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No. 104

Senate

The Senate met at 9:45 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

We can know the One who knows. Father, the very idea gives us inspiration and enthusiasm as we begin the work of this day. Our work has to do with thinking clearly about the issues before us. We feel fresh excitement about the day ahead when we contemplate the amazing fact that You who know everything and always will what is best for us, are willing to think through our thinking brains so we can discover truly creative solutions to our perplexities.

Form in our minds the mental picture of a successful agreement on the budget between the Senate, the House of Representatives, and the President. Now we thank You in advance that You will help us achieve this image of oneness and progress for Your glory.

We also are moved by the fact that You are Sovereign over the minds of people with whom we may have differed in the past. We open our minds to the possibility that You may choose to expand our understanding of issues through the insights You give them. We all are humbled by the fact that we all need knowledge from You, the One who knows and affirms our effort for oneness. We join with one another in confessing our need for You to guide our thinking and lead us to solutions that are maximum. Through our Lord and Saviour. Amen.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The able acting majority leader, the distinguished Senator from Colorado, is recognized.

SCHEDULE

Mr. CAMPBELL. Mr. President, on behalf of the majority leader, today the Senate will resume consideration of S. 1023, the Treasury, general Government appropriations bill, with 10 minutes of debate remaining on the bill. At 10 a.m., a series of votes, possibly three, will occur on the remaining pending amendments to the Treasury, general Government appropriations bill, including a vote on final passage of S. 1023. Following the disposition of S. 1023, the Senate will resume consideration of the VA-HUD appropriations bill. Therefore additional votes will occur during today's session of the Senate.

As a reminder, the Senate will recess from the hours of 12:30 to 2:15 today for the weekly policy luncheons to meet.

On behalf of the leader, I thank my colleagues for their attention.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. INHOFE). Under the previous order, the leadership time is reserved.

TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1998

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 1023, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1023) 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, 1998, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Campbell (for DeWine) amendment No. 936, to prohibit the use of funds to pay for an abortion or pay for the administrative ex-

penses in connection with certain health plans that provide coverage for abortions.

Kohl (for Bingham) amendment No. 937, to strike provisions prohibiting the use of appropriated funds for the sole source procurement of energy conservation measures.

Mr. CAMPBELL. Mr. President, I ask unanimous consent there be 2 minutes of debate equally divided prior to each of the votes in this series.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CAMPBELL. Mr. President, Senator BINGAMAN and Senator STEVENS have not yet arrived at the floor so, until they do, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WELLSTONE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. WELLSTONE. Mr. President, I ask unanimous consent that Sam Rikkers, who is an intern with me, be granted the privilege of the floor during today's session of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. Mr. President, I thank the Chair and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BINGAMAN. Mr. President, I ask the floor manager, I have one amendment that is going to be voted on in about 15 or 20 minutes, I understand. Is it appropriate to speak on that at this point?

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Mr. CAMPBELL. I ask the Senator, is this the Bingham amendment he has offered, amendment No. 937.

Mr. BINGAMAN. This is the Bingham-Murkowski amendment.

AMENDMENT NO. 937

Mr. CAMPBELL. Mr. President, I ask unanimous consent the Senate now consider amendment No. 937, offered by the Senator from New Mexico [Mr. BINGAMAN].

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, let me just speak briefly on this amendment. We are still in morning business, as I understand it; is that correct?

The PRESIDING OFFICER. That is not correct. The Chair advises the Senator from New Mexico we are now in consideration of S. 1023.

Mr. BINGAMAN. OK. Let me speak for a few minutes about this amendment.

Mr. CAMPBELL. Mr. President, if I could ask for just a moment?

Mr. BINGAMAN. I yield to the Senator from Colorado.

Mr. CAMPBELL. Will the Chair tell us the pending business and the division of the time on this amendment?

The PRESIDING OFFICER. The Senator from Colorado has 4 minutes 39 seconds; the Senator from New Mexico 3 minutes 25 seconds.

Mr. CAMPBELL. Was there a unanimous-consent request dividing the time, 2 minutes equally divided?

The PRESIDING OFFICER. Yes, there were 10 minutes equally divided. This is the time remaining.

Mr. CAMPBELL. Yes. I thank the Chair and thank the Senator.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, let me briefly describe what the amendment is. The amendment which I am offering along with Senator MURKOWSKI, the chairman of the Energy Committee, would strike section 630 out of the Treasury-Postal appropriations bill which is pending before the Senate. The reason we are trying to strike section 630 is that it would impede Federal agencies from using energy conservation programs that are now being offered to all customers by electric utility companies. This section would override both the Energy Policy Act of 1992 and the National Defense Authorization Act of 1993. There is nothing anticompetitive about eliminating section 630. Many energy conservation measures, such as agreements to use certain amounts of energy at certain times of the day, can only be made—those types of agreements can only be made with the local utility.

We are in a period where we are moving toward a restructured electric utility industry, but we are not there yet. In most parts of this country today, customers still deal with one electric utility. So the opportunity to enter into these energy conservation measures is with that one electric utility. If

there is only one source offering a particular service—in this case the providing of electricity—there is no point in outlawing a sole-source procurement, as section 630 would do.

Existing law tells Federal agencies to use energy conservation services offered by local utilities if those same services are offered to other customers in that same location. This amendment overrides section 630 of the bill, which we are dealing with here and which we are trying to eliminate. It would override these mandates and would have the following negative consequences.

First of all, there are 58 existing contracts between the General Services Administration and utilities that will be adversely affected by this provision, according to the Department of Energy. Second, the Department of Defense will be forced to scrap its model energy conservation agreement that it has with members of the utility industry.

Since the law allows sole-source contracts, and since the sole source is sometimes the only option for the Government, section 630 is not about making agencies comply with the law; it is about the Senate intervening on one side of an electric industry dispute without having all of the facts. Energy conservation law is obviously complex. We should not be trying to change this law in an appropriations bill. Before we change the law, we need to hear from all of the affected parties.

The chairman of the Energy Committee, who is cosponsoring my amendment, has agreed to hold hearings on the concerns raised by the chairman of the Appropriations Committee. Given that good-faith offer to investigate and resolve these concerns, I believe the Senate should support our amendment and take out section 630 until we have all the facts.

Mr. MURKOWSKI. Mr. President, I rise in support of the amendment from the Senator from New Mexico to strike section 630 of this legislation. Section 630 addresses substantive issues regarding the energy efficiency requirements for Federal agencies under the Energy Policy Act of 1992. That act had many provisions designed to improve the energy efficiency of Federal facilities. Two are at issue here. First, there are so-called energy savings performance contracts [ESPC's]. These are a mechanism for use of private sector funds to finance Federal energy efficiency improvements. These are competitively bid. In addition, there are utility programs. EPCA also provided for Federal participation in utility demand management programs that are authorized by the State regulators.

The ESPC's haven't been used as much as they could be. The ESPC's required new regulations, which DOE took a long time to issue. The contracting process was complicated and cumbersome. However, DOE is now entering into regional contracts for all Federal facilities, which is expected to speed up the contracting process. In

the meantime, Federal agencies have been participating in utility demand management programs to reduce energy use.

The language of section 630 is very broad—it prohibits participation in all utility demand management programs. Even more troublesome, it prohibits payment under existing contracts. This, despite the fact that there may be some services that only utilities can provide—an example is a meeting system that provides real-time pricing information. But today, I do not wish to debate whether or not this is the right thing to do. This change in a law that is within the jurisdiction of the Energy Committee.

The promoters of the amendment have claimed that obtaining energy efficiency measures through sole source contracting—through utility demand management programs—is already against the law. This is not so. Section 152 of EPCA amended section 545 of National Energy Conservation Act to include the following language:

(c) UTILITY INCENTIVE PROGRAMS.—(1) Agencies are authorized and encouraged to participate in programs to increase energy efficiency and for water conservation or the management of electricity demand conducted by gas, water, or electric utilities and generally available to customers of such utilities.

(2) Each agency may accept any financial incentive, goods, or services generally available from any such utility, to increase energy efficiency or to conserve water or manage electric demand.

(3) Each agency is encouraged to enter into negotiations with electric, water, and gas utilities to design cost-effective demand management and conservation incentive programs to address the unique needs of facilities utilized by such agency.

According to a letter I have received from the Department of Defense, the "Department uses a combination of contracting authorities to achieve energy efficiency. It is [the Department's] belief that [the Department's] current approach provides better results for the U.S. Government than would be the case" if section 630 were enacted into law. The Department concludes that "this provision would have the effect of reducing the amount of work defense installations are able to contract to all sectors of the energy community, and therefore, significantly reducing the savings we achieve."

There are many issues raised by the Government's implementation of the provision of EPCA. However, these provisions are the jurisdiction of the Energy Committee. The concerns that the Department of Defense, and others, have raised with section 630 show that this is a complex issue that should be the subject of a hearing and deliberate legislative by the authorizing committee. An appropriations bill is not the appropriate forum to address these concerns.

I ask my colleagues support for the Bingham amendment.

I ask unanimous consent that the text of the letter I received from Defense Deputy Under Secretary Goodman be printed in the RECORD.

There being no objection, the text of the letter was ordered to be printed in the RECORD, as follows:

OFFICE OF THE UNDER
SECRETARY OF DEFENSE,
Washington, DC.

Subject: Section 630, Senate Treasury and Postal Service appropriations bill.

Senator FRANK H. MURKOWSKI,
U.S. Senate,
Washington, DC.

This is in response to the telephone request from a member of your staff for a Defense position on the proposed section 630 to the Senate Treasury and Postal Appropriation bill. Section 630 would preclude any Federal agency from obtaining energy conservation services on a sole source basis.

The Department of Defense is concerned that this provision would have the effect of reducing the amount of work defense installations are able to contract to all sectors of the energy community, and therefore, significantly reducing the savings we achieve.

The Department of Defense is the single largest energy user in the country and is committed to achieving the energy efficiency improvement goals of the Energy Policy Act and President Clinton's Executive Order 12902. If those goals are achieved, we will realize a billion dollar reduction in our annual energy bill by 2005 and implement the most cost-effective environmental improvement result possible through pollution prevention.

The Department uses a combination of contracting authorities to achieve energy efficiency. These authorities allow us either competitively to contract or sole-source for the technical and capital resources we need. There are two important cases in which the Department may want to contract sole-source for energy conservation services, both in the interest of achieving best value for the United States Government. In the first case, we may contract sole source if the firm has proprietary information or a significant technological innovation—for instance, if a company has produced a new type of fuel cell or control system that is unique or proprietary. In the second case, under the recent agreement with the Edison Electric Institute, we can access a franchised utility company's energy conservation service program (which must be a sole-source contract because these are State-sanctioned sole-source programs). Under our agreement with the Edison Electric Institute, the franchise utility companies are required to subcontract competitively the actual conservation work. The Department therefore derives the benefits of competition even though the prime contract was not competitive.

It is our belief that our current approach provides better results for the United States Government than would be the case if our current authority to contract sole-source, where justified, were eliminated. Our current system allows more work to be done by the energy savings performance contractor and Architect/Engineer communities. Because this system allows us to take advantage of situations where the greatest savings derive from a sole source provider, it also increases our ability to undertake energy conservation efforts and therefore achieve greater savings.

We recommend that section 630 be deleted from the Treasury and Postal Service Appropriation Bill.

We have not had an opportunity to have the Office of Management and Budget review this to make sure that it comports with Administration policy.

JOHN B. GOODMAN,
Deputy Under Secretary of Defense.

The PRESIDING OFFICER. The time of the Senator from New Mexico has expired.

Mr. BINGAMAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. CAMPBELL. Mr. President, my colleague is not yet here, so I suggest the absence of a quorum and ask unanimous consent that no time be charged against Senator STEVENS during that quorum call.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, the provision in this bill requires compliance with existing law. Our information is that the cost of modernization of these facilities to the Federal Government is approximately \$4 billion. Unless existing law is complied with, it will cost us \$1 billion more than it would if we had true competition. The figures show it would cost \$3 billion if they complied with the law; it would cost \$4 billion if they continue to flout and ignore the law.

The Bingaman amendment would take out of the bill the requirement no funds can be spent except in compliance with existing law. I do not understand a refusal to accept the fact that that is the law. If the committee of jurisdiction doesn't like the law, they should come to the floor with suggestions to amend it. But we should, supporting expenditures of Federal funds, require compliance with the law that mandates competition in this area.

I move to table the amendment.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I ask, is there additional time preserved?

The PRESIDING OFFICER. All time of the Senator from New Mexico has expired.

Mr. BINGAMAN. Was there 2 minutes before each vote that was provided for in the unanimous-consent agreement?

The PRESIDING OFFICER. The Chair advises the Senator from New Mexico that there was. However, we have already had 10 minutes on this debate, so the Chair declares the time has expired.

Mr. BINGAMAN. I thank the Chair.

The PRESIDING OFFICER. The question is on agreeing to the motion to table the amendment. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from West Virginia [Mr. ROCKEFELLER] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber who desire to vote?

The result was announced, yeas 35, nays 64, as follows:

[Rollcall Vote No. 189 Leg.]

YEAS—35

Abraham	Glenn	McConnell
Allard	Gorton	Murray
Bennett	Gramm	Roberts
Campbell	Grassley	Roth
Chafee	Gregg	Santorum
Cleland	Hutchison	Sessions
Coats	Kohl	Shelby
Collins	Kyl	Snowe
Coverdell	Lautenberg	Stevens
D'Amato	Lieberman	Thompson
Feingold	Mack	Wellstone
Frist	McCaIn	

NAYS—64

Akaka	Enzi	Levin
Ashcroft	Faircloth	Lott
Baucus	Feinstein	Lugar
Biden	Ford	Mikulski
Bingaman	Graham	Moseley-Braun
Bond	Grams	Moynihan
Boxer	Hagel	Murkowski
Breaux	Harkin	Nickles
Brownback	Hatch	Reed
Bryan	Helms	Reid
Bumpers	Hollings	Robb
Burns	Hutchinson	Sarbanes
Byrd	Inhofe	Smith (NH)
Cochran	Inouye	Smith (OR)
Conrad	Jeffords	Specter
Craig	Johnson	Thomas
Daschle	Kempthorne	Thurmond
DeWine	Kennedy	Torricelli
Dodd	Kerrey	Warner
Domenici	Kerry	Wyden
Dorgan	Landrieu	
Durbin	Leahy	

NOT VOTING—1

Rockefeller

The motion to lay on the table the amendment (No. 937) was rejected.

Mr. STEVENS. Mr. President, I ask unanimous consent that the yeas and nays on the Bingaman amendment be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the Bingaman amendment.

The amendment (No. 937) was agreed to.

Mr. BINGAMAN. I move to reconsider the vote.

Mr. FORD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 936

The PRESIDING OFFICER. The question occurs now on amendment No. 936.

The Senator from Ohio has 1 minute.

Mr. DEWINE addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. DEWINE. Mr. President, let me take just 1 minute to explain this amendment.

This amendment is a very simple one. A "yes" vote means that we continue the current law. A "yes" vote on the amendment would continue in force the current prohibition on the taxpayer subsidy of abortions for Federal workers. It would permit Federal

employee health plans to cover abortion only in the cases of rape, incest and threats to the life of the mother.

This has been the law for most of the last 14 years, from 1984 to 1993, and from 1995 until the present. A "yes" vote continues current law.

Mr. President, in 1996 the Federal Government paid an average of 74 percent of the cost of a Federal employee's health premium. That is taxpayer money. And the Senate has twice voted to be sure tax dollars were not used to fund abortions.

In 1995, this body endorsed this policy by a vote of 50 to 44. In 1996, we approved it again by a vote of 53 to 45. It is good policy. It ought to remain in force, consistent with the well-being of the American people.

I urge a "yes" vote.

Mrs. BOXER addressed the Chair.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Thank you, Mr. President.

I rise in opposition to the amendment which is aimed at curbing the legal rights of women who work for the Federal Government to obtain abortion services through their health insurance. I strongly urge my colleagues to vote against this amendment offered by Senator DEWINE.

Who is impacted by the DeWine amendment? There are 1.2 million women of reproductive age who rely on the Federal Employees Health Benefits Program for their medical coverage. They will be stopped from using their own insurance to exercise their right to obtain a perfectly legal abortion.

Women who are employed by the Federal Government work hard. They personally pay for their health premiums out of their own pockets. And, when it comes to health care coverage, they deserve the same health benefits as women who work in the private sector.

To me the question is clear: Should women Federal employees or their dependents be treated the same as other women in the work force or should they be singled out, punished, have their rights taken away from them and be treated differently?

In 1993, a majority of the Senate voted to restore the coverage of abortion services, and Federal employees were once again given equality with other women. Unfortunately, this Republican Congress overturned those rights. The Senate Appropriations Committee bill now before us provides funding for the Federal Employees Health Benefits Program. We should ensure that this funding remains in the bill.

Anti-choice forces are chipping away at the right of women in this country to obtain safe, legal abortions by making a women's ability to exercise that choice dependent upon the amount of her paycheck and the employer who signs it.

If there were an amendment to stop a man who happens to work for the Fed-

eral Government from getting a perfectly legal medical procedure, one that might protect his health, there would be an uproar on this floor. People would say, how dare you do that to the men of this country? Why not treat the men who work for the Federal Government the same way we treat men who work in the private sector?

The bottom line is—this is a tough personal, private matter, and I really think it is time we trusted women to make that choice. Who are we to say that a woman who happens to work for the Federal Government or her dependents should not have this right?

Let's ensure that all Federal employees have the rights, the protections, and the health care coverage they deserve.

The DeWine amendment singles out female Federal employees and denies them a medical benefit available to all other working women. It is wrong.

I yield the remainder of my time to Senator MURRAY.

Mrs. MURRAY addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I rise in strong opposition to the DeWine amendment (No. 936) to the Treasury, Postal Service appropriations bill for fiscal year 1998. This amendment is nothing more than another attempt to attack basic reproductive health services for Federal employees and their dependents. This has become an annual tradition during consideration of appropriations bills.

What always surprises me about this amendment is the arguments used in defense of denying Federal employees access to the same reproductive health and choices afforded most private sector employees. We are told that this is a matter of not allowing for the use of Federal funds for abortion related services. But, this is not argument does not make sense when one considers that most Federal employees contribute to their own health insurance through premiums, deductibles, and copayments. In addition, health insurance benefits are a form of compensation for services rendered. They are not viewed as a direct Federal payment, but rather a cost of labor. If we believe that Federal health insurance benefits are not a form of compensation, but rather a direct Federal payment to employees, then we should be looking to refund women who selected health insurance based on the reproductive services provided. If it was a direct Federal payment, why would the insurance companies be reluctant to reimburse all female Federal employees the cost of these services?

If one were to take this argument to the next level, then supporters of this amendment should be looking to forbid any Federal employee from using their salary to pay for abortion related services. Maybe we should have whole list of things that Federal employees cannot use their own salaries to support. But, we know that offering this type of

amendment would expose the true motivation behind this continued attack on a woman's right to a safe and legal abortion.

That is what we should be discussing; the continued erosion of access to safe and legal abortion services. Instead of these piecemeal attempts, perhaps we should have a full and open debate on banning a woman's right to chose. That is what this amendment is all about. It is not Federal funding, but rather another attempt to further restrict and control access to safe reproductive health services. Using Federal funding simply allows those who oppose a woman's right to chose the chance to hide behind a baseless argument.

I feel confident that few Members in the U.S. Senate would be comfortable telling all women that they are no longer protected and can no longer be guaranteed access to a safe, affordable abortion regardless of the circumstances. Few Senators would want to tell their constituents that the issue is not for them to decide, but rather the decision has been made by the U.S. Senate. So instead, the strategy is to hide behind issues like the use of Federal funds, or Federal facilities.

Putting aside the issue of abortion for a moment, as guardians of the FEHBP and Federal employees, we must ask if it is right to deny a Federal employee access to a safe and affordable abortion. Currently, there are approximately 1.2 million women of reproductive age who rely on the FEHBP for their medical care. These women, by simply choosing a career in public service, agree to be discriminated against every day when it comes to health insurance coverage.

Approximately, two thirds of private fee-for-service plans and 70 percent of HMO's provide abortion coverage. Many of these same plans participate in the FEHBP and must offer a different level of benefits for Federal employees. They are legally allowed to discriminate against women who are also Federal employees. In no other situation would Congress stand for this form of discrimination within a plan that participates in the FEHBP. But, today we are voting to do just that.

I am always surprised by the lack of understanding of the real problems facing real people, shown by some of my colleagues. Supporters of this amendment state that a woman can still get an abortion, but she simply cannot receive health insurance coverage for this care. This may sound reasonable until one considers that costs for this type of care can be anywhere from \$400 to several thousand dollars depending upon the severity of the problem. For many female Federal employees, who are in most cases the lowest paid, this is a lot of money. It might as well be \$10,000. In addition, what guarantee is there that the care will be adequate and meet the standard of care for all FEHBP participants? Unfortunately, there are no guarantees.

This could also create additional costs and problems for insurance plans. We all know that an unsafe abortion can be life threatening. We can also assume that there is followup care required to ensure the overall health of the woman. Who is responsible for this care? Who is financially responsible for the effects of unsafe abortion or in a situation where the woman could not afford the followup care required? Some of my colleagues seem to think that an abortion is a decision made with little or no thought, they must also assume that the procedure is done with little or no thought. I can assure you, no woman makes this decision lightly and like all surgical procedures there is always some risk.

I strongly oppose this discriminatory attempt to deny 1.2 million Federal employees and their dependents access to safe, affordable health care coverage and urge my colleagues to think very carefully about voting to continue this discrimination.

This is not about the use of Federal funds. We all know that not one Federal employee received a refund when Congress acted to eliminate this coverage. For most insurance plans, abortion related services are a part of a package of reproductive health benefits—they do not single out abortion. This amendment is simply about denying some women access to safe, affordable and comprehensive reproductive health care benefits.

Mr. President, time and again, Members come to the floor to talk about how they support women's health. Once again, we are going to take reproductive health of women away from women.

This is about the health of women. It is denying Federal employees the ability to make choices about their own reproductive health.

I urge you to vote "no" on the DeWine amendment.

Ms. MOSELEY-BRAUN addressed the Chair.

The PRESIDING OFFICER. The Senator from Illinois.

Ms. MOSELEY-BRAUN. Very briefly, this is a gratuitous slap at women's citizen rights. We are equal citizens. We should not be singled out for this kind of treatment.

I urge a "no" vote.

Mr. NICKLES. Mr. President, from 1984 through 1993, language was included as part of the Treasury/Postal Service appropriations bills which prohibited taxpayer money from going to fund abortions through Federal employee health benefits plans. In 1993, President Clinton pushed a change in that policy through Congress. For 2 years, people who were unalterably opposed to abortion were forced to pay for an estimated 17,000 abortions each year for any reason. In 1995, Congress restored the policy of restricting abortion funding and has continued to maintain that policy. The narrow question before us today is whether Americans who stand in defense of life should

be forced to pay for its destruction with their taxes. I do not believe they should and thus strongly support my colleague from Ohio's amendment.

Whether they choose to call themselves pro-choice or pro-life, the American people overwhelmingly reject public financing of abortion. A CBS/New York Times poll conducted in April 1993, about health care reform issues asked adults what should be included in a basic, Government-subsidized health care plan. Only 23 percent thought abortion should be covered. Some 72 percent said abortion should not be included a benefit in a Government-sponsored health plan.

A Wirthlin poll conducted in May 1992, found that 55 percent of Americans opposed using tax dollars to pay for abortions for women who cannot afford to pay for them. I would speculate that the number would be even higher if the question reflected the issue we are considering here, which is Government-subsidized abortions for women who can afford them.

Employers determine the benefits employees get. Taxpayers are the employers of Federal employees and a large majority of taxpayers do not want their tax dollars to pay for abortions. In 1995 the Federal Government contributed, on average, 72 percent of the money toward the purchase of health insurance for its employees. Thus, taxpayers provided a majority share of the funds to purchase health insurance for the Federal civilian work force.

The abortion funding restriction in this amendment addresses the same core issue as the Hyde amendments: Should the Federal Government be in the business of funding abortion? Should taxpayers be forced to underwrite the cost of abortions for Federal employees?

This amendment does not in any way hinder an individual's free exercise of their choice in regard to abortion services. What it does do is prevent such an individual's choice from being subsidized by funds taken from taxpayers who object to an unfettered exercise of the choice to abort an unborn child.

No matter what private arrangements individuals wish to make regarding abortion and insurance. Most Americans do not wish to see abortion services included among a federally guaranteed package of health care benefits. Despite its articulation of a constitutional right to privacy regarding abortion, the Supreme Court ruled in 1980 that abortion funding restrictions are constitutionally permissible. There is a clear distinction between supporting the private choice of abortion and requiring citizens through their tax dollars or federally mandated health premiums, to pay for such a service.

I hope that this overwhelming evidence will lead my colleagues to understand the imperative nature of this issue, and I urge them to vote in favor of this necessary amendment.

Ms. MIKULSKI. Mr. President, I rise in strong opposition to the amendment offered by Senator DEWINE.

The bill reported by the Senate Appropriations Committee would enable Federal employees, whose health insurance is provided under the Federal Employees Health Benefits Plan, to receive coverage for abortion services.

The DeWine amendment would prohibit coverage for abortion, except in cases of life endangerment, rape, or incest. It would continue a ban which has prevented Federal employees from receiving a health care service which is widely available for private sector employees.

I oppose this amendment for two reasons. First of all, it is an assault on the earned benefits of Federal employees. Second, it is part of a continuing assault on women's reproductive rights and would endanger women's health.

In the 104th Congress we saw vote after vote designed to roll back the clock on women's reproductive rights. In the last Congress, there were 53 votes in both the House and Senate on abortion-related issues. It's clear that this unprecedented assault on a woman's right to decide for herself whether or not to have a child is continuing in this Congress.

Well, I support the right to choose. And I support Federal employees. And that is why I strenuously oppose this amendment.

Let me speak first about our Federal employees. Some 280,000 Federal employees live in the State of Maryland. I am proud to represent them. They are the people who make sure that the Social Security checks go out on time. They make sure that our Nation's veterans receive their disability checks. At NIH, they are doing vital research on finding cures and better treatments for diseases like cancer, Parkinson's and Alzheimers. There is no American whose life is not touched in some way by the hard work of a Federal employee. They deserve our thanks and our support.

Instead, Federal employees have suffered one assault after another in the last year or two. They have faced tremendous employment insecurity, as Government has downsized, and eliminated over 200,000 Federal jobs. Their COLA's and their retirement benefits have been threatened. They have faced the indignity and economic hardship of three Government shutdowns. Federal employees have been vilified as what is wrong with Government, when they should be thanked and valued for the tremendous service they provide to our country and to all Americans.

I view this amendment as yet another assault on these faithful public servants. It goes directly after the earned benefits of Federal employees. Health insurance is part of the compensation package to which all Federal employees are entitled. The costs of insurance coverage are shared by the Federal Government and the employee.

I know that proponents of continuing the ban on abortion coverage for Federal employees say that they are only trying to prevent taxpayer funding of abortion. But that is not what this debate is about.

This is about prohibiting the compensation package of Federal employees from being used for a legal and sometimes vital medical service. Health insurance is part of the Federal employees pay.

If we were to extend the logic of the argument of those who favor the ban, we would prohibit Federal employees from obtaining abortions using their own paychecks. After all, those funds also come from the taxpayers.

But no one is seriously suggesting that Federal employees ought not to have the right to do whatever they want with their own paychecks. And we should not be placing unfair restrictions on the type of health insurance Federal employees can purchase under the Federal Employee Health Benefit Plan.

About 1.2 million women of reproductive age depend on the FEHBP for their medical care. We know that access to reproductive health services is essential to women's health. We know that restrictions that make it more difficult for women to obtain early abortions increase the likelihood that women will put their health at risk by being forced to continue a high-risk pregnancy.

If we continue the ban on abortion services, and provide exemptions only in cases of life endangerment, rape, or incest, the 1.2 million women of reproductive health age who depend on the FEHBP will not have access to abortion even when their health is seriously threatened. We will be replacing the informed judgment of medical care givers with that of politicians.

Decisions on abortion should be made by the woman in close consultation with her physician. These decisions should be made on the basis of medical judgment, not on the basis of political judgments. Only a woman and her physician can weigh her unique circumstances and make the decision that is right for that particular woman's life and health.

It is wrong for the Congress to try to issue a blanket prohibition on insuring a legal medical procedure with no allowance for the particular set of circumstances that an individual woman may face. I deeply believe that women's health will suffer if we do so.

I believe it is time to quit attacking Federal employees and their benefits. I believe we need to quit treating Federal employees as second class citizens. I believe Federal employees should be able to receive the same quality and range of health care services as their private sector counterparts.

Because I believe in the right to choose and because I support Federal employees, I urge my colleagues to join me in defeating the DeWine amendment.

The PRESIDING OFFICER. All time has expired.

The question occurs on agreeing to amendment No. 936. The yeas and nays have been ordered. The clerk will call the roll.

The bill clerk called the roll.

Mr. FORD. I announce that the Senator from West Virginia [Mr. ROCKEFELLER] is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 54, nays 45, as follows:

[Rollcall Vote No. 190 Leg.]

YEAS—54

Abraham	Enzi	Lugar
Allard	Faircloth	Mack
Ashcroft	Ford	McCain
Bennett	Frist	McConnell
Biden	Gorton	Murkowski
Bond	Gramm	Nickles
Breaux	Grams	Reid
Brownback	Grassley	Roberts
Burns	Gregg	Roth
Coats	Hagel	Santorum
Cochran	Hatch	Sessions
Conrad	Helms	Shelby
Coverdell	Hutchinson	Smith (NH)
Craig	Hutchison	Smith (OR)
D'Amato	Inhofe	Thomas
DeWine	Kempthorne	Thompson
Domenici	Kyl	Thurmond
Dorgan	Lott	Warner

NAYS—45

Akaka	Feinstein	Levin
Baucus	Glenn	Lieberman
Bingaman	Graham	Mikulski
Boxer	Harkin	Moseley-Braun
Bryan	Hollings	Moynihan
Bumpers	Inouye	Murray
Byrd	Jeffords	Reed
Campbell	Johnson	Robb
Chafee	Kennedy	Sarbanes
Cleland	Kerrey	Snowe
Collins	Kerry	Specter
Daschle	Kohl	Stevens
Dodd	Landrieu	Torricelli
Durbin	Lautenberg	Wellstone
Feingold	Leahy	Wyden

NOT VOTING—1

Rockefeller

The amendment (No. 936) was agreed to.

Mr. CAMPBELL. Mr. President, I move to reconsider the vote.

Mr. KOHL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

IRS MODERNIZATION

Mr. BYRD. As my colleagues will recall, the IRS has a large computer facility in my home State, in the city of Martinsburg. This facility should be an integral part of future IRS modernization efforts. Therefore, I have a question for the distinguished chairman of the subcommittee about this matter.

In its report, the committee supported the IRS' modernization blueprint. With respect to private sector involvement, the committee said:

In 1997, Congress directed the IRS to turn over a majority of its tax systems modernization work to the private sector. The committee is pleased that the IRS is planning to develop and implement the modernization plan through new partnerships with the private sector.

Having said this, however, the committee included no funds in the bill for this purpose. My question is this: does the subcommittee chairman intend to

recommend funding for the modernization program when a contract is let?

Mr. CAMPBELL. I thank the distinguished Senator from West Virginia for his interest in this important program. While the committee chose not to fund modernization for fiscal year 1998, I support appropriation of funds at that time in the future when the contract is awarded. I am pleased to put this on the record. Otherwise, those in the private sector spending extensive funds helping develop the concept of performance-based contracts, reviewing the "Request for Comment," and lending their expertise to the IRS so that the "Request for Proposal," when issued, is in the best possible shape, may stop doing so because of uncertainties about Congress' commitment to fund the procurement.

Mr. BYRD. Mr. President, I rise in support of S. 1023, the fiscal year 1998 Treasury and general Government appropriation bill, and commend the chairman and ranking member of the subcommittee, Senator CAMPBELL and Senator KOHL, for their very fine efforts in managing this bill. This is the first year that these distinguished Members have had an opportunity to manage this important bill which provides over \$25 billion for the operation of the Department of Treasury and general Government activities.

The bill is \$456 million less than the amount requested in the President's budget. The Members are to be commended for their efforts to keep a tight rein on funding and trim back wherever possible. The bill is consistent with the 602(b) allocations for both budget authority and outlays for the subcommittee.

Again, I congratulate Senators CAMPBELL and KOHL for their effective work. I also commend the work of the subcommittee staff: Barbara Retzlaff and Liz Blevins for the minority and Pat Raymond, Tammy Perrin, Lula Edwards for the majority.

Mr. CAMPBELL. Mr. President, are there any further amendments to S. 1023?

The PRESIDING OFFICER. The Chair advises the Senator from Colorado that there are no further amendments.

Mr. CAMPBELL. Mr. President, I ask unanimous consent that S. 1023 not be engrossed and that it remain at the desk pending receipt of the House companion measure.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The bill will be read the third time.

The bill was read the third time.

Mr. CAMPBELL. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mr. CAMPBELL addressed the Chair. The PRESIDING OFFICER. The Senator from Colorado is recognized.

Mr. CAMPBELL. Mr. President, the staff and Senator KOHL have worked

very hard on this bill. We have tried to accommodate all of the Members' suggestions. It is probably not a perfect bill, but we think it is a good bill. We ask that Senators support its passage.

The PRESIDING OFFICER. The question is on passage of the bill. The yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. FORD. I announce that the Senator from West Virginia [Mr. ROCKEFELLER] is necessarily absent.

The PRESIDING OFFICER (Mr. ALLARD). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 99, nays 0, as follows:

[Rollcall Vote No. 191 Leg.]

YEAS—99

Abraham	Faircloth	Lieberman
Akaka	Feingold	Lott
Allard	Feinstein	Lugar
Ashcroft	Ford	Mack
Baucus	Frist	McCain
Bennett	Glenn	McConnell
Biden	Gorton	Mikulski
Bingaman	Graham	Moseley-Braun
Bond	Gramm	Moynihan
Boxer	Grams	Murkowski
Breaux	Grassley	Murray
Brownback	Gregg	Nickles
Bryan	Hagel	Reed
Bumpers	Harkin	Reid
Burns	Hatch	Robb
Byrd	Helms	Roberts
Campbell	Hollings	Roth
Chafee	Hutchinson	Santorum
Cleland	Hutchison	Sarbanes
Coats	Inhofe	Sessions
Cochran	Inouye	Shelby
Collins	Jeffords	Smith (NH)
Conrad	Johnson	Smith (OR)
Coverdell	Kempthorne	Snowe
Craig	Kennedy	Specter
D'Amato	Kerrey	Stevens
Daschle	Kerry	Thomas
DeWine	Kohl	Thompson
Dodd	Kyl	Thurmond
Domenici	Landrieu	Torricelli
Dorgan	Lautenberg	Warner
Durbin	Leahy	Wellstone
Enzi	Levin	Wyden

NOT VOTING—1

Rockefeller

The bill (S. 1023), as amended, was passed, as follows:

S. 1023

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1998, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; not to exceed \$2,900,000 for official travel expenses; not to exceed \$150,000 for official reception and representation expenses; not to exceed \$258,000 for unforeseen emergencies of a confidential na-

ture, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate; \$114,794,000: *Provided*, That section 113(2) of the Fiscal Year 1997 Department of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, Public Law 104-208 (110 Stat. 3009-22) is amended by striking "12 months" and inserting in lieu thereof "2 years": *Provided further*, That the Office of Foreign Assets Control shall be funded at no less than \$6,745,000: *Provided further*, That chapter 9 of the fiscal year 1997 Supplemental Appropriations Act for Recovery from Natural Disasters, and for Overseas Peacekeeping Efforts, including those in Bosnia, Public Law 105-18 (111 Stat. 195-96) is amended by inserting after the "County of Denver" in each instance "the County of Arapahoe".

OFFICE OF PROFESSIONAL RESPONSIBILITY

SALARIES AND EXPENSES

For necessary expenses of the Office of Professional Responsibility, including purchase and hire of passenger motor vehicles, \$1,250,000.

AUTOMATION ENHANCEMENT

(INCLUDING TRANSFER OF FUNDS)

For the development and acquisition of automatic data processing equipment, software, and services for the Department of the Treasury, \$29,389,000, of which \$15,000,000 shall be available to the United States Customs Service for the Automated Commercial Environment project, of which \$5,600,000 shall be available to Departmental Offices for the International Trade Data System, and of which \$8,789,000 shall be available to Departmental Offices to modernize its information technology infrastructure and for business solution software: *Provided*, That these funds shall remain available until September 30, 1999: *Provided further*, That these funds shall be transferred to accounts and in amounts as necessary to satisfy the requirements of the Department's offices, bureaus, and other organizations: *Provided further*, That this transfer authority shall be in addition to any other transfer authority provided in this Act: *Provided further*, That none of the funds shall be used to support or supplement Internal Revenue Service appropriations for Information Systems: *Provided further*, That of the \$27,000,000 provided under this heading in Public Law 104-208, \$12,000,000 shall remain available until September 30, 1999: *Provided further*, That none of the funds for the International Trade Data System may be obligated until the Department has submitted a report on their system development plan to the Committees on Appropriations: *Provided further*, That the funds appropriated for the Automated Commercial Environment project may not be obligated prior to September 1, 1998: *Provided further*, That the funds appropriated for the Automated Commercial Environment project may not be obligated until the Commissioner of Customs has submitted, and the Committees on Appropriations of the House and Senate have approved, a systems architecture plan and a milestone schedule for the development and implementation of all projects included in the systems architecture plan.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, not to exceed \$2,000,000 for official travel expenses; including hire of passenger motor vehicles; and not to exceed \$100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the

direction of the Inspector General of the Treasury; \$29,719,000, of which \$16,695 shall be transferred to the "Departmental Offices" appropriation for the reimbursement of Secret Service personnel in accordance with section 116 of this Act.

TREASURY BUILDING AND ANNEX REPAIR AND RESTORATION

(INCLUDING TRANSFER OF FUNDS)

For the repair, alteration, and improvement of the Treasury Building and Annex, \$10,484,000, to remain available until September 30, 1999.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel expenses of non-Federal law enforcement personnel to attend meetings concerned with financial intelligence activities, law enforcement, and financial regulation; not to exceed \$14,000 for official reception and representation expenses; and for assistance to Federal law enforcement agencies, with or without reimbursement; \$22,835,000: *Provided*, That funds appropriated in this account may be used to procure personal services contracts.

VIOLENT CRIME REDUCTION PROGRAMS

(INCLUDING TRANSFER OF FUNDS)

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

(a) As authorized by section 190001(e), \$119,995,000; of which \$24,023,000 shall be available to the Bureau of Alcohol, Tobacco and Firearms, including \$3,000,000 for administering the Gang Resistance Education and Training program, \$6,000,000 for firearms trafficking initiatives (including the Youth Crime Gun Initiative, Project LEAD, and the National Tracing Center), \$5,200,000 for CEASEFIRE/IBIS, \$8,215,000 for vehicles, and \$1,608,000 for collection of information on arson and explosives; of which \$18,619,000 shall be available for the Federal Law Enforcement Training Center for construction of additional facilities; of which \$3,000,000 shall be available to the Financial Crimes Enforcement Network, including \$2,000,000 for the money laundering threat initiative and \$1,000,000 for the Secure Outreach/Encrypted Transmission Program; of which \$21,178,000 shall be available to the United States Secret Service, including \$15,664,000 for expenses related to White House Security, \$3,000,000 for investigations of counterfeiting, and \$2,514,000 for forensic and related support of investigations of missing and exploited children; of which \$44,635,000 shall be available for the United States Customs Service, including \$15,000,000 for high energy container x-ray systems and automated targeting systems, \$5,735,000 for laboratory modernization, \$10,000,000 for vehicle replacement, \$7,800,000 for automated license plate readers, \$1,100,000 for construction of canopies for inspection of outbound vehicles along the Southwest border, and \$5,000,000 to acquire vehicle and container inspection systems; and of which \$8,500,000 shall be available to funds appropriated to the President, including \$5,500,000 to the Counterdrug Technology Assessment Center for a program to transfer technology to State and local law enforcement agencies, and \$3,000,000 for the Rocky Mountain HIDTA;

(b) As authorized by section 32401, \$10,000,000 to the Bureau of Alcohol, Tobacco and Firearms for disbursement through grants, cooperative agreements, or contracts to local governments for Gang Resistance Education and Training: *Provided*, That notwithstanding sections 32401 and 310001, such

funds shall be allocated to State and local law enforcement and prevention organizations;

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

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, as a bureau of the Department of the Treasury, including materials and support costs of Federal law enforcement basic training; purchase (not to exceed 52 for police-type use, without regard to the general purchase price limitation) and hire of passenger motor vehicles; for expenses for student athletic and related activities; uniforms without regard to the general purchase price limitation for the current fiscal year; the conducting of and participating in firearms matches and presentation of awards; for public awareness and enhancing community support of law enforcement training; not to exceed \$9,500 for official reception and representation expenses; room and board for student interns; and services as authorized by 5 U.S.C. 3109; \$64,663,000, of which \$2,819,000 shall be available for fiber optics replacement; of which up to \$13,034,000 for materials and support costs of Federal law enforcement basic training shall remain available until September 30, 2000: *Provided*, That the Center is authorized to accept and use gifts of property, both real and personal, and to accept services, for authorized purposes, including funding of a gift of intrinsic value which shall be awarded annually by the Director of the Center to the outstanding student who graduated from a basic training program at the Center during the previous fiscal year, which shall be funded only by gifts received through the Center's gift authority: *Provided further*, That notwithstanding any other provision of law, students attending training at any Federal Law Enforcement Training Center site shall reside in on-Center or Center-provided housing, insofar as available and in accordance with Center policy: *Provided further*, That funds appropriated in this account shall be available, at the discretion of the Director, for: training United States Postal Service law enforcement personnel and Postal police officers; State and local government law enforcement training on a space-available basis; training of foreign law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation; training of private sector security officials on a space-available basis with reimbursement of actual costs to this appropriation; and travel expenses of non-Federal personnel to attend course development meetings and training at the Center: *Provided further*, That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training at the Federal Law Enforcement Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: *Provided further*, That the Federal Law Enforcement Training Center is authorized to provide short term medical services for students undergoing training at the Center.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For expansion of the Federal Law Enforcement Training Center, for ongoing maintenance, facility improvements, and related expenses, \$13,930,000, to remain available until expended.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For expenses necessary for the detection and investigation of individuals involved in

organized crime drug trafficking, including cooperative efforts with State and local law enforcement, \$73,794,000, of which \$7,827,000 shall remain available until expended.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, \$202,490,000, of which not to exceed \$13,235,000 shall remain available until September 30, 2000 for information systems modernization initiatives. Beginning in fiscal year 1998 and thereafter, there are appropriated such sums as may be necessary to reimburse Federal Reserve Banks in their capacity as depositories and fiscal agents for the United States for all services required or directed by the Secretary of the Treasury to be performed by such banks on behalf of the Treasury or other Federal agencies.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco and Firearms, including purchase of not to exceed 650 vehicles for police-type use for replacement only and hire of passenger motor vehicles; hire of aircraft; services of expert witnesses at such rates as may be determined by the Director; for payment of per diem and/or subsistence allowances to employees where an assignment to the National Response Team during the investigation of a bombing or arson incident requires an employee to work 16 hours or more per day or to remain overnight at his or her post of duty; not to exceed \$12,500 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and provision of laboratory assistance to State and local agencies, with or without reimbursement; \$473,490,000; of which \$1,000,000 may be used for the Youth Gun Crime Initiative; of which not to exceed \$1,000,000 shall be available for the payment of attorneys' fees as provided by 18 U.S.C. 924(d)(2); and of which \$1,000,000 shall be available for the equipping of any vessel, vehicle, equipment, or aircraft available for official use by a State or local law enforcement agency if the conveyance will be used in drug-related joint law enforcement operations with the Bureau of Alcohol, Tobacco and Firearms and for the payment of overtime salaries, travel, fuel, training, equipment, and other similar costs of State and local law enforcement officers that are incurred in joint operations with the Bureau of Alcohol, Tobacco and Firearms: *Provided*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco and Firearms to other agencies or Departments in the fiscal year ending on September 30, 1998: *Provided further*, That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, within the Department of the Treasury, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: *Provided further*, That no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 178.118 or to change the definition of "Curios or relics" in 27 CFR 178.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: *Provided further*, That none of the funds appropriated herein shall be available to investigate or act upon applications for

relief from Federal firearms disabilities under 18 U.S.C. 925(c): *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under 18 U.S.C. 925(c): *Provided further*, That no funds in this Act may be used to provide ballistics imaging equipment to any State or local authority who has obtained similar equipment through a Federal grant or subsidy unless the State or local authority agrees to return that equipment or to repay that grant or subsidy to the Federal Government: *Provided further*, That prior to implementation of separation plans as authorized by section 663 of Public Law 104-863, approval will be sought from the House Committee on Government Reform and Oversight and the Senate Committee on Governmental Affairs: *Provided further*, That no funds under this Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code.

LABORATORY FACILITIES

For necessary expenses for construction of a new facility or facilities to house the Bureau of Alcohol, Tobacco and Firearms National Laboratory Center and the Fire Investigation Research and Development Center, not to exceed 185,000 occupiable square feet, \$55,022,000 to remain available until expended: *Provided*, That these funds shall not be available until an authorized prospectus for the Laboratory Facilities is approved by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works.

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Customs Service, including purchase of up to 1,050 motor vehicles of which 985 are for replacement only and of which 1,030 are for police-type use and commercial operations; hire of motor vehicles; contracting with individuals for personal services abroad; not to exceed \$30,000 for official reception and representation expenses; and awards of compensation to informers, as authorized by any Act enforced by the United States Customs Service; \$1,551,028,000, of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Reconciliation Act of 1985, as amended (19 U.S.C. 58c(f)(3)), shall be derived from that Account; of the total, not to exceed \$150,000 shall be available for payment for rental space in connection with preclearance operations, and not to exceed \$4,000,000 shall be available until expended for research, not to exceed \$1,500,000 shall be available until expended for conducting special operations pursuant to 19 U.S.C. 2081, and up to \$6,000,000 shall be available until expended for the procurement of automation infrastructure items, including hardware, software, and installation: *Provided*, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further*, That prior to implementation of separation plans as authorized by section 663 of Public Law 104-863, approval will be sought from the House Committee on Government Reform and Oversight and the Senate Committee on Governmental Affairs: *Provided further*, That \$2,500,000 shall be available to fund the Globe Trade and Research Program at the Montana World Trade Center: *Provided further*, That notwithstanding any other provision of law, the fiscal year aggregate overtime limitation prescribed in subsection 5(c)(1) of the Act of February 13, 1911 (19 U.S.C. 261 and 267) shall be \$30,000.

OPERATIONS, MAINTENANCE AND PROCUREMENT,
AIR AND MARINE INTERDICTION PROGRAMS

For expenses, not otherwise provided for, necessary for the operation and maintenance of marine vessels, aircraft, and other related equipment of the Air and Marine Programs, including operational training and mission-related travel, and rental payments for facilities occupied by the air or marine interdiction and demand reduction programs, the operations of which include: the interdiction of narcotics and other goods; the provision of support to Customs and other Federal, State, and local agencies in the enforcement or administration of laws enforced by the Customs Service; and, at the discretion of the Commissioner of Customs, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; \$92,758,000, which shall remain available until expended: *Provided*, That no aircraft or other related equipment, with the exception of aircraft which is one of a kind and has been identified as excess to Customs requirements and aircraft which has been damaged beyond repair, shall be transferred to any other Federal agency, Department, or office outside of the Department of the Treasury, during fiscal year 1998 without the prior approval of the House and Senate Committees on Appropriations.

CUSTOMS SERVICES AT SMALL AIRPORTS
(TO BE DERIVED FROM FEES COLLECTED)

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

HARBOR MAINTENANCE FEE COLLECTION

For administrative expenses related to the collection of the Harbor Maintenance Fee, pursuant to Public Law 103-182, \$3,000,000, to be derived from the Harbor Maintenance Trust Fund and to be transferred to and merged with the Customs "Salaries and Expenses" account for such purposes.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States, \$173,826,000, of which not to exceed \$2,500 shall be available for official reception and representation expenses, and of which \$2,000,000 shall remain available until September 30, 2000 for information systems modernization initiatives: *Provided*, That the sum appropriated herein from the General Fund for fiscal year 1998 shall be reduced by not more than \$4,400,000 as definitive security issue fees and Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 1998 appropriation from the General Fund estimated at \$169,426,000, and in addition, \$20,000, to be derived from the Oil Spill Liability Trust Fund to reimburse the Bureau for administrative and personnel expenses for financial management of the Fund, as authorized by section 102 of Public Law 101-380: *Provided further*, That notwithstanding any other provisions of law, effective upon enactment, the Bureau of the Public Debt shall be fully and directly reimbursed by the funds described in Public Law 101-136, title I, section 104, 103 Stat. 789 for costs and services performed by the Bureau in the administration of such funds.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

For necessary expenses of the Internal Revenue Service, not otherwise provided for; including processing tax returns; revenue accounting; providing tax law and account assistance to taxpayers by telephone and correspondence; matching information returns and tax returns; management services; rent and utilities; and inspection; including purchase (not to exceed 150 for replacement only for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; \$2,943,174,000, of which up to \$3,700,000 shall be for the Tax Counseling for the Elderly Program, and of which not to exceed \$25,000 shall be for official reception and representation expenses.

TAX LAW ENFORCEMENT

For necessary expenses of the Internal Revenue Service for determining and establishing tax liabilities; tax and enforcement litigation; technical rulings; examining employee plans and exempt organizations; investigation and enforcement activities; securing unfiled tax returns; collecting unpaid accounts; statistics of income and compliance research; the purchase (for police-type use, not to exceed 850) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, \$3,153,722,000. Of the funds appropriated under this heading in Public Law 104-208, \$26,000,000 and in addition, \$6,000,000 in Public Law 104-52 are available in fiscal year 1998 for the Year 2000 Century Date Change.

INFORMATION SYSTEMS

For necessary expenses for data processing and telecommunications support for Internal Revenue Service activities, including developmental information systems and operational information systems; the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner, \$1,272,487,000, which shall be available until September 30, 1999: *Provided*, That under the heading "Information Systems" in Public Law 104-208 (110 Stat. 3009), the following is deleted: "of which no less than \$130,075,000 shall be available for Tax Systems Modernization (TSM) development and deployment"; *Provided further*, That the IRS will submit a reprogramming request, of which no less than \$102,500,000 is available for Year 2000 conversion.

INFORMATION TECHNOLOGY INVESTMENTS

For necessary expenses for the capital asset acquisition of information technology systems as they relate to the century date change and data center consolidation; \$325,000,000, which shall remain available until September 30, 2000: *Provided*, That none of the funds are available for obligation until September 1, 1998: *Provided further*, That the systems acquired are in compliance with acquisition rules, requirements, guidelines, and systems acquisition management practices of the Federal Government.

ADMINISTRATIVE PROVISIONS—INTERNAL
REVENUE SERVICE

SEC. 101. Not to exceed 5 percent of any appropriation made available in this Act to the Internal Revenue Service may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the House and Senate Committees on Appropriations.

SEC. 102. The Internal Revenue Service shall maintain a training program to ensure that Internal Revenue Service employees are

trained in taxpayers' rights, in dealing courteously with the taxpayers, and in cross-cultural relations.

SEC. 103. The funds provided in this Act for the Internal Revenue Service shall be used to provide, as a minimum, the fiscal year 1995 level of service, staffing, and funding for Taxpayer Services.

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

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

SEC. 106. Funds made available by this or any other Act to the Internal Revenue Service shall be available for improved facilities and increased manpower to provide sufficient and effective 1-800 help line for taxpayers. The Commissioner shall continue to make the improvement of the IRS 1-800 help line service a priority and allocate resources necessary to increase phone lines and staff to improve the IRS 1-800 help line service.

SEC. 107. Hereafter, no field support reorganization of the Internal Revenue Service shall be undertaken in Aberdeen, South Dakota until the Internal Revenue Service toll-free help phone line assistance program reaches at least an 80 percent service level. The Commissioner shall submit to Congress a report and the GAO shall certify to Congress that the 80 percent service level has been met.

SEC. 108. Notwithstanding any other provision of law, no reorganization of the field office structure of the Internal Revenue Service Criminal Investigation division will result in a reduction of criminal investigators in Wisconsin from the 1996 level.

SEC. 109. None of the funds appropriated under this Act or any Act hereinafter enacted may be used by the Secretary of the Treasury to collect a tax liability by levy upon a limited entry commercial fishing permit issued by a State unless the Secretary first determines in writing and by clear and convincing evidence that such levy will facilitate the full collection of such tax liability.

UNITED STATES SECRET SERVICE
SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase (not to exceed 705 vehicles for police-type use, of which 675 shall be for replacement only), and hire of passenger motor vehicles; hire of aircraft; training and assistance requested by State and local governments, which may be provided without reimbursement; services of expert witnesses at such rates as may be determined by the Director; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may be necessary to perform protective functions; for payment of per diem and/or subsistence allowances to employees where a protective assignment during the actual day or days of the visit of a protectee require an employee to work 16 hours per day or to remain overnight at his or her post of duty; the conducting of and participating in firearms matches; presentation of awards; for

travel of Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act if approval is obtained in advance from the House and Senate Committees on Appropriations; for repairs, alterations, and minor construction at the James J. Rowley Secret Service Training Center; for research and development; for making grants to conduct behavioral research in support of protective research and operations; not to exceed \$20,000 for official reception and representation expenses; for sponsorship of a conference for the Women in Federal Law Enforcement, to be held during fiscal year 1998; not to exceed \$50,000 to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; for payment in advance for commercial accommodations as may be necessary to perform protective functions; and for uniforms without regard to the general purchase price limitation for the current fiscal year; not to exceed \$6,568,000 for continued White House security enhancements; not to exceed \$1,623,000 for fixed site and security maintenance; not to exceed \$2,830,000 for LAN replacement; not to exceed \$1,000,000 for year 2000 date conversion; not to exceed \$6,100,000 for FLEWUG/SNET which shall remain available until expended; not to exceed \$6,700,000 for vehicle replacement; and not to exceed \$1,460,000 to provide technical assistance and to assess the effectiveness of new technology intended to combat identity-based crimes; \$570,809,000.

ACQUISITION, CONSTRUCTION, IMPROVEMENT, AND RELATED EXPENSES

For necessary expenses of construction, repair, alteration, and improvement of facilities, \$9,176,000, to remain available until expended for the Secret Service's Headquarters Building and the James J. Rowley Training Center.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

SEC. 111. Any obligation or expenditure by the Secretary in connection with law enforcement activities of a Federal agency or a Department of the Treasury law enforcement organization in accordance with 31 U.S.C. 9703(g)(4)(B) from unobligated balances remaining in the Fund on September 30, 1998, shall be made in compliance with the reprogramming guidelines contained in the Senate report accompanying this Act.

SEC. 112. Appropriations to the Treasury Department in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of in-

surance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitations for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 113. The funds provided to the Bureau of Alcohol, Tobacco and Firearms for fiscal year 1998 in this Act for the enforcement of the Federal Alcohol Administration Act shall be expended in a manner so as not to diminish enforcement efforts with respect to section 105 of the Federal Alcohol Administration Act.

SEC. 114. Not to exceed 2 percent of any appropriations in this Act made available to the Federal Law Enforcement Training Center, Financial Crimes Enforcement Network, Bureau of Alcohol, Tobacco and Firearms, U.S. Customs Service, and U.S. Secret Service may be transferred between such appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent and notice of any such transfer shall be approved by the Committees on Appropriations of the House and Senate.

SEC. 115. Not to exceed 2 percent of any appropriations in this Act made available to the Departmental Offices, Office of Inspector General, Financial Management Service, and Bureau of the Public Debt, may be transferred between such appropriations. No transfer may increase or decrease any such appropriation by more than 2 percent and notice of any such transfer shall be transmitted in advance to the Committees on Appropriations of the House and Senate.

SEC. 116. The Secretary of the Treasury shall pay from amounts transferred to the "Departmental Offices" appropriation, up to \$16,695 to reimburse Secret Service personnel for any attorney fees and costs they incurred with respect to investigation by the Department of the Treasury Inspector General concerning testimony provided to Congress: *Provided*, That the Secretary of the Treasury shall pay an individual in full upon submission by the individual of documentation verifying the attorney fees and costs: *Provided further*, That the liability of the United States shall not be inferred from enactment of or payment under this provision: *Provided further*, That 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 enactment of this Act: *Provided further*, That payment under this provision, when accepted, shall be in full satisfaction of

all claims of, or on behalf of, the individual Secret Service agent who was the subject of said investigation.

SEC. 117. (a)(1) Effective beginning on the date determined under paragraph (2), the compensation and other emoluments attached to the Office of Secretary of the Treasury shall be those that would then apply if Public Law 103-2 (107 Stat. 4; 31 U.S.C. 301 note) had never been enacted.

(2) Paragraph (1) shall become effective on the later of—

(A) the day after the date on which the individual holding the Office of Secretary of the Treasury on January 1, 1997, ceases to hold that office; or

(B) the date of the enactment of this Act.

(3) Nothing in this subsection shall be considered to affect the compensation or emoluments due to any individual in connection with any period preceding the date determined under paragraph (2).

(b) Subsection (b) of the first section of the public law referred to in subsection (a)(1) of this section shall not apply in the case of any appointment the consent of the Senate to which occurs on or after the date of the enactment of this Act.

(c) This section shall not be limited (for purposes of determining whether a provision of this section applies or continues to apply) to fiscal year 1998.

RATES OF BASIC PAY FOR THE UNITED STATES SECRET SERVICE UNIFORMED DIVISION.

SEC. 118. (a) NEW RATES OF BASIC PAY.—Section 501 of the District of Columbia Police and Firemen's Salary Act of 1958, (District of Columbia Code, section 4-416), is amended—

(1) in subsection (b)(1), by striking "Interior" and all that follows through "Treasury," and inserting "Interior";

(2) by redesignating subsection (c) as subsection (b)(3);

(3) in subsection (b)(3) (as redesignated)—

(A) by striking "or to officers and members of the United States Secret Service Uniformed Division"; and

(B) by striking "subsection (b) of this section" and inserting "this subsection"; and

(4) by adding after subsection (b) the following new subsection:

"(c)(1) The annual rates of basic compensation of officers and members of the United States Secret Service Uniformed Division, serving in classes corresponding or similar to those in the salary schedule in section 101 (District of Columbia Code, section 4-406), shall be fixed in accordance with the following schedule of rates:

"SALARY SCHEDULE

Salary class and title	Service steps								
	1	2	3	4	5	6	7	8	9
Class 1: Private	29,215	30,088	31,559	33,009	35,331	37,681	39,128	40,593	42,052
Class 4: Sergeant	39,769	41,747	43,728	45,718	47,715	49,713			
Class 5: Lieutenant	45,148	47,411	49,663	51,924	54,180				
Class 7: Captain	52,523	55,155	57,788						
Class 8: Inspector	60,886	63,918	66,977	70,029					
Class 9: Deputy Chief	71,433	76,260	81,113	85,950					
Class 10: Assistant Chief	84,694	90,324	95,967						
Class 11: Chief of the United States Secret Service Uniformed Division	98,383	104,923							

"(2) Effective at the beginning of the first applicable pay period commencing on or after the first day of the month in which an adjustment takes effect under section 5303 of title 5, United States Code (or any subsequent similar provision of law), in the rates of pay under the General Schedule (or any pay system that may supersede such schedule), the annual rates of basic compensation

of officers and members of the United States Secret Service Uniformed Division shall be adjusted by the Secretary of the Treasury by an amount equal to the percentage of such annual rate of pay which corresponds to the overall percentage of the adjustment made in the rates of pay under the General Schedule.

"(3) Locality-based comparability payments authorized under section 5304 of title 5, United States Code, shall be applicable to the basic pay under this section, except locality-based comparability payments may not be paid at a rate which, when added to the rate of basic pay otherwise payable to the officer or member, would cause the total

to exceed the rate of basic pay payable for level IV of the Executive Schedule.

"(4) Pay may not be paid, by reason of any provision of this subsection (disregarding any comparability payment payable under Federal law), at a rate in excess of the rate of basic pay payable for level V of the Executive Schedule contained in subchapter II of chapter 53 of title 5, United States Code.

"(5) Any reference in any law to the salary schedule in section 101 (District of Columbia Code, section 4-406) with respect to officers and members of the United States Secret Service Uniformed Division shall be considered to be a reference to the salary schedule in paragraph (1) of this subsection as adjusted in accordance with this subsection.

"(6)(A) Except as otherwise permitted by or under law, no allowance, differential, bonus, award, or other similar cash payment under this title or under title 5, United States Code, may be paid to an officer or member of the United States Secret Service Uniformed Division in a calendar year if, or to the extent that, when added to the total basic pay paid or payable to such officer or member for service performed in such calendar year as an officer or member, such payment would cause the total to exceed the annual rate of basic pay payable for level I of the Executive Schedule, as of the end of such calendar year.

"(B) This paragraph shall not apply to any payment under the following provisions of title 5, United States Code:

"(i) Subchapter III or VII of chapter 55, or section 5596.

"(ii) Chapter 57 (other than section 5753, 5754, or 5755).

"(iii) Chapter 59 (other than section 5928).

"(7)(A) Any amount which is not paid to an officer or member of the United States Secret Service Uniformed Division in a calendar year because of the limitation under paragraph (6) shall be paid to such officer or member in a lump sum at the beginning of the following calendar year.

"(B) Any amount paid under this paragraph in a calendar year shall be taken into account for purposes of applying the limitations under paragraph (6) with respect to such calendar year.

"(8) The Office of Personnel Management shall prescribe regulations as may be necessary (consistent with section 5582 of title 5, United States Code) concerning how a lump-sum payment under paragraph (7) shall be made with respect to any employee who dies before an amount payable to such employee under paragraph (7) is made."

(b) CONVERSION TO NEW SALARY SCHEDULE.—

(1)(A) Effective on the first day of the first pay period beginning after the date of enactment of this section, the Secretary of the Treasury shall fix the rates of basic pay for members of the United States Secret Service Uniformed Division in accordance with this paragraph.

(B) Subject to subparagraph (C), each officer and member receiving basic compensation, immediately prior to the effective date of this section, at one of the scheduled rates in the salary schedule in section 101 of the District of Columbia Police and Firemen's Salary Act of 1958, as adjusted by law and as in effect prior to the effective date of this section, shall be placed in and receive basic compensation at the corresponding scheduled service step of the salary schedule under subsection (a)(4).

(C)(i) The Assistant Chief and the Chief of the United States Secret Service Uniformed Division shall be placed in and receive basic compensation in salary class 10 and salary class 11, respectively, in the appropriate service step in the new salary class in accordance with section 304 of the District of

Columbia Police and Firemen's Salary Act of 1958 (District of Columbia Code, section 4-413).

(ii) Each member whose position is to be converted to the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (District of Columbia Code, section 4-416(c)) as amended by this section, in accordance with subsection (a) of this section, and who, prior to the effective date of this section has earned, but has not been credited with, an increase in his or her rate of pay shall be afforded that increase before such member is placed in the corresponding service step in the salary schedule under section 501(c).

(2) Except in the cases of the Assistant Chief and the Chief of the United States Secret Service Uniformed Division, the conversion of positions and individuals to appropriate classes of the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (District of Columbia Code, section 4-416(c)) as amended by this section, and the initial adjustments of rates of basic pay of those positions and individuals, in accordance with paragraph (1) of this subsection, shall not be considered to be transfers or promotions within the meaning of section 304 of the District of Columbia Police and Firemen's Salary Act of 1958 (District of Columbia Code, section 4-413).

(3) Each member whose position is converted to the salary schedule under section 501(c) of the District of Columbia Police and Firemen's Salary Act of 1958 (District of Columbia Code, section 4-416(c)) as amended by this section, in accordance with subsection (a) of this section, shall be granted credit for purposes of such member's first service step adjustment under the salary schedule in such section 501(c) for all satisfactory service performed by the member since the member's last increase in basic pay prior to the adjustment under that section.

(c) LIMITATION ON PAY PERIOD EARNINGS.—The Act of August 15, 1950 (64 Stat. 477), (District of Columbia Code, section 4-1104), is amended—

(1) in subsection (h), by striking "any officer or member" each place it appears and inserting "an officer or member of the Metropolitan Police force, of the Fire Department of the District of Columbia, or of the United States Park Police";

(2) by redesignating subsection (h)(3) as subsection (i); and

(3) by inserting after paragraph (2) the following new paragraph:

"(3)(A) no premium pay provided by this section shall be paid to, and no compensatory time is authorized for, any officer or member of the United States Secret Service Uniformed Division whose rate of basic pay, combined with any applicable locality-based comparability payment, equals or exceeds the lesser of—

"(i) 150 percent of the minimum rate payable for grade GS-15 of the General Schedule (including any applicable locality-based comparability payment under section 5304 of title 5, United States Code or any similar provision of law, and any applicable special rate of pay under section 5305 of title 5, United States Code or any similar provision of law); or

"(ii) the rate payable for level V of the Executive Schedule contained in subchapter II of chapter 53 of title 5, United States Code.

"(B) In the case of any officer or member of the United States Secret Service Uniformed Division whose rate of basic pay, combined with any applicable locality-based comparability payment, is less than the lesser of—

"(i) 150 percent of the minimum rate payable for grade GS-15 of the General Schedule

(including any applicable locality-based comparability payment under section 5304 of title 5, United States Code or any similar provision of law, and any applicable special rate of pay under section 5305 of title 5, United States Code or any similar provision of law); or

"(ii) the rate payable for level V of the Executive Schedule contained in subchapter II of chapter 53 of title 5, United States Code, such premium pay may be paid only to the extent that such payment would not cause such officer or member's aggregate rate of compensation to exceed such lesser amount with respect to any pay period."

(d) SAVINGS PROVISION.—On the effective date of this section, any existing special salary rates authorized for members of the United States Secret Service Uniformed Division under section 5305 of title 5, United States Code (or any previous similar provision of law) and any special rates of pay or special pay adjustments under section 403, 404, or 405 of the Federal Law Enforcement Pay Reform Act of 1990 applicable to members of the United States Secret Service Uniformed Division shall be rendered inapplicable.

(e) CONFORMING AMENDMENT.—The Federal Law Enforcement Pay Reform Act of 1990 (104 Stat. 1466) is amended by striking subsections (b)(1) and (c)(1) of section 405.

(f) EFFECTIVE DATE.—The provisions of this section shall become effective on the first day of the first pay period beginning after the date of enactment of this Act.

SEC. 119. Section 117 of the Treasury, Postal Service, and General Government Appropriations Act, 1997 (as contained in section 101(f) of division A of Public Law 104-208) is hereby repealed.

SEC. 120. Notwithstanding any other provision of law, the Secretary of the Treasury shall establish the port of Kodiak, Alaska as a port of entry and United States Customs Service personnel in Anchorage, Alaska shall serve such port of entry. There are authorized to be appropriated such sums as necessary to cover the costs associated with the performance of customs functions using such United States Customs Service personnel.

SEC. 121. None of the funds made available by this Act may be used by the Inspector General to contract for advisory and assistance services that has the meaning given such term in section 1105(g) of title 31, United States Code.

TITLE II—POSTAL SERVICE

PAYMENTS TO THE POSTAL SERVICE FUND

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, \$86,274,000: *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, 1998.

PAYMENT TO THE POSTAL SERVICE FUND FOR NONFUNDED LIABILITIES

For payment to the Postal Service Fund for meeting the liabilities of the former Post

Office Department to the Employees' Compensation Fund pursuant to 39 United States Code 2004, \$34,850,000.

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; \$51,199,000: *Provided*, That \$873,000 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 systems architecture plan, a milestone schedule for the development and implementation of all projects included in the systems architecture plan, and an estimate of the funds required to support the fiscal year 1998 capital investments associated with that plan: *Provided further*, That \$9,800,000 of the funds appropriated shall be available for reimbursements to the White House Communications Agency in accordance with Public Law 104-201.

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, \$8,045,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109-110, 112-114.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, \$200,000, to remain available until expended for renovation and relocation of the White House laundry, 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; \$3,378,000: *Provided*, That \$69,800 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 systems architecture plan, a milestone schedule for the development and implementation of all projects included in the systems architecture plan, and an estimate of the funds required to support the fiscal year 1998 capital investments associated with that 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; \$334,000: *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.

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), \$3,542,000.

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; \$3,983,000.

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.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles \$28,883,000, of which \$2,000,000 shall remain available until expended for a capital investment plan which provides for the modernization of the information technology infrastructure: *Provided*, That \$2,000,000 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 systems architecture plan, a milestone schedule for the development and implementation of all projects included in the system architecture plan, and an estimate of the funds required to support the fiscal year 1998 capital investments associated with that 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, \$57,240,000, 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 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.

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; \$36,016,000, 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 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.

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, \$140,207,000 for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas, of which no less than \$71,000,000 shall be transferred to State and local entities for drug control activities, which shall be obligated within 120 days of the date of enactment of this Act and up to \$69,207,000 may be transferred to Federal agencies and departments at a rate to be determined by the Director: *Provided*, That funding shall be provided for existing High Intensity Drug Trafficking Areas at no less than the fiscal year 1997 level.

SPECIAL FORFEITURE FUND

For activities to support a national media campaign for youth, and other purposes, authorized by Public Law 100-690, as amended, \$145,300,000, to remain available until expended: *Provided*, That such funds may be transferred to other Federal departments and agencies to carry out such activities: *Provided further*, That of the amount provided, \$110,000,000 shall be to support a national media campaign, to reduce and prevent drug use among young Americans: *Provided further*, That none of the funds provided for the national media campaign may be obligated until the Director, Office of National Drug Control Policy, submits a strategy to the Committees on Appropriations and the Judiciary of the House of Representatives and the Senate that includes (1) a certification, and guidelines to ensure that funds will supplement and not supplant current anti-drug community based coalitions; (2) a certification, and guidelines to ensure that none of the funds will be used for partisan political purposes; (3) a certification, and guidelines to ensure that no media campaigns to be funded pursuant to this campaign shall feature any elected officials, persons seeking elected office, cabinet-level officials, or other Federal officials employed pursuant to Schedule C of title 5, Code of Federal Regulations, section 213, absent notice to the Chairmen and Ranking Members of the House and Senate Committees on Appropriations and the Judiciary; (4) a detailed implementation plan to be submitted to the

Chairmen and Ranking Members of the Committees on Appropriations and the Judiciary for securing private sector contributions including but not limited to in-kind contributions; (5) a detailed implementation plan to be submitted to the Chairmen and Ranking Members of the Committees on Appropriations and the Judiciary of the qualifications necessary for any organization, entity, or individual to receive funding for or otherwise provided broadcast media time: *Provided further*, That the Director shall (1) report to Congress quarterly on the obligation of funds as well as the specific parameters of the national media campaign and (2) report to Congress within two years on the effectiveness of the national media campaign based upon the measurable outcomes provided to Congress previously: *Provided further*, That of the amount provided, \$10,000,000 shall be to initiate a program of matching grants to drug-free communities, as authorized in the Drug-Free Communities Act of 1997: *Provided further*, That of the amount provided, \$10,000,000 shall be used to continue and expand the methamphetamine reduction efforts: *Provided further*, That of the amount provided, \$6,000,000 shall be used to establish a Federal Drug-Free Prison demonstration project: *Provided further*, That of the amount provided \$9,300,000 shall be used to continue the reduction of drug use program for those involved in the criminal justice system.

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, \$1,940,000.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended, \$29,000,000, 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: *Provided*, That the General Accounting Office shall conduct a management review, and technology and performance audit, of the Federal Election Commission.

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; \$22,039,000: *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

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)), 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, and any other obligations for public buildings acquired by installment purchase and purchase contract, in the aggregate amount of \$4,885,934,000, of which (1) \$350,000,000 shall remain available until expended, for repairs and alterations which includes associated design and construction services:

Repairs and alterations;

Chlorofluorocarbons Program, \$50,000,000; and

Basic Repairs and Alterations, \$300,000,000: *Provided*, 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 made available in this Act or any previous Act for Repairs and Alterations shall, for prospectus projects, be limited to the amount originally made available, 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 all funds for repairs and alterations prospectus projects shall expire on September 30, 2000 and remain in the Federal Building 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; (2) \$142,542,000 for installment acquisition payments including payments on purchase contracts which shall remain available until expended; (3) \$2,275,340,000 for rental of space which shall remain available

until expended; (4) \$1,331,789,000 for building operations which shall remain available until expended; and (5) \$680,543,000 which shall remain available until expended for projects and activities previously approved under this heading in prior fiscal years: *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 1998, 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 \$4,885,934,000 shall remain 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; procurement and supply; 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; \$104,487,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and services authorized by 5 U.S.C. 3109, \$33,870,000: *Provided*, That not to exceed \$10,000 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, § 2,028,000: *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.

GENERAL PROVISIONS—GENERAL SERVICES ADMINISTRATION

SEC. 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 1998 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. No funds made available by this Act shall be used to transmit a fiscal year 1999 request for United States Courthouse construction that (1) does not meet the design guide standards for construction as established and approved by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget; and (2) 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 fiscal year 1999 request must be accompanied by a standardized courtroom utilization study of each facility to be constructed, replaced, or expanded.

SEC. 405. 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 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. 406. Section 10 of the General Services Administration General Provisions, Public Law 100-440, is hereby repealed.

SEC. 407. Funds provided to other Government agencies by the Information Technology Fund, GSA, under 40 U.S.C. 757 and sections 5124(b) and 5128 of Public Law 104-106, Information Technology Management Reform Act of 1996, for performance of pilot information technology projects which have potential for Government-wide benefits and savings, may be repaid to this Fund from any savings actually incurred by these projects or other funding, to the extent feasible.

SEC. 408. The Administrator of the General Services is directed to ensure that the materials 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. 409. (a) The Act approved August 25, 1958, as amended (Public Law 85-745; 3 U.S.C. 102 note), is amended by striking section 2.

(b) Section 3214 of title 39, United States Code, is amended—

(1) in subsection (a) by striking “(a) Subject to subsection (b), a” and inserting “A”;

and

(2) by striking subsection (b).

SEC. 410. Section 201(b) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 481) as amended to read as follows:

“(b) The Administrator shall as far as practicable provide any of the services specified in subsection (a) of this section to any other Federal agency, mixed ownership corporation (as defined in chapter 91 of title 31, United States Code), or the District of Columbia, upon its request.”

JOHN F. KENNEDY ASSASSINATION RECORDS REVIEW BOARD

For the necessary expenses to carry out the John F. Kennedy Assassination Records Collection Act of 1992, \$1,600,000: *Provided*, That \$100,000 shall be available only for the purposes of the prompt and orderly termination of the John F. Kennedy Assassination Records Review Board, to be concluded no later than September 30, 1998.

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, \$24,810,000, 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, \$206,479,000: *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 provide adequate storage for holdings.

ARCHIVES FACILITIES AND PRESIDENTIAL LIBRARIES REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities and presidential libraries, and to provide adequate storage for holdings, \$13,650,000, to remain available until expended, of which \$4,000,000 is for repairs and restoration of the Truman Library in Independence, Missouri, and of which \$3,000,000 is for internal repairs to the Lyndon Baines Johnson Presidential Library located at the University of Texas at Austin.

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, \$5,000,000, 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 pur-

suant 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; \$8,265,000.

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; \$85,350,000; and in addition \$91,236,000 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 printed materials for the retirement and insurance programs: *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-7-1320a-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, 1998, 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.

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.

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; \$8,450,000.

UNITED STATES TAX COURT
SALARIES AND EXPENSES

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

TITLE V—GENERAL PROVISIONS
THIS ACT

SEC. 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 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. 504. None of the funds made available by this Act shall be available in fiscal year

1998, 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. 505. 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. 506. 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 other officer or employee of the United States Postal Service from having any direct oral or written communication or contact with any Member, committee, or subcommittee of the Congress in connection with any matter pertaining to the employment of such other officer or employee or pertaining to the United States Postal Service of such other officer or employee in any way, irrespective of whether such communication or contact is at the initiative of such other officer or employee or in response to the request or inquiry of such Member, committee, or subcommittee; 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 other officer or employee of the United States Postal Service, or attempts or threatens to commit any of the foregoing actions with respect to such other officer or employee, by reason of any communication or contact of such other officer or employee with any Member, committee, or subcommittee of the Congress as described in paragraph (1).

SEC. 507. The Office of Personnel Management may, during the fiscal year ending September 30, 1998, and hereafter, 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. 508. 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. 509. 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. 510. (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. 511. 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 sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 512. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 1998 from appropriations made available for salaries and expenses for fiscal year 1998 in this Act, shall remain available through September 30, 1999, 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: *Provided further*, That these requests shall be made in compliance with the reprogramming guidelines contained in the House and Senate reports accompanying this Act.

SEC. 513. 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.

SEC. 514. Section 1 under the subheading "General Provision" under the heading "Office of Personnel Management" under title IV of the Treasury, Postal Service and General Government Appropriations Act, 1992 (Public Law 102-141; 105 Stat. 861; 5 U.S.C. 5941 note), as amended by section 532 of the Treasury, Postal Service and General Government Appropriations Act, 1995 (Public Law 103-329; 108 Stat. 2413), and by section 5 under the heading "General Provisions—Office of Personnel Management" under title IV of the Treasury, Postal Service, and General Government Appropriations Act, 1996 (Public Law 104-52; 109 Stat. 490), is further amended by striking "1998" both places it appears and inserting "2000".

SEC. 515. Notwithstanding any provision of chapter 89 of title 5, United States Code, the Office of Personnel Management shall enter into a contract with the National Association of Postmasters of the United States (hereafter referred to as the "Association") under section 8902 of such title, if—

(1) the Association fulfills all terms and conditions (not related to such withdrawal from participation) of a qualified carrier under such chapter;

(2) the plan offered by the Association fulfills all terms and conditions (not related to such withdrawal from participation) of an approved health benefits plan;

(3) prior to May 31, 1998, the Association submits a plan to the Office of Personnel Management for approval as an approved health benefits plan; and

(4) the Association enters into an agreement with an underwriting subcontractor licensed to issue group health insurance.

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SEC. 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 1998 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 a current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed 60 days) as a result of emergencies.

SEC. 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, including Federal records disposed of pursuant to a records schedule 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. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards (except Federal Executive 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. 612. 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. 613. 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. 614. (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, 1998, 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, 1997, until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 1998, 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 1998, 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 1998 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 1998 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 1997 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, 1997, 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, 1997, 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, 1997.

(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. 615. 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. 616. 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. 617. Notwithstanding section 1346 of title 31, United States Code, or section 611 of this Act, funds made available for fiscal year 1998 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. 618. (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-determin-

ing 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. 619. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 1998 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. 620. 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. 621. 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. 622. (a) None of the funds made available in this Act or any other Act may be obligated 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. 623. No funds appropriated in this or any other Act for fiscal year 1998 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. 624. 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. 625. (a) IN GENERAL.—No later than September 30, 1998, the Director of the Office of Management and Budget shall submit to the Congress a report that provides—

(1) estimates of the total annual costs and benefits of Federal regulatory programs, including quantitative and nonquantitative measures of regulatory costs and benefits;

(2) estimates of the costs and benefits (including quantitative and nonquantitative measures) of each rule that is likely to have a gross annual effect on the economy of \$100,000,000 or more in increased costs;

(3) an assessment of the direct and indirect impacts of Federal rules on the private sector, State and local government, and the Federal Government; and

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

(b) NOTICE.—The Director shall provide public notice and an opportunity to comment on the report under subsection (a) before the report is issued in final form.

SEC. 626. None of the funds appropriated by this Act or any other Act, may be used by an agency to provide a Federal employee's home address to any labor organization except when it is made known to the Federal official having authority to obligate or expend such funds that the employee has authorized such disclosure or that such disclosure has been ordered by a court of competent jurisdiction.

SEC. 627. None of the funds made available in this Act or any other 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. 628. No part of any appropriation contained in this or any other Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

SEC. 629. None of the funds appropriated in this or any other Act shall be used to acquire information technologies which do not comply with part 39.106 (Year 2000 compliance) of the Federal Acquisition Regulation, unless an agency's Chief Information Officer determines that non-compliance with part 39.106 is necessary to the function and operation of the requesting agency or the acquisition is required by a signed contract with the agency in effect before the date of enactment of this Act. Any waiver granted by the Chief Information Officer shall be reported to the Office of Management and Budget, and copies shall be provided to Congress.

SEC. 630. Section 5118(d)(2) of title 31, United States Code, is amended by striking "This paragraph shall" and all that follows through the end of the paragraph.

SEC. 631. The Director of the Office of Management and Budget shall create and implement no later than October 1, 1997 a budget object classification which shall record obligations for the expenses of employee relocation. All obligations incident to an employee's relocation authorized under either chapter 57 of title 5, United States Code, or section 901, title I, Public Law 96-465, as amended, shall be classified to such object classification.

SEC. 632. 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 pay to any employee unless such employee actually performed work during the time corresponding to such premium pay.

SEC. 633. (a) SPECIAL POSTAGE STAMPS.—In order to afford the public a convenient way to contribute to funding for breast-cancer research, the United States Postal Service shall establish a special rate of postage for first-class mail under this section.

(b) HIGHER RATE.—The rate of postage established under this section—

(1) shall be 1 cent higher than the rate that would otherwise apply;

(2) may be established without regard to any procedures under chapter 36 of title 39, United States Code, and notwithstanding any other provision of law; and

(3) shall be offered as an alternative to the rate that would otherwise apply.

The use of the rate of postage established under this section shall be voluntary on the part of postal patrons.

(c) USE OF FUNDS.—

(1) IN GENERAL.—

(A) PAYMENTS.—The amounts attributable to the 1-cent differential established under this section shall be paid by the United States Postal Service to the Department of Health and Human Services.

(B) USE.—Amounts paid under subparagraph (A) shall be used for breast-cancer research and related activities to carry out the purposes of this section.

(C) FREQUENCY OF PAYMENTS.—Payments under subparagraph (A) shall be paid to the Department of Health and Human Services no less than twice in each calendar year.

(2) AMOUNTS ATTRIBUTABLE TO THE 1-CENT DIFFERENTIAL.—For purposes of this subsection, the term "amounts attributable to the 1-cent differential established under this section" means, as determined by the United States Postal Service under regulations that it shall prescribe—

(A) the total amount of revenues received by the United States Postal Service that it would not have received but for the enactment of this section, reduced by

(B) an amount sufficient to cover reasonable administrative and other costs of the United States Postal Service attributable to carrying out this section.

(d) SPECIAL POSTAGE STAMPS.—The United States Postal Service may provide for the design and sale of special postage stamps to carry out this section.

(e) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) nothing in this section should directly or indirectly cause a net decrease in total funds received by the Department of Health and Human Services or any other agency or instrumentality of the Government (or any component or other aspect thereof) below the level that would otherwise have been anticipated absent this section; and

(2) nothing in this section should affect regular first-class rates or any other regular rate of postage.

(f) ANNUAL REPORTS.—The Postmaster General shall include in each annual report rendered under section 2402 of title 39, United States Code, information concerning the operation of this section.

SEC. 634. JUDICIAL SALARIES. (a) JUDICIAL COST-OF-LIVING ADJUSTMENTS.—Section 461(a) of title 28, United States Code, is amended to read as follows:

"(a) Effective on the same date that the rates of basic pay under the General Schedule are adjusted pursuant to section 5303 of title 5, each salary rate which is subject to adjustment under this section shall be adjusted by the same percentage amount as provided for under section 5303 of title 5, rounded to the nearest multiple of \$100 (or if midway between multiples of \$100, to the next higher multiple of \$100)."

(b) AUTOMATIC ADJUSTMENTS WITHOUT CONGRESSIONAL ACTION.—Section 140 of the resolution entitled "A Joint Resolution making further continuing appropriations for the fiscal year 1982, and for other purposes.", approved December 15, 1981 (Public Law 97-92; 95 Stat. 1200; 28 U.S.C. 461 note) is repealed.

SEC. 635. LIMITATION ON THE USE OF FUNDS TO PROVIDE FOR FEDERAL AGENCIES TO FURNISH COMMERCIALLY AVAILABLE PROPERTY OR SERVICES TO OTHER FEDERAL AGENCIES. (a) Except as provided in subsection (b), none of

the funds appropriated by this or any other Act may be used by the Office of Management and Budget, or any other agency, to publish, promulgate, or enforce any policy, regulation, or circular, or any rule or authority in any other form, that would permit any Federal agency to provide a commercially available property or service to any other department or agency of Government unless the policy, regulation, circular, or other rule or authority meets the requirements prescribed under subsection (b).

(b)(1) Not later than 120 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall prescribe regulations applicable to any policy regulation, circular, or other rule or authority referred to in subsection (a).

(2) the requirements prescribed under paragraph (1) shall include the following—

(A) a requirement for a comparison between the cost of providing the property or service concerned through the agency concerned and the cost of providing such property or service through the private sector;

(B) a requirement for cost and performance benchmarks relating to the property or service provided relative to comparable services provided by other Government agencies and contractors in order to permit effective oversight of the cost and provision of such property or service by the agency concerned or the Office of Management and Budget;

(C) the regulation would not apply to contingency operations associated with national security or a national emergency; and

(D) the regulation would not apply if the goods are to be produced or services are to be performed by a private sector source at a Government-owned facility that is operated by the private sector source.

SEC. 636. Section 302(g)(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(g)(1)) is amended—

(1) by striking "and" after "Senator,"; and

(2) by inserting after "candidate," the following: "and by the Republican and Democratic Senatorial Campaign Committees".

SEC. 637. Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 31) (relating to cost-of-living adjustments for Members of Congress) during fiscal year 1998.

SEC. 638. SENSE OF THE SENATE REGARDING IMPORTS OF FISH TAKEN OR RETAINED IN A MANNER INCONSISTENT WITH RECOMMENDATIONS OF THE INTERNATIONAL COMMISSION FOR THE CONSERVATION OF ATLANTIC TUNAS. (a) It is the sense of the Senate that the United States, as a signatory to the International Convention for the Conservation of Atlantic Tunas, should implement as fully as possible the recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT).

(b) It is the sense of the Senate that fish taken and retained in a manner and under circumstances that are inconsistent with the recommendations of the ICCAT made pursuant to article VIII of the Convention and adopted by the Secretary of Commerce should be prohibited entry into the United States.

SEC. 639. PROHIBITION OF COMPUTER GAME PROGRAMS.—

(1) DEFINITIONS.—In this section, "agency" means agency as defined under section 105 of title 5, United States Code.

(2) REMOVAL OF EXISTING COMPUTER GAME PROGRAMS.—Not later than 180 days after the date of enactment of this Act, the head of each agency shall take such actions as necessary to remove any computer game program not required for the official business of the agency from any agency computer equipment.

(3) PROHIBITION OF INSTALLATION OF COMPUTER GAME PROGRAMS.—The head of each

agency shall prohibit the installation of any computer game program not required for the official business of the agency into any agency computer equipment.

(4) PROHIBITION OF AGENCY ACCEPTANCE OF COMPUTER EQUIPMENT WITH COMPUTER GAME PROGRAMS.—

(A) Title III of the Federal Property and Administrative Services Act of 1949 is amended by adding at the end the following: **"SEC. 317. RESTRICTIONS ON CERTAIN INFORMATION TECHNOLOGY.**

"(a) DEFINITION.—In this section the term 'information technology' has the meaning given such term under section 5002(3) of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401).

"(b) IN GENERAL.—The head of an executive agency may not accept delivery of information technology that is loaded with game programs not required for an official purpose under the terms of the contract under which information technology is delivered.

"(c) WAIVER.—The head of an executive agency may waive the application of this section with respect to any particular procurement of information technology, if the head of the agency—

"(1) conducts a cost-benefit analysis and determines that the costs of compliance with this section outweighs the benefits of compliance; and

"(2) submits a certification of such determination, with supporting documentation to the Congress."

(B) The table of contents in section 2(b) of the Federal Property and Administrative Services Act of 1949 is amended by inserting after the item relating to section 316 the following:

"Sec. 317. Restrictions on certain information technology."

(C) The amendments made by this section shall take effect 180 days after the date of enactment of this Act.

SEC. 640. (a) The congressional ethics committees shall provide for voluntary reporting by Members of Congress on the financial disclosure reports filed under title I of the Ethics in Government Act of 1978 (5 U.S.C. App.) on such Members' participation in—

(1) the Civil Service Retirement System under chapter 83 of title 5, United States Code; and

(2) the Federal Employees Retirement System under chapter 84 of title 5, United States Code.

(b) In this section, the terms "congressional ethics committees" and "Members of Congress" have the meanings given such terms under section 109 of the Ethics in Government Act of 1978 (5 U.S.C. App.).

(c) This section shall apply to fiscal year 1998 and each fiscal year thereafter.

SEC. 641. (a) A Federal employee shall be separated from service and barred from reemployment in the Federal service, if—

(1) the employee is convicted of a violation or attempted violation of section 201 of title 18, United States Code; and

(2) such violation or attempted violation related to conduct prohibited under section 1010(a) of the Controlled Substances Import and Export Act (21 U.S.C. 960(a)).

(b) This section shall apply during fiscal year 1998 and each fiscal year thereafter.

SEC. 642. (a) COORDINATION OF COUNTERDRUG INTELLIGENCE CENTERS AND ACTIVITIES.—(1) Not later than 120 days after the date of enactment of this Act, the Director of the Office of National Drug Control Policy shall submit to the appropriate congressional committees a plan to improve coordination, and eliminate unnecessary duplication, among the counterdrug intelligence centers and counterdrug activities of the Federal Government, including the centers and activities of the following departments and agencies:

(A) The Department of Defense, including the Defense Intelligence Agency.

(B) The Department of the Treasury, including the United States Customs Service.

(C) The Central Intelligence Agency.

(D) The Coast Guard.

(E) The Drug Enforcement Administration.

(F) The Federal Bureau of Investigation.

(2) The purpose of the plan under paragraph (1) is to maximize the effectiveness of the centers and activities referred to in that paragraph in achieving the objectives of the national drug control strategy. In order to maximize such effectiveness, the plan shall—

(A) articulate clear and specific mission statements for each counterdrug intelligence center and activity, including the manner in which responsibility for counterdrug intelligence activities will be allocated among the counterdrug intelligence centers;

(B) specify the relationship between such centers;

(C) specify the means by which proper oversight of such centers will be assured;

(D) specify the means by which counterdrug intelligence will be forwarded effectively to all levels of officials responsible for United States counterdrug policy; and

(E) specify mechanisms to ensure that State and local law enforcement agencies are apprised of counterdrug intelligence in a manner which—

(i) facilitates effective counterdrug activities by such agencies; and

(ii) provides such agencies with the information necessary to ensure the safety of officials of such agencies in their counterdrug activities.

(b) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means the following:

(1) The Committee on Foreign Relations, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate.

(2) The Committee on International Relations, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 643. PERSONAL ALLOWANCE PARITY AMONG NAFTA PARTIES. (a) IN GENERAL.—The United States Trade Representative and the Secretary of the Treasury, in consultation with the Secretary of Commerce, shall initiate discussions with officials of the Governments of Mexico and Canada to achieve parity in the duty-free personal allowance structure of the United States, Mexico, and Canada.

(b) REPORT.—The United States Trade Representative and the Secretary of the Treasury shall report to Congress within 90 days after the date of enactment of this Act on the progress that is being made to correct any disparity between the United States, Mexico, and Canada with respect to duty-free personal allowances.

(c) RECOMMENDATIONS.—If parity with respect to duty-free personal allowances between the United States, Mexico, and Canada is not achieved within 180 days after the date of enactment of this Act, the United States Trade Representative and the Secretary of the Treasury shall submit recommendations to Congress for appropriate legislation and action.

SEC. 644. 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. 645. The provision of section 644 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.

This Act may be cited as the "Treasury and General Government Appropriations Act, 1998".

Mr. CAMPBELL. Mr. President, I move to reconsider the vote.

Mr. DOMENICI. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. CAMPBELL. Mr. President, before yielding the floor, I wanted to thank our hard working staff: Barbara Retzlaff, Tammy Perrin, Lula Edwards, Frank Larkin, and Pat Raymond. And in particular I wanted to thank our ranking member, Senator KOHL, for his advice and his leadership on this bill.

With that, I yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BOND. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 1998

Mr. BOND. What is the pending business?

The PRESIDING OFFICER. The pending business currently is S. 1034.

Mr. BOND. This is the Veterans Affairs, HUD, independent agencies appropriations measure?

The PRESIDING OFFICER. It is making appropriations for the Departments of Veterans Affairs, Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices.

The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1034) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, commissions, corporations, and offices for fiscal year ending September 30, 1998, and for other purposes.

The Senate resumed consideration of the bill.

Mr. BOND. I thank the Chair.

Mr. President, I see that our colleague from Arkansas is present. He has a very important amendment. I invite the attention of all Members. We are planning on moving on this bill. There are a number of amendments, and we look forward to dealing with them expeditiously today. So we are open and ready to do business. We appreciate having the matters brought to our attention. As I said yesterday, we hope, if there are amendments or proposed colloquies, they will be brought to the ranking member and me so that we can give them our personal attention and continue the progress that