to suggest otherwise.

In 1995, 73 percent of the money that was expended toward the purchase of health insurance for the Federal employees came directly from the U.S. taxpayers. The remainder was picked up by the premium payers.

Mr. HOYER. Mr. Chairman, what is the time remaining?

The CHAIRMAN. The gentleman from Maryland [Mr. HOYER] has 6¼ minutes remaining, and the gentleman from New Jersey has 3¼ minutes remaining.

Mr. HOYER. Mr. Chairman, I yield 30 seconds to the gentlewoman from California [Ms. WOOLSEY].

(Ms. WOOLSEY asked and was given permission to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Chairman, I predict that historians will write books on this Congress. They will do that by writing about the majority's assault on reproductive choice. Twenty-one votes to compromise a woman's right to choose in just 1 year, that is why passage of this amendment is so important.

Women in the Federal Government work very hard every day for our constituents. Indeed, they are our constituents. But they have had their reproductive health care options taken away from them for political posturing. That is wrong, that is unfair, and it undermines the fundamental protections of Roe versus Wade.

Mr. SMITH of New Jersey. Mr. Chairman, I yield 1 minute to my good friend, the gentleman from Indiana [Mr. HOSTETTLER].

(Mr. HOSTETTLER asked and was given permission to revise and extend his remarks.)

Mr. HOSTETTLER. Mr. Chairman, I rise in opposition to this amendment.

Arguments are routinely raised on this floor that the so-called right to choose is infringed any time the Government refuses to facilitate the practice of abortion on demand—even