

Public Law 104-197
104th Congress

An Act

Sept. 16, 1996
[H.R. 3754]

Making appropriations for the Legislative Branch for the fiscal year ending September 30, 1997, and for other purposes.

Legislative
Branch
Appropriations
Act, 1997.

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 Legislative Branch for the fiscal year ending September 30, 1997, and for other purposes, namely:

Congressional
Operations
Appropriations
Act, 1997.
2 USC 60a note.

TITLE I—CONGRESSIONAL OPERATIONS

SENATE

EXPENSE ALLOWANCES

For expense allowances of the Vice President, \$10,000; the President Pro Tempore of the Senate, \$10,000; Majority Leader of the Senate, \$10,000; Minority Leader of the Senate, \$10,000; Majority Whip of the Senate, \$5,000; Minority Whip of the Senate, \$5,000; and Chairmen of the Majority and Minority Conference Committees, \$3,000 for each Chairman; in all, \$56,000.

REPRESENTATION ALLOWANCES FOR THE MAJORITY AND MINORITY
LEADERS

For representation allowances of the Majority and Minority Leaders of the Senate, \$15,000 for each such Leader; in all, \$30,000.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, and others as authorized by law, including agency contributions, \$74,615,000, which shall be paid from this appropriation without regard to the below limitations, as follows:

OFFICE OF THE VICE PRESIDENT

For the Office of the Vice President, \$1,513,000.

OFFICE OF THE PRESIDENT PRO TEMPORE

For the Office of the President Pro Tempore, \$325,000.

OFFICES OF THE MAJORITY AND MINORITY LEADERS

For Offices of the Majority and Minority Leaders, \$2,195,000.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For Offices of the Majority and Minority Whips, \$1,156,000.

CONFERENCE COMMITTEES

For the Conference of the Majority and the Conference of the Minority, at rates of compensation to be fixed by the Chairman of each such committee, \$996,000 for each such committee; in all, \$1,992,000.

OFFICES OF THE SECRETARIES OF THE CONFERENCE OF THE MAJORITY
AND THE CONFERENCE OF THE MINORITY

For Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority, \$384,000.

POLICY COMMITTEES

For salaries of the Majority Policy Committee and the Minority Policy Committee, \$965,000 for each such committee, in all, \$1,930,000.

OFFICE OF THE CHAPLAIN

For Office of the Chaplain, \$234,000.

OFFICE OF THE SECRETARY

For Office of the Secretary, \$12,714,000.

OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

For Office of the Sergeant at Arms and Doorkeeper, \$34,037,000.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

For Offices of the Secretary for the Majority and the Secretary for the Minority, \$1,135,000.

AGENCY CONTRIBUTIONS AND RELATED EXPENSES

For agency contributions for employee benefits, as authorized by law, and related expenses, \$17,000,000.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the Office of the Legislative Counsel of the Senate, \$3,447,000.

OFFICE OF SENATE LEGAL COUNSEL

For salaries and expenses of the Office of Senate Legal Counsel, \$936,000.

EXPENSE ALLOWANCES OF THE SECRETARY OF THE SENATE,
SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE, AND SEC-
RETARIES FOR THE MAJORITY AND MINORITY OF THE SENATE

For expense allowances of the Secretary of the Senate, \$3,000; Sergeant at Arms and Doorkeeper of the Senate, \$3,000; Secretary for the Majority of the Senate, \$3,000; Secretary for the Minority of the Senate, \$3,000; in all, \$12,000.

CONTINGENT EXPENSES OF THE SENATE

INQUIRIES AND INVESTIGATIONS

For expenses of inquiries and investigations ordered by the Senate, or conducted pursuant to section 134(a) of Public Law 601, Seventy-ninth Congress, as amended, section 112 of Public Law 96-304 and Senate Resolution 281, agreed to March 11, 1980, \$69,561,000.

EXPENSES OF THE UNITED STATES SENATE CAUCUS ON
INTERNATIONAL NARCOTICS CONTROL

For expenses of the United States Senate Caucus on International Narcotics Control, \$305,000.

SECRETARY OF THE SENATE

For expenses of the Office of the Secretary of the Senate, \$1,511,000.

SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

For expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, \$65,931,000.

MISCELLANEOUS ITEMS

For miscellaneous items, \$6,791,000.

SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT

For Senators' Official Personnel and Office Expense Account, \$208,000,000.

STATIONERY (REVOLVING FUND)

For stationery for the President of the Senate, \$4,500, for officers of the Senate and the Conference of the Majority and Conference of the Minority of the Senate, \$8,500; in all, \$13,000.

OFFICIAL MAIL COSTS

For expenses necessary for official mail costs of the Senate, \$10,000,000, to remain available until September 30, 1998.

ADMINISTRATIVE PROVISIONS

SECTION 1. Section 195(a) of chapter IX of title I of the Supplemental Appropriations Act, 1985 (Public Law 99-88; 2 U.S.C. 61g-7(a)) is amended by striking the period at the end and inserting

"or with respect to the administration of the affairs of the committee."

SEC. 2. Section 105(d)(1) of chapter VI of title I of the Second Supplemental Appropriations Act, 1978 (Public Law 95-355; 2 U.S.C. 43d(d)(1)) is amended by striking "and telephone services" and inserting "telephone services, and stationery".

SEC. 3. Section 3(f)(1) under the heading "ADMINISTRATIVE PROVISIONS" in the appropriation for the Senate in the Legislative Branch Appropriation Act, 1975 (2 U.S.C. 59(e)(1)) is amended in the second sentence by striking "one year" and inserting "3 years".

SEC. 4. (a) Section 5 under the heading "ADMINISTRATIVE PROVISIONS" in the appropriation for the Senate in the Legislative Branch Appropriations Act, 1996 (2 U.S.C. 58a note) is amended—

(1) in subsection (a), by striking "by the Sergeant at Arms and Doorkeeper of the Senate"; and

(2) by striking subsection (b) and inserting the following:

"(b) As used in subsection (a), the term 'user' means a Senator, an Officer of the Senate, and any office, committee, or other entity the funds of which are disbursed by the Secretary of the Senate."

(b) The amendments made by subsection (a) shall take effect on October 1, 1996, and shall apply to all payments made on or after such date for local and long distance telecommunications service.

Effective date.
Applicability.
2 USC 58a note.

SEC. 5. (a) The Sergeant at Arms and Doorkeeper of the Senate may directly, or through the General Services Administration, transfer title to excess or surplus educationally useful equipment to a public school. Any such transfer shall be completed at the lowest possible cost to the public school and the Senate.

Public schools.
Computers.
2 USC 117b note.

(b) The Committee on Rules and Administration of the Senate shall prescribe regulations to carry out the provisions of this section.

Regulations.

(c) Receipts from reimbursements for the costs of transfer of excess or surplus educationally useful equipment under this section, shall be deposited in the United States Treasury for credit to the account for the "Sergeant at Arms and Doorkeeper of the Senate" within the contingent fund of the Senate.

(d) For the purposes of this section:

(1) The term "public school" means a public elementary or secondary school as such terms are defined in section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

(2) The term "educationally useful equipment" means computers and related peripheral tools, including printers, modems, routers, servers, computer keyboards, scanners, and other telecommunications and research equipment, that are appropriate for use in public school education.

(e) This section shall take effect beginning with fiscal year 1997 and shall be effective each fiscal year thereafter.

Effective date.

SEC. 6. (a) Notwithstanding section 1345 of title 31, United States Code, the Secretary of the Senate may reimburse any individual employed by the Senate day care center for the cost of training classes and conferences in connection with the provision of child care services and for travel, transportation, and subsistence expenses incurred in connection with the training classes and conferences.

40 USC 214e.

(b) The Senate day care center shall certify and provide appropriate documentation to the Secretary of the Senate with respect

Certification.

to any reimbursement under this section. Reimbursements under this section shall be made from the appropriations account "MISCELLANEOUS ITEMS" within the contingent fund of the Senate on vouchers approved by the Secretary of the Senate.

Regulations.

(c) Reimbursements under this section shall be subject to the regulations and limitations prescribed by the Committee on Rules and Administration of the Senate for travel and related expenses for which payment is authorized to be made from the contingent fund of the Senate.

Effective date.

(d) This section shall be effective on and after October 1, 1996.

SEC. 7. Notwithstanding any other provision of law, any funds received during fiscal year 1996 by the Sergeant at Arms and Doorkeeper of the Senate in settlement of a contract claim or dispute, but not to exceed \$1,450,000, shall be deposited into the appropriation account for fiscal year 1997 for the Sergeant at Arms and Doorkeeper of the Senate within the contingent fund of the Senate and shall be available in a like manner and for the same purposes as are the other funds in that account.

2 USC 123e.

SEC. 8. (a) The Secretary of the Senate, with the oversight and approval of the Committee on Rules and Administration of the Senate, shall oversee the development and implementation of a comprehensive Senate legislative information system.

(b) In carrying out this section, the Secretary of the Senate shall consult and work with officers and employees of the House of Representatives. Legislative branch agencies and departments and agencies of the executive branch shall provide cooperation, consultation, and assistance as requested by the Secretary of the Senate to carry out this section.

(c) Any funds that were appropriated under the heading "Secretary of the Senate" for expenses of the Office of the Secretary of the Senate by the Legislative Branch Appropriations Act, 1995, to remain available until September 30, 1998, and that the Secretary determines are not needed for development of a financial management system for the Senate may, with the approval of the Committee on Appropriations of the Senate, be used to carry out the provisions of this section, and such funds shall be available through September 30, 2000.

(d) The Committee on Rules and Administration of the Senate may prescribe such regulations as may be necessary to carry out the provisions of this section.

Effective date.

(e) This section shall be effective for fiscal years beginning on or after October 1, 1996.

2 USC 60p.

SEC. 9. PAYMENT FOR UNACCRUED LEAVE.—

(a) IN GENERAL.—The Financial Clerk of the Senate is authorized to accept from an individual whose pay is disbursed by the Secretary of Senate a payment representing pay for any period of unaccrued annual leave used by that individual, as certified by the head of the employing office of the individual making the payment.

(b) WITHHOLDING.—The Financial Clerk of the Senate is authorized to withhold the amount referred to in subsection (a) from any amount which is disbursed by the Secretary of the Senate and which is due to or on behalf of the individual described in subsection (a).

(c) DEPOSIT.—Any payment accepted under this section shall be deposited in the general fund of the Treasury as miscellaneous receipts.

(d) DEFINITION.—As used in this section, the term “head of the employing office” means any person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an individual whose pay is disbursed by the Secretary of the Senate.

(e) APPLICABILITY.—This section shall apply to fiscal year 1996 and each fiscal year thereafter.

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, \$683,831,000, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, \$11,592,000, including: Office of the Speaker, \$1,535,000, including \$25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, \$1,526,000, including \$10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, \$1,534,000, including \$10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, \$957,000, including \$5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, \$949,000, including \$5,000 for official expenses of the Minority Whip; Speaker’s Office for Legislative Floor Activities, \$376,000; Republican Steering Committee, \$664,000; Republican Conference, \$1,130,000; Democratic Steering and Policy Committee, \$1,191,000; Democratic Caucus, \$603,000; and nine minority employees, \$1,127,000.

MEMBERS’ REPRESENTATIONAL ALLOWANCES

INCLUDING MEMBERS’ CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS,
AND OFFICIAL MAIL

For Members’ representational allowances, including Members’ clerk hire, official expenses, and official mail, \$363,313,000.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, \$80,222,000.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, \$17,580,000, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, \$86,259,000, including: for salaries and expenses of the Office of the Clerk, including not more than \$3,500, of which not more than \$2,500 is for the Family Room, for official representation and reception expenses, \$15,074,000; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages, and including not more than \$750 for official representation and reception expenses, \$3,638,000; for salaries and expenses of the Office of the Chief Administrative Officer, \$55,209,000, including salaries, expenses and temporary personal services of House Information Resources, \$22,577,000, of which \$16,577,000 is provided herein: *Provided*, That House Information Resources is authorized to receive reimbursement from Members of the House of Representatives and other governmental entities for services provided and such reimbursement shall be deposited in the Treasury for credit to this account; for salaries and expenses of the Office of the Inspector General, \$3,954,000; Office of the Chaplain, \$126,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian and \$2,000 for preparing the Digest of Rules, \$1,036,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, \$1,767,000; for salaries and expenses of the Office of the Legislative Counsel of the House, \$4,687,000; and other authorized employees, \$768,000.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, \$124,865,000, including: supplies, materials, administrative costs and Federal tort claims, \$2,374,000; official mail for committees, leadership offices, and administrative offices of the House, \$1,000,000; reemployed annuitants reimbursement, \$71,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, \$120,779,000; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, \$641,000.

CHILD CARE CENTER

For salaries and expenses of the House of Representatives Child Care Center, such amounts as are deposited in the account established by section 312(d)(1) of the Legislative Branch Appropriations Act, 1992 (40 U.S.C. 184g(d)(1)), subject to the level specified in the budget of the Center, as submitted to the Committee on Appropriations of the House of Representatives.

ADMINISTRATIVE PROVISIONS

SEC. 101. (a) Section 107A of the Legislative Branch Appropriations Act, 1996 (109 Stat. 522) is amended—

(1) by striking out “For fiscal year 1996, subject” and inserting in lieu thereof “(a) Subject”;

(2) by striking out “of the total amount” and all that follows through “cost of inventory” and inserting in lieu thereof

the following: “the amounts deposited in the account specified in subsection (b) from vending operations of the House of Representatives Restaurant System shall be available to pay the cost of goods sold”; and

(3) by adding at the end the following new subsection:

“(b) The account referred to in subsection (a) is the special deposit account established for the House of Representatives Restaurant by section 208 of the First Supplemental Civil Functions Appropriation Act, 1941 (40 U.S.C. 174k note).”

(b) The amendments made by subsection (a) shall apply with respect to fiscal years beginning after September 30, 1996.

SEC .102. (a) Section 3210(a)(6)(A) of title 39, United States Code, is amended—

(1) in clause (i), by inserting “(or, in the case of a Member of the House, fewer than 90 days)” after “60 days”; and

(2) in clause (ii), by striking out “60 days” and inserting in lieu thereof “90 days”.

(b) The amendments made by subsection (a) shall take effect on October 1, 1996, and shall apply with respect to any mailing postmarked on or after that date.

Applicability.
40 USC 174k
note.

Effective date.
Applicability.
39 USC 3210
note.

JOINT ITEMS

For Joint Committees, as follows:

JOINT COMMITTEE ON INAUGURAL CEREMONIES OF 1997

For construction of platform and seating stands and for salaries and expenses of conducting the inaugural ceremonies of the President and Vice President of the United States, January 20, 1997, in accordance with such program as may be adopted by the joint committee authorized by Senate Concurrent Resolution 47, One Hundred Fourth Congress, agreed to March 20, 1996, and Senate Concurrent Resolution 48, One Hundred Fourth Congress, agreed to March 20, 1996, \$950,000 to be disbursed by the Secretary of the Senate and to remain available until September 30, 1997. Such funds shall be available for payment, on a direct or reimbursable basis, whether incurred on, before, or after, October 1, 1996: *Provided*, That the compensation of any employee of the Committee on Rules and Administration of the Senate who has been designated to perform service for the Joint Congressional Committee on Inaugural Ceremonies shall continue to be paid by the Committee on Rules and Administration, but the account from which such staff member is paid may be reimbursed for the services of the staff member (including agency contributions when appropriate) out of funds made available under this heading.

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, \$2,750,000, to be disbursed by the Secretary of the Senate.

JOINT COMMITTEE ON PRINTING

For salaries and expenses of the Joint Committee on Printing, \$777,000, to be disbursed by the Secretary of the Senate.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, \$5,470,000, to be disbursed by the Chief Administrative Officer of the House.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including (1) an allowance of \$1,500 per month to the Attending Physician; (2) an allowance of \$500 per month each to two medical officers while on duty in the Attending Physician's office; (3) an allowance of \$500 per month to one assistant and \$400 per month each to not to exceed nine assistants on the basis heretofore provided for such assistance; and (4) \$867,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, \$1,225,000, to be disbursed by the Chief Administrative Officer of the House.

CAPITOL POLICE BOARD

CAPITOL POLICE

SALARIES

For the Capitol Police Board for salaries of officers, members, and employees of the Capitol Police, including overtime, hazardous duty pay differential, clothing allowance of not more than \$600 each for members required to wear civilian attire, and Government contributions for health, retirement, Social Security, and other applicable employee benefits, \$69,356,000, of which \$33,437,000 is provided to the Sergeant at Arms of the House of Representatives, to be disbursed by the Chief Administrative Officer of the House, and \$35,919,000 is provided to the Sergeant at Arms and Doorkeeper of the Senate, to be disbursed by the Secretary of the Senate: *Provided*, That, of the amounts appropriated under this heading, such amounts as may be necessary may be transferred between the Sergeant at Arms of the House of Representatives and the Sergeant at Arms and Doorkeeper of the Senate, upon approval of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

GENERAL EXPENSES

For the Capitol Police Board for necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, not more than \$2,000 for the awards program, postage, telephone service, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement

Training Center, and \$85 per month for extra services performed for the Capitol Police Board by an employee of the Sergeant at Arms of the Senate or the House of Representatives designated by the Chairman of the Board, \$2,782,000, to be disbursed by the Chief Administrative Officer of the House of Representatives: *Provided*, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 1997 shall be paid by the Secretary of the Treasury from funds available to the Department of the Treasury.

ADMINISTRATIVE PROVISION

SEC. 103. Amounts appropriated for fiscal year 1997 for the Capitol Police Board for the Capitol Police may be transferred between the headings "SALARIES" and "GENERAL EXPENSES" upon the approval of—

(1) the Committee on Appropriations of the House of Representatives, in the case of amounts transferred from the appropriation provided to the Sergeant at Arms of the House of Representatives under the heading "SALARIES";

(2) the Committee on Appropriations of the Senate, in the case of amounts transferred from the appropriation provided to the Sergeant at Arms and Doorkeeper of the Senate under the heading "SALARIES"; and

(3) the Committees on Appropriations of the Senate and the House of Representatives, in the case of other transfers.

CAPITOL GUIDE SERVICE AND SPECIAL SERVICES OFFICE

For salaries and expenses of the Capitol Guide Service and Special Services Office, \$1,991,000, to be disbursed by the Secretary of the Senate: *Provided*, That no part of such amount may be used to employ more than forty individuals: *Provided further*, That the Capitol Guide Board is authorized, during emergencies, to employ not more than two additional individuals for not more than one hundred twenty days each, and not more than ten additional individuals for not more than six months each, for the Capitol Guide Service.

STATEMENTS OF APPROPRIATIONS

For the preparation, under the direction of the Committees on Appropriations of the Senate and the House of Representatives, of the statements for the second session of the One Hundred Fourth Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriations bills as required by law, \$30,000, to be paid to the persons designated by the chairmen of such committees to supervise the work.

OFFICE OF COMPLIANCE

SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), \$2,609,000.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary to carry out the provisions of the Congressional Budget Act of 1974 (Public Law 93-344), including not more than \$2,500 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, \$24,532,000: *Provided*, That no part of such amount may be used for the purchase or hire of a passenger motor vehicle.

ADMINISTRATIVE PROVISIONS

2 USC 605.

SEC. 104. (a) Any sale or lease of property, supplies, or services to the Congressional Budget Office shall be deemed to be a sale or lease to the Congress subject to section 903 of the Supplemental Appropriations Act, 1983 (2 U.S.C. 111b).

Applicability.

(b) Subsection (a) shall apply with respect to fiscal years beginning after September 30, 1996.

Personal
property.
2 USC 606.

SEC. 105. (a) The Director of the Congressional Budget Office shall have the authority, within the limits of available appropriations, to dispose of surplus or obsolete personal property by inter-agency transfer, donation, or discarding.

Applicability.

(b) Subsection (a) shall apply with respect to fiscal years beginning after September 30, 1996.

Compensation.
2 USC 607.

SEC. 106. (a) The Director of the Congressional Budget Office shall have the authority to make lump-sum payments to separated employees of the Congressional Budget Office for unused annual leave.

Applicability.

(b) Subsection (a) shall apply with respect to fiscal years beginning after September 30, 1996.

ARCHITECT OF THE CAPITOL

OFFICE OF THE ARCHITECT OF THE CAPITOL

SALARIES

For the Architect of the Capitol, the Assistant Architect of the Capitol, and other personal services, at rates of pay provided by law, \$8,454,000.

TRAVEL

40 USC 166a.

Appropriations under the control of the Architect of the Capitol shall be available for expenses of travel on official business not to exceed in the aggregate under all funds the sum of \$20,000.

CONTINGENT EXPENSES

To enable the Architect of the Capitol to make surveys and studies, and to meet unforeseen expenses in connection with activities under his care, \$100,000.

CAPITOL BUILDINGS AND GROUNDS

CAPITOL BUILDINGS

For all necessary expenses for the maintenance, care and operation of the Capitol and electrical substations of the Senate and House office buildings under the jurisdiction of the Architect of the Capitol, including furnishings and office equipment; including not more than \$1,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; purchase or exchange, maintenance and operation of a passenger motor vehicle; and attendance, when specifically authorized by the Architect of the Capitol, at meetings or conventions in connection with subjects related to work under the Architect of the Capitol, \$23,255,000, of which \$2,950,000 shall remain available until expended.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, \$5,020,000, of which \$25,000 shall remain available until expended.

SENATE OFFICE BUILDINGS

For all necessary expenses for maintenance, care and operation of Senate Office Buildings; and furniture and furnishings to be expended under the control and supervision of the Architect of the Capitol, \$39,640,000, of which \$3,200,000 shall remain available until expended.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, \$32,556,000, of which \$4,825,000 shall remain available until expended.

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Printing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, Union Station complex, Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, \$30,749,000: *Provided*, That not more than \$4,000,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 1997.

LIBRARY OF CONGRESS

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, \$62,641,000: *Provided*, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Oversight of the House of Representatives or the Committee on Rules and Administration of the Senate: *Provided further*, That, notwithstanding any other provision of law, the compensation of the Director of the Congressional Research Service, Library of Congress, shall be at an annual rate which is equal to the annual rate of basic pay for positions at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

2 USC 166 note.

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

For authorized printing and binding for the Congress and the distribution of Congressional information in any format; printing and binding for the Architect of the Capitol; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (44 U.S.C. 902); printing and binding of Government publications authorized by law to be distributed to Members of Congress; and printing, binding, and distribution of Government publications authorized by law to be distributed without charge to the recipient, \$81,669,000: *Provided*, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under 44 U.S.C. 906: *Provided further*, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years.

This title may be cited as the "Congressional Operations Appropriations Act, 1997".

TITLE II—OTHER AGENCIES

BOTANIC GARDEN

SALARIES AND EXPENSES

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, \$2,902,000.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Union Catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; preparation and distribution of catalog cards and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, \$216,007,000, of which not more than \$7,869,000 shall be derived from collections credited to this appropriation during fiscal year 1997, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150): *Provided*, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: *Provided further*, That the total amount available for obligation shall be reduced by the amount by which collections are less than the \$7,869,000: *Provided further*, That of the total amount appropriated, \$8,458,000 is to remain available until expended for acquisition of books, periodicals, and newspapers, and all other materials including subscriptions for bibliographic services for the Library, including \$40,000 to be available solely for the purchase, when specifically approved by the Librarian, of special and unique materials for additions to the collections: *Provided further*, That of the total amount appropriated, \$928,800 shall be for the operation and maintenance of the American Folklife Center in the Library.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Copyright Office, including publication of the decisions of the United States courts involving copyrights, \$33,402,000, of which not more than \$17,340,000 shall be derived from collections credited to this appropriation during fiscal year 1997 under 17 U.S.C. 708(d), and not more than \$4,929,000 shall be derived from collections during fiscal year 1997 under 17 U.S.C. 111(d)(2), 119(b)(2), 802(h), and 1005: *Provided*, That the total amount available for obligation shall be reduced by the amount by which collections are less than \$22,269,000: *Provided further*, That not more than \$100,000 of the amount appropriated is available for the maintenance of an "International Copyright Institute" in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: *Provided further*, That not more than \$2,250 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For salaries and expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), \$44,964,000, of which \$11,694,000 shall remain available until expended.

FURNITURE AND FURNISHINGS

For necessary expenses for the purchase and repair of furniture, furnishings, office and library equipment, \$4,882,000.

ADMINISTRATIVE PROVISIONS

SEC. 201. Appropriations in this Act available to the Library of Congress shall be available, in an amount of not more than \$194,290, of which \$58,100 is for the Congressional Research Service, when specifically authorized by the Librarian, for attendance at meetings concerned with the function or activity for which the appropriation is made.

SEC. 202. (a) No part of the funds appropriated in this Act shall be used by the Library of Congress to administer any flexible or compressed work schedule which—

(1) applies to any manager or supervisor in a position the grade or level of which is equal to or higher than GS-15; and

(2) grants such manager or supervisor the right to not be at work for all or a portion of a workday because of time worked by the manager or supervisor on another workday.

(b) For purposes of this section, the term "manager or supervisor" means any management official or supervisor, as such terms are defined in section 7103(a) (10) and (11) of title 5, United States Code.

SEC. 203. Appropriated funds received by the Library of Congress from other Federal agencies to cover general and administrative overhead costs generated by performing reimbursable work for other agencies under the authority of 31 U.S.C. 1535 and 1536 shall not be used to employ more than 65 employees and may be expended or obligated—

(1) in the case of a reimbursement, only to such extent or in such amounts as are provided in appropriations Acts; or

(2) in the case of an advance payment, only—

(A) to pay for such general or administrative overhead costs as are attributable to the work performed for such agency; or

(B) to such extent or in such amounts as are provided in appropriations Acts, with respect to any purpose not allowable under subparagraph (A).

SEC. 204. Of the amounts appropriated to the Library of Congress in this Act, not more than \$5,000 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the incentive awards program.

SEC. 205. Of the amount appropriated to the Library of Congress in this Act, not more than \$12,000 may be expended, on the certification of the Librarian of Congress, in connection with

official representation and reception expenses for the Overseas Field Offices.

SEC. 206. (a) For fiscal year 1997, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed \$108,275,000.

(b) The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

SEC. 207. (a)(1) Subject to subsection (b), for fiscal year 1997, the obligational authority of the Library of Congress for the activities described in paragraph (2) may not exceed \$2,000,000.

(2) The activities referred to in paragraph (1) are non-expenditure transfer activities in support of parliamentary development that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

(b) The obligational authority under subsection (a)—

(1) shall be available only with respect to Russia, Ukraine, Albania, Slovakia, and Romania; and

(2) shall expire on December 31, 1996.

SEC. 208. From and after October 1, 1996, the Disbursing Officer of the Library of Congress is authorized to disburse funds appropriated for the Office of Compliance, and the Library of Congress shall provide financial management support to the Office of Compliance as may be required and mutually agreed to by the Librarian of Congress and the Executive Director of the Office of Compliance. The Library of Congress is further authorized to compute and disburse the basic pay of all personnel of the Office of Compliance pursuant to the provisions of section 5504 of title 5.

All vouchers certified for payment by duly authorized certifying officers of the Library of Congress shall be supported with a certification by an officer or employee of the Office of Compliance duly authorized in writing by the Executive Director of the Office of Compliance to certify payments from appropriations of the Office of Compliance. The Office of Compliance certifying officers shall (1) be held responsible for the existence and correctness of the facts recited in the certificate or otherwise stated on the voucher or its supporting paper and the legality of the proposed payment under the appropriation or fund involved, (2) be held responsible and accountable for the correctness of the computations of certifications made, and (3) be held accountable for and required to make good to the United States the amount of any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate made by them, as well as for any payment prohibited by law which did not represent a legal obligation under the appropriation or fund involved: *Provided*, That the Comptroller General of the United States may, at his discretion, relieve such certifying officer or employee of liability for any payment otherwise proper whenever he finds (1) that the certification was based on official records and that such certifying officer or employee did not know, and by reasonable diligence and inquiry could not have ascertained the actual facts, or (2) that the obligation was incurred in good faith, that the payment was not contrary to any statutory provision specifically prohibiting payments of the character involved, and the United States has received value for such payment: *Provided further*, That the Comptroller General shall relieve

Foreign
countries.

Expiration date.

Effective date.
2 USC 142f.

Certification.

such certifying officer or employee of liability for an overpayment for transportation services made to any common carrier covered by section 3726 of title 31, whenever he finds that the overpayment occurred solely because the administrative examination made prior to payment of the transportation bill did not include a verification of transportation rates, freight classifications, or land grant deductions.

The Disbursing Officer of the Library of Congress shall not be held accountable or responsible for any illegal, improper, or incorrect payment resulting from any false, inaccurate, or misleading certificate, the responsibility for which is imposed upon a certifying officer or employee of the Office of Compliance.

SEC. 209. Section 8 of the American Folklife Preservation Act (20 U.S.C. 2107) is amended to read as follows:

"SEC. 8. AUTHORIZATION OF APPROPRIATIONS.

"There are authorized to be appropriated to the Center to carry out this Act such sums as may be necessary for each of the fiscal years 1997 and 1998."

ARCHITECT OF THE CAPITOL

LIBRARY BUILDINGS AND GROUNDS

STRUCTURAL AND MECHANICAL CARE

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, \$9,753,000, of which \$1,310,000 shall remain available until expended.

GOVERNMENT PRINTING OFFICE

OFFICE OF SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

For expenses of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, \$29,077,000: *Provided*, That travel expenses, including travel expenses of the Depository Library Council to the Public Printer, shall not exceed \$150,000: *Provided further*, That amounts of not more than \$2,000,000, from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for 1995 and 1996 to depository and other designated libraries.

GOVERNMENT PRINTING OFFICE REVOLVING FUND

The Government Printing Office is hereby authorized to make such expenditures, within the limits of funds available and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Printing Office revolv-

ing fund: *Provided*, That not more than \$2,500 may be expended on the certification of the Public Printer in connection with official representation and reception expenses: *Provided further*, That the revolving fund shall be available for the hire or purchase of not more than twelve passenger motor vehicles: *Provided further*, That expenditures in connection with travel expenses of the advisory councils to the Public Printer shall be deemed necessary to carry out the provisions of title 44, United States Code: *Provided further*, That the revolving fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: *Provided further*, That the revolving fund and the funds provided under the headings "OFFICE OF SUPERINTENDENT OF DOCUMENTS" and "SALARIES AND EXPENSES" together may not be available for the full-time equivalent employment of more than 3,600 workyears by the end of fiscal year 1997: *Provided further*, That activities financed through the revolving fund may provide information in any format: *Provided further*, That the revolving fund shall not be used to administer any flexible or compressed work schedule which applies to any manager or supervisor in a position the grade or level of which is equal to or higher than GS-15: *Provided further*, That expenses for attendance at meetings shall not exceed \$75,000.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

For necessary expenses of the General Accounting Office, including not more than \$7,000 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with 31 U.S.C. 3324; benefits comparable to those payable under sections 901(5), 901(6) and 901(8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), 4081(6) and 4081(8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries; \$332,520,000: *Provided*, That not more than \$100,000 of reimbursements received incident to the operation of the General Accounting Office Building shall be available for use in fiscal year 1997: *Provided further*, That notwithstanding 31 U.S.C. 9105 hereafter amounts reimbursed to the Comptroller General pursuant to that section shall be deposited to the appropriation of the General Accounting Office then available and remain available until expended, and not more than \$5,805,000 of such funds shall be available for use in fiscal year 1997: *Provided further*, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the Joint Financial Management Improvement Program (JFMIP) shall be available to finance an appropriate share of JFMIP costs as determined by the JFMIP, including the salary of the Executive Director and secretarial support: *Provided further*, That this appro-

Regulations.

31 USC 9105
note.

priation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of Forum costs as determined by the Forum, including necessary travel expenses of non-Federal participants. Payments hereunder to either the Forum or the JFMIP may be credited as reimbursements to any appropriation from which costs involved are initially financed: *Provided further*, That to the extent that funds are otherwise available for obligation, agreements or contracts for the removal of asbestos, and renovation of the building and building systems (including the heating, ventilation and air conditioning system, electrical system and other major building systems) of the General Accounting Office Building may be made for periods not exceeding five years: *Provided further*, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the American Consortium on International Public Administration (ACIPA) shall be available to finance an appropriate share of ACIPA costs as determined by the ACIPA, including any expenses attributable to membership of ACIPA in the International Institute of Administrative Sciences.

TITLE III—GENERAL PROVISIONS

SEC. 301. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Oversight and for the Senate issued by the Committee on Rules and Administration.

SEC. 302. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 1997 unless expressly so provided in this Act.

SEC. 303. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: *Provided*, That the provisions in this Act for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

SEC. 304. 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. 305. (a) It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable,

Contracts.
Public
information.

Notice.

shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(c) If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in section 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 306. During fiscal year 1997 and fiscal years thereafter, amounts appropriated to the Architect of the Capitol (including amounts relating to the Botanic Garden) may be transferred among accounts available to the Architect of the Capitol upon the approval of—

40 USC 166h.

(1) the Committee on Appropriations of the House of Representatives, in the case of amounts transferred from the appropriation for Capitol buildings and grounds under the heading "HOUSE OFFICE BUILDINGS";

(2) the Committee on Appropriations of the Senate, in the case of amounts transferred from the appropriation for Capitol buildings and grounds under the heading "SENATE OFFICE BUILDINGS"; and

(3) the Committees on Appropriations of the Senate and the House of Representatives, in the case of amounts transferred from any other appropriation.

SEC. 307. (a) Upon approval of the Committee on Appropriations of the House of Representatives, and in accordance with conditions determined by the Committee on House Oversight, positions in connection with House public address sound system activities and related funding shall be transferred from the appropriation for the Architect of the Capitol for Capitol buildings and grounds under the heading "CAPITOL BUILDINGS" to the appropriation for salaries and expenses of the House of Representatives for the Office of the Clerk under the heading "SALARIES, OFFICERS AND EMPLOYEES".

40 USC 175 note.

(b) For purposes of section 8339(m) of title 5, United States Code, the days of unused sick leave to the credit of any such employee as of the date such employee is transferred under subsection (a) shall be included in the total service of such employee in connection with the computation of any annuity under subsections (a) through (e) and (o) of such section.

Annuities.

(c) In the case of days of annual leave to the credit of any such employee as of the date such employee is transferred under subsection (a), the Architect of the Capitol is authorized to make a lump sum payment to each such employee for that annual leave. No such payment shall be considered a payment or compensation within the meaning of any law relating to dual compensation.

SEC. 308. (a) Effective October 1, 1996, the responsibility for maintenance of security systems for the Capitol buildings and grounds is transferred from the Architect of the Capitol to the Capitol Police Board. Such maintenance shall be carried out under the direction of the Committee on House Oversight of the House of Representatives and the Committee on Rules and Administration of the Senate. On and after October 1, 1996, any alteration to a structural, mechanical, or architectural feature of the Capitol

Effective dates.
Government
organization.
40 USC 212a-4a.

Government
organization.

buildings and grounds that is required for security system maintenance under the preceding sentence may be carried out only with the approval of the Architect of the Capitol.

(b)(1) Effective October 1, 1996, all positions specified in paragraph (2) and each individual holding any such position (on a permanent basis) immediately before that date, as identified by the Architect of the Capitol, shall be transferred to the Capitol Police.

(2) The positions referred to in paragraph (1) are those positions which, immediately before October 1, 1996, are—

(A) under the Architect of the Capitol;

(B) within the Electronics Engineering Division of the Office of the Architect of the Capitol; and

(C) related to the maintenance of security systems for the Capitol buildings and grounds.

(3) All annual leave and sick leave standing to the credit of an individual immediately before such individual is transferred under paragraph (1) shall be credited to such individual, without adjustment, in the new position of the individual.

SEC. 309. Such sums as may be necessary are appropriated to the account described in subsection (a) of section 415 of Public Law 104-1 to pay awards and settlements as authorized under such subsection.

SEC. 310. Any amount appropriated in this Act for "HOUSE OF REPRESENTATIVES—Salaries and Expenses—Members' Representational Allowances" shall be available only for fiscal year 1997. Any amount remaining after all payments are made under such allowances for such fiscal year shall be deposited in the Treasury, to be used for deficit reduction.

Mail.
Notice.
2 USC 59h.

SEC. 311. (a) Each mass mailing sent by a Member of the House of Representatives shall bear in a prominent place on its face, or on the envelope or outside cover or wrapper in which the mail matter is sent, the following notice: "**THIS MAILING WAS PREPARED, PUBLISHED, AND MAILED AT TAXPAYER EXPENSE.**", or a notice to the same effect in words which may be prescribed under subsection (c). The notice shall be printed in a type size not smaller than 7-point.

Reports.

(b)(1) There shall be published in the itemized report of disbursements of the House of Representatives as required by law, a summary tabulation setting forth, for the office of each Member of the House of Representatives, the total number of pieces of mass mail mailed during the period involved and the total cost of those mass mailings.

(2) Each such tabulation shall also include—

(A) the total cost (as referred to in paragraph (1)) divided by the number (as determined by the Postmaster General) of addresses (other than business possible delivery stops) in the Congressional district from which the Member was elected (as such addresses are described in section 3210(d)(7)(B) of title 39, United States Code); and

(B) the total number of pieces of mass mail (as referred to in paragraph (1)) divided by the number (as determined by the Postmaster General) of addresses (other than business possible delivery stops) in the Congressional district from which the Member was elected (as such addresses are described in section 3210(d)(7)(B) of title 39, United States Code).

(c) The Committee on House Oversight shall prescribe such rules and regulations and shall take such other action as the Committee considers necessary and proper for Members to conform to the provisions of this subsection and applicable rules and regulations.

Rules and regulations.

(d) For purposes of this section—

(1) the term “Member of the House of Representatives” means a Representative in, or a Delegate or Resident Commissioner to, the Congress; and

(2) the term “mass mailing” has the meaning given such term by section 3210(a)(6)(E) of title 39, United States Code.

(e) This section shall apply with respect to sessions of Congress beginning after the date of the enactment of this Act.

Applicability.

SEC. 312. (a) Section 203(a)(3) of Public Law 104-1 (2 U.S.C. 1313(a)(3)) is amended by inserting “and in subsection (c)(4)” after “(c)(3)”

(b) Section 203(c) of Public Law 104-1 (2 U.S.C. 1313(c)) is amended by adding at the end the following paragraph:

“(4) LAW ENFORCEMENT.—Law enforcement personnel of the Capitol Police who are subject to the exemption under section 7(k) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(k)) may elect to receive compensatory time off in lieu of overtime compensation for hours worked in excess of the maximum for their work period.”

SEC. 313. Section 316 of Public Law 101-302 is amended in the first sentence of subsection (a) by striking “1996” and inserting “1997”.

40 USC 188b-6.

SEC. 314. (a) Upon enactment into law of this Act, there shall be established a program for providing the widest possible exchange of information among legislative branch agencies with the long-range goal of improving information technology planning and evaluation. The Committee on House Oversight of the House of Representatives and the Committee on Rules and Administration of the Senate are requested to determine the structure and operation of this program and to provide appropriate oversight. All of the appropriate offices and agencies of the legislative branch as defined below shall participate in this program for information exchange, and shall report annually on the extent and nature of their participation in their budget submissions to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

Establishment.
Science and
technology.
Tele-
communications.
2 USC 181.

Reports.

(b) As used in this section—

(1) the term “offices and agencies of the legislative branch” means, the office of the Clerk of the House, the office of the Secretary of the Senate, the office of the Architect of the Capitol, the General Accounting Office, the Government Printing Office, the Library of Congress, the Congressional Research Service, the Congressional Budget Office, the Chief Administrative Officer of the House of Representatives, and the Sergeant at Arms of the Senate; and

(2) the term “technology” refers to any form of computer hardware and software; computer-based systems, services, and support for the creation, processing, exchange, and delivery of information; and telecommunications systems, and the associated hardware and software, that provide for voice, data, or image communication.

PROHIBITIONS AGAINST POLITICAL RECOMMENDATIONS RELATING TO
FEDERAL EMPLOYMENT

SEC. 315. (a) IN GENERAL.—Section 3303 of title 5, United States Code, is amended to read as follows:

“§ 3303. Competitive service; recommendations of Senators or Representatives

“An individual concerned in examining an applicant for or appointing him in the competitive service may not receive or consider a recommendation of the applicant by a Senator or Representative, except as to the character or residence of the applicant.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—(1) The table of sections for chapter 33 of title 5, United States Code, is amended by amending the item relating to section 3303 to read as follows:

“3303. Competitive service; recommendations of Senators or Representatives.”.

(2) Section 2302(b)(2) of title 5, United States Code, is amended to read as follows:

“(2) solicit or consider any recommendation or statement, oral or written, with respect to any individual who requests or is under consideration for any personnel action unless such recommendation or statement is based on the personal knowledge or records of the person furnishing it and consists of—

“(A) an evaluation of the work performance, ability, aptitude, or general qualifications of such individual; or

“(B) an evaluation of the character, loyalty, or suitability of such individual;”.

5 USC 2302 note.

(c) EFFECTIVE DATE.—This section shall take effect 30 days after the date of the enactment of this Act.

SEC. 316. Limitation on Exclusive Copyrights for Literary Works in Specialized Format for the Blind and Disabled.—

(a) IN GENERAL.—Chapter 1 of title 17, United States Code, is amended by adding after section 120 the following new section:

“§ 121. Limitations on exclusive rights: reproduction for blind or other people with disabilities

“(a) Notwithstanding the provisions of sections 106 and 710, it is not an infringement of copyright for an authorized entity to reproduce or to distribute copies or phonorecords of a previously published, nondramatic literary work if such copies or phonorecords are reproduced or distributed in specialized formats exclusively for use by blind or other persons with disabilities.

“(b)(1) Copies or phonorecords to which this section applies shall—

“(A) not be reproduced or distributed in a format other than a specialized format exclusively for use by blind or other persons with disabilities;

“(B) bear a notice that any further reproduction or distribution in a format other than a specialized format is an infringement; and

“(C) include a copyright notice identifying the copyright owner and the date of the original publication.

“(2) The provisions of this subsection shall not apply to standardized, secure, or norm-referenced tests and related testing material, or to computer programs, except the portions thereof that are in conventional human language (including descriptions

Notice.

Notice.

of pictorial works) and displayed to users in the ordinary course of using the computer programs.

“(c) For purposes of this section, the term—

“(1) ‘authorized entity’ means a nonprofit organization or a governmental agency that has a primary mission to provide specialized services relating to training, education, or adaptive reading or information access needs of blind or other persons with disabilities;

“(2) ‘blind or other persons with disabilities’ means individuals who are eligible or who may qualify in accordance with the Act entitled “An Act to provide books for the adult blind”, approved March 3, 1931 (2 U.S.C. 135a; 46 Stat. 1487) to receive books and other publications produced in specialized formats; and

“(3) ‘specialized formats’ means braille, audio, or digital text which is exclusively for use by blind or other persons with disabilities.”

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 1 of title 17, United States Code, is amended by adding after the item relating to section 120 the following:

“121. Limitations on exclusive rights: reproduction for blind or other people with disabilities.”

SEC. 317. For payment to Jo Ann Emerson, widow of Bill Emerson, late a Representative from the State of Missouri, \$133,600.

Jo Ann Emerson.

This Act may be cited as the “Legislative Branch Appropriations Act, 1997”.

Approved September 16, 1996.

LEGISLATIVE HISTORY—H.R. 3754:

HOUSE REPORTS: Nos. 104-657 (Comm. on Appropriations) and 104-733 (Comm. of Conference).

SENATE REPORTS: No. 104-323 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 142 (1996):

July 10, considered and passed House.

July 29, 30, considered and passed Senate, amended.

Aug. 1, House agreed to conference report.

Sept. 3, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 32 (1996):

Sept. 16, Presidential statement.