

OCT. 28, 1991  
H.R. 2021

Treasury, Postal  
Service and  
General  
Government  
Appropriations  
Act, 1992

Treasury  
Department  
Appropriations  
Act, 1992

# TREASURY, POSTAL SERVICE AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 1992

Public Law 102-141  
102d Congress

An Act

Oct. 28, 1991  
[H.R. 2622]

Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1992, and for other purposes.

Treasury, Postal  
Service and  
General  
Government  
Appropriations  
Act, 1992.

*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, 1992, and for other purposes, namely:

Treasury  
Department  
Appropriations  
Act, 1992.

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; not to exceed \$22,000 for official reception and representation expenses; not to exceed \$200,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate; not less than \$2,522,000 and 40 full-time equivalent positions for the Office of Foreign Assets Control; not to exceed \$2,330,000, to remain available until expended, for systems modernization requirements; not to exceed \$490,000, to remain available until expended, for repairs and improvements to the Main Treasury Building and Annex; \$68,238,000.

INTERNATIONAL AFFAIRS

For necessary expenses of the international affairs function 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 \$2,000,000 for official travel expenses; not to exceed \$73,000 for official reception and representation expenses; not to exceed \$2,487,000, to remain available until expended, for systems modernization requirements; \$33,325,000.

## OFFICE OF INSPECTOR GENERAL

## SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, hire of passenger motor vehicles; not to exceed \$2,000,000 for official travel expenses; 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; \$24,835,000.

## FINANCIAL CRIMES ENFORCEMENT NETWORK

## SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; not to exceed \$3,000 for official reception and representation expenses; \$18,055,000, of which not to exceed \$945,000 shall remain available until expended, for development of FinCEN's intelligence information systems.

## 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 purchase (not to exceed fifty-two for police-type use) 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 \$7,000 for official reception and representation expenses; room and board for student interns; and services as authorized by 5 U.S.C. 3109: *Provided*, That the Center is authorized to accept gifts: *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 for 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; travel expenses of non-Federal personnel to attend State and local course development meetings at the Center: *Provided further*, That the Director of the Federal Law Enforcement Training Center shall annually present an award to be accompanied by a gift of intrinsic value to the outstanding student who graduated from a basic training program at the Center during the previous fiscal year, to be funded by donations received through the Center's gift authority; \$39,645,000.

42 USC 3771  
note.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED  
EXPENSES

For expansion of the Federal Law Enforcement Training Center, for acquisition of necessary additional real property and facilities, and for ongoing maintenance, facility improvements, and related expenses, \$8,309,000, to remain available until expended.

## FINANCIAL MANAGEMENT SERVICE

## SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, \$231,500,000, of which not to exceed \$10,794,000, shall remain available until expended for systems modernization initiatives.

## 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 six hundred and fifty vehicles for police-type use for replacement only and hire of passenger motor vehicles; hire of aircraft; and 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: *Provided*, That notwithstanding the provision of 31 U.S.C. sec. 1342, the Bureau of Alcohol, Tobacco and Firearms is authorized to accept, receive, hold, and administer gifts of services and personal property for hosting the General Assembly of the International Office of Vine and Wine (OIV) in the United States in 1993. The Bureau of Alcohol, Tobacco and Firearms is authorized to use otherwise available funds from the appropriations to the Bureau for fiscal years 1992 and 1993, as necessary, to pay the expenses of hosting, including reception, representation, and transportation expenses. The Bureau of Alcohol, Tobacco and Firearms' authority shall continue until all expenses for the General Assembly meeting have been paid or otherwise satisfied: *Provided further*, That not to exceed \$10,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement; provision of laboratory assistance to State and local agencies, with or without reimbursement; \$336,040,000, of which \$19,000,000 shall be available solely for the enforcement of the Federal Alcohol Administration Act during fiscal year 1992, and, 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); of which \$650,000 shall be available solely for improvement of information retrieval systems at the National Firearms Tracing Center; 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 appropriated herein shall be available for administrative expenses in connection with consolidating or centralizing within the Department of the Treasury the records of receipts and disposition of firearms maintained by Federal firearms licensees or for issuing or carrying out any provisions of the proposed rules of the Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, on Firearms Regulations, as published in the Federal Register, volume 43, number 55, of March 21, 1978: *Provided further*, That none of the funds appropriated herein shall be available for explosive identification or detection tagging research, development, or implementation: *Provided further*, That not to exceed \$300,000 shall be available for research and development of an explosive identification and detection device: *Provided further*, That this provision shall not preclude ATF from assisting the International Civil Aviation Organization in the development of a detection agent for explosives or from enforcing any legislation implementing the Convention on the Marking of Plastic and Sheet Explosives for the Purpose of Detection: *Provided further*, That funds made available under this Act shall be used to achieve a minimum level of 4,109 full-time equivalent positions for fiscal year 1992, of which no fewer than 1,127 full-time equivalent positions shall be allocated for the Armed Career Criminal Apprehension Program.

#### UNITED STATES CUSTOMS SERVICE

##### SALARIES AND EXPENSES

For necessary expenses of the United States Customs Service, including purchase of up to 1,000 motor vehicles of which 960 are for replacement only, including 990 for police-type use and commercial operations; hire of motor vehicles; not to exceed \$20,000 for official reception and representation expenses; funds for additional positions for the San Francisco, California, the Baltimore, Maryland, and Port Huron, Michigan Customs Districts, and awards of compensation to informers, as authorized by any Act enforced by the United States Customs Service; \$1,266,305,000, 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, not to exceed \$4,000,000, to remain available until expended, for research, and not to exceed \$3,500,000, to remain available until expended, for renovation and expansion of the Canine Enforcement Training Center: *Provided*, That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further*, That none of the funds made available by this Act shall be available for administrative expenses to pay any employee overtime pay in an amount in excess of \$25,000: *Provided further*, That the Commissioner or the Commissioner's designee may waive this limitation in individual cases in order to prevent excessive costs or to meet emergency requirements of the Service: *Provided further*, That the United States Customs Service shall hire and maintain an average of not less than 17,411 full-time equivalent positions in fiscal year 1992, of

which a minimum level of 960 full-time equivalent positions shall be allocated to air interdiction activities of the United States Customs Service, and of which a minimum level of 10,480 full-time equivalent positions shall be allocated to commercial operations activities: *Provided further*, That no funds appropriated by this Act may be used to reduce to single eight hour shifts at airports and that all current services as provided by the Customs Service shall continue through September 30, 1992: *Provided further*, That not less than \$500,000 shall be expended for additional part-time and temporary positions in the Honolulu Customs District.

#### OPERATION AND MAINTENANCE, AIR AND MARINE INTERDICTION PROGRAMS

For expenses, not otherwise provided for, necessary for the hire, lease, acquisition (transfer or acquisition from any other agency), operation and maintenance of marine vessels, aircraft, and other related equipment of the Air and Marine Programs; \$175,932,000, of which \$14,500,000 shall not be obligated prior to September 30, 1992, to remain available until expended: *Provided*, That no aircraft or other related equipment shall be transferred to any other Federal agency, department, or office outside of the Department of the Treasury during fiscal year 1992.

#### CUSTOMS AIR INTERDICTION FACILITIES, CONSTRUCTION, IMPROVEMENTS AND RELATED EXPENSES

For acquisition of necessary additional real property, facilities construction, improvements, and related expenses of the United States Customs Service Air Interdiction Program, \$12,100,000, to remain available until expended.

#### CUSTOMS FORFEITURE FUND

##### (LIMITATION ON AVAILABILITY OF DEPOSITS)

For necessary expenses of the Customs Forfeiture Fund, not to exceed \$15,000,000, as authorized by Public Law 100-690, as amended by Public Laws 101-382 and 101-508; to be derived from deposits in the Fund.

#### CUSTOMS SERVICES AT SMALL AIRPORTS

##### (TO BE DERIVED FROM FEES COLLECTED)

Such sums as may be necessary, not to exceed \$2,981,000, 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 of the Treasury 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 of the Treasury, and to remain available until expended.

## UNITED STATES MINT

## SALARIES AND EXPENSES

For necessary expenses of the United States Mint; \$53,806,000, including amounts for purchase and maintenance of uniforms not to exceed \$285 multiplied by the number of employees of the agency who are required by regulation or statute to wear a prescribed uniform in the performance of official duties; and, of which, \$1,335,000 shall remain available until expended for expansion and improvements.

## BUREAU OF THE PUBLIC DEBT

## ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States; \$189,000,000.

## INTERNAL REVENUE SERVICE

## ADMINISTRATION AND MANAGEMENT

For necessary expenses of the Internal Revenue Service, not otherwise provided for; executive direction, management services, and internal audit and security; including purchase (not to exceed 125 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; \$141,372,000, of which not to exceed \$25,000 for official reception and representation expenses; and of which not to exceed \$500,000 shall remain available until expended for research.

## PROCESSING TAX RETURNS AND ASSISTANCE

For necessary expenses of the Internal Revenue Service, not otherwise provided for; including processing tax returns; revenue accounting; statistics of income; providing assistance to taxpayers; 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; \$1,661,298,000, of which \$3,000,000 shall be for the Tax Counseling for the Elderly Program, no amount of which shall be available for IRS administrative costs.

## 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; the purchase (not to exceed 451, 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; \$3,579,879,000, of which not less than \$292,248,000 and 4,293 full-time equivalent positions shall be available for Tax Fraud Investigations during fiscal year 1992: *Provided*, That such sums and positions for Tax Fraud Investigations shall be in addition

to such sums and positions funded by transfer from the Special Forfeiture Fund of the Office of National Drug Control Policy: *Provided further*, That additional amounts above fiscal year 1991 levels for international tax enforcement shall be used for the establishment and operation of a task force comprised of senior Internal Revenue Service Attorneys, accountants, and economists dedicated to enforcement activities related to United States subsidiaries of foreign-controlled corporations that are in noncompliance with the Internal Revenue Code: *Provided further*, That additional amounts above fiscal year 1991 levels for the information reporting program shall be used instead for the examination of the tax returns of high-income and high-asset taxpayers.

#### INFORMATION SYSTEMS

For necessary expenses for data processing and telecommunications support for Internal Revenue Service activities, including: returns processing and services; compliance and enforcement; program support; and tax systems modernization; and for 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; \$1,294,713,000, of which not less than \$427,323,000 shall remain available until expended for tax systems modernization, and of which not to exceed \$60,000,000 shall remain available until expended for other systems development projects: *Provided*, That of the \$427,323,000 provided for tax systems modernization up to \$15,000,000 may be available until expended for the establishment of a federally funded research and development center and may be utilized to conduct and evaluate market surveys, develop and evaluate requests for proposals, and assist with systems engineering, technical evaluations, and independent technical reviews in conjunction with tax systems modernization: *Provided further*, That of the amounts authorized to remain available until expended, \$97,000,000, shall not be obligated prior to September 30, 1992.

#### ADMINISTRATIVE PROVISION—INTERNAL REVENUE SERVICE

SECTION 1. Not to exceed 4 per centum of any appropriation made available to the Internal Revenue Service for the current fiscal year by this Act may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the House and Senate Committees on Appropriations.

#### UNITED STATES SECRET SERVICE

##### SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase (not to exceed three hundred and forty-three vehicles for police-type use 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 and presentation of awards; and for travel of Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act: *Provided*, That 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 \$12,500 for official reception and representation expenses; 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; \$475,423,000, of which \$2,500,000 shall remain available until expended for renovations at the temporary official residence of the Vice President and \$1,600,000 shall remain available until expended for renovations of the New York Field Office; and of which not to exceed \$300,000 shall be made available for the protection at the one non-governmental property designated by the President of the United States and \$70,000 at the airport facility used for travel en route to or from such property under provisions of section 12 of the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note): *Provided further*, That fiscal year 1992 funds shall be available for any Presidential protection assistance reimbursements claimed in fiscal year 1991.

#### DEPARTMENT OF THE TREASURY—GENERAL PROVISIONS

SEC. 101. Of the funds appropriated in this or any other Act to the Internal Revenue Service, amounts attributable to efficiency savings for fiscal year 1992 as estimated by the Commissioner shall be withheld from obligation unless the estimated savings are not achieved: *Provided*, That 50 per centum of the actual efficiency savings shall lapse or be deposited into miscellaneous receipts of the Treasury with the exception of amounts in special or trust funds, which shall remain in such funds and be available in accordance with and to the extent permitted by law: *Provided further*, That notwithstanding any fiscal year limitations on the availability of appropriations, the remainder of the actual efficiency savings shall be made available in fiscal year 1993 for cash awards to IRS employees, as authorized by sections 4501-4505 of title 5, United States Code, and for future efficiency improvements to carry out those purposes authorized by law: *Provided further*, That none of the funds shall be made available for the program without the advance approval of the House and Senate Appropriations Committees.

SEC. 102. 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 insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general

purchase price limitation 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. 103. 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 1954 unless the conduct of officers and employees of the Internal Revenue Service in connection with such collection 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. 104. Notwithstanding any other provision of law, none of the funds appropriated by this or any other Act shall be used by the Secretary of the Treasury to direct bill a Treasury bureau for penalty mail costs incurred by another Treasury bureau.

SEC. 105. Not to exceed 2 per centum of any appropriations in this Act for the Department of the Treasury may be transferred between such appropriations. No such transfer may increase or decrease any appropriation in this Act by more than 2 per centum and any such proposed transfers shall be approved in advance by the Committees on Appropriations of the House and Senate.

SEC. 106. Notwithstanding any other provision of this Act, the amount appropriated to the United States Mint for salaries and expenses is \$52,450,000.

SEC. 107. Notwithstanding any other provision of this Act, the amount appropriated to the Internal Revenue Service for processing tax returns and assistance is \$1,657,944,000.

This title may be cited as the "Treasury Department Appropriations Act, 1992".

Postal Service  
Appropriations  
Act, 1992.

## TITLE II

### POSTAL SERVICE

#### PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsection (c) of section 2401 of title 39, United States Code; \$470,000,000: *Provided*, That the last sentence of section 2401(c) of title 39, United States Code, is amended to read as follows: "In requesting an appropriation under this subsection for a fiscal year, the Postal Service shall (i) include an amount to reconcile sums authorized to be appropriated for prior fiscal years on the basis of estimated mail volume with sums which would have been authorized to be appropriated if based on the final audited mail volume; and (ii) calculate the sums requested in respect of mail under former sections 4452(b) and 4452(c) of this title as though all such mail consisted of letter shaped pieces, as such pieces are defined in the then effective classification and rate schedules.": *Provided further*, That section 3626(a)(2) of title 39, United States Code, is amended to read as follows:

"(2) Rates of postage for a class of mail or kind of mailer referred to in paragraph (1) of this subsection shall be established in accordance with the requirement that the direct and indirect postal costs attributable to such class of mail or kind of mailer (excluding any other costs of the Postal Service) shall be

borne by such class of mail or kind of mailer, as the case may be: *Provided, however,* That with respect to mail under former section 4452(b) and 4452(c) of this title the preceding limitation shall apply only to rates of postage for letter shaped pieces, as such pieces are defined in the associated classification and rate schedules.”:

*Provided further,* That section 3626(i)(2) is amended by adding at the beginning of the first sentence thereof the phrase, “Subject to the requirements of section 2401(c) of this title and paragraph (a)(2) of this section with respect to mail under former sections 4452(b) and 4452(c) of this title,”: *Provided further,* That notwithstanding the provisions of section 3627 of title 39, United States Code, (1) the rates for free and reduced rate mail under section 3626 of title 39, United States Code, with the exception of the rates for third-class pieces other than letter shape, shall continue at the rates in effect on the date of enactment of this Act during fiscal year 1992; (2) the rates for reduced rate third-class pieces other than letter shape shall be increased pursuant to section 3627 of title 39, United States Code, so as to recover as nearly as possible one-half the difference between the sum requested for fiscal year 1992 in respect of mail under former sections 4452(b) and 4452(c) of this title as calculated under section 2401(c)(ii) of title 39, and the sum that would be requested for fiscal year 1992 in respect of such mail if paragraph (ii) of section 2401(c) had not been enacted; and (3) the Postal Service is instructed to reconcile any fiscal year 1992 funding shortfall as a result of this appropriation or the requirements of this proviso against future year appropriations requests: *Provided further,* That pursuant to section 3627 of title 39, United States Code, the rates for reduced rate third-class pieces other than letter shape shall be adjusted to increase the revenues received from the users of such mail, but in no case less than 20 days following the date of enactment of this Act: *Provided further,* That mail for overseas voting and mail for the blind shall continue to be free: *Provided further,* That six-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, 1992.

39 USC 403 note.

#### 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 U.S.C. 2004, \$40,575,000.

This title may be cited as the “Postal Service Appropriations Act, 1992”.

Executive Office  
Appropriations  
Act, 1992.

## TITLE III

## EXECUTIVE OFFICE OF THE PRESIDENT

## COMPENSATION OF THE PRESIDENT

3 USC 102 note.

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 of the United States Code: *Provided further*, That none of the funds made available for official expenses shall be considered as taxable to the President.

## OFFICE OF ADMINISTRATION

## SALARIES AND EXPENSES

For necessary expenses of the Office of Administration; \$24,510,000 including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles.

## THE WHITE HOUSE OFFICE

## 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 \$20,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President; \$34,885,000.

## EXECUTIVE RESIDENCE AT THE WHITE HOUSE

## OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President; \$8,362,000, of which \$1,100,000 for the repair of the face of the Executive Residence shall remain available until expended, to be expended and accounted for as provided by 3 U.S.C. 105, 109-110, 112-114.

## OFFICIAL RESIDENCE OF THE VICE PRESIDENT

## OPERATING EXPENSES

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

Vice President, to be accounted for solely on his certificate; \$324,000: *Provided*, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

#### SPECIAL ASSISTANCE TO THE 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; \$2,932,000.

#### 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); \$3,345,000.

#### 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; \$3,701,000.

#### NATIONAL CRITICAL MATERIALS COUNCIL

##### SALARIES AND EXPENSES

For necessary expenses of the National Critical Materials Council, including activities as authorized by Public Law 98-373; \$235,000: *Provided*, That the Council shall carry out only those responsibilities and authorities which are consistent with the National Materials and Minerals Policy, Research and Development Act of 1980, Public Law 96-479: *Provided further*, That staff and resources of Federal departments and agencies with responsibilities or jurisdiction related to minerals or materials policy shall be made available to the Council on a nonreimbursable basis.

#### NATIONAL SECURITY COUNCIL

##### SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109; \$6,145,000.

#### 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; \$51,934,000, of which not to exceed \$5,000,000, shall be

available to carry out the provisions of 44 U.S.C. chapter 35: *Provided*, That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made except as otherwise provided by law: *Provided further*, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further*, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committee on Appropriations or the Committee on Veterans' Affairs or their subcommittees: *Provided further*, That this proviso shall not apply to printed hearings released by the Committee on Appropriations or the Committee on Veterans' Affairs: *Provided further*, That none of the funds made available by this or any other Act shall be used to reduce the scope or publication frequency of statistical data relative to the operations and production of the alcohol beverage and tobacco industries below fiscal year 1985 levels: *Provided further*, That none of the funds appropriated by this Act shall be available to the Office of Management and Budget for revising, curtailing or otherwise amending the administrative and/or regulatory methodology employed by the Bureau of Alcohol, Tobacco and Firearms to assure compliance with section 105, title 27 of the United States Code (Federal Alcohol Administration Act) or with regulations, rulings, or forms promulgated thereunder.

#### OFFICE OF FEDERAL PROCUREMENT POLICY

##### SALARIES AND EXPENSES

For expenses of the Office of Federal Procurement Policy, including services as authorized by 5 U.S.C. 3109; \$3,058,000.

#### 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; 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; \$105,122,000, of which \$500,000 shall be available for salaries and expenses of the Counter-Drug Technology Assessment Center; of which \$1,000,000 shall be available to the Counter-Drug Technology Assessment Center for counternarcotics research and development activities and shall be available for transfer to other Federal agencies and departments and shall be available until expended; and, of which \$86,000,000 shall be available for drug control activities which are consistent with the approved strategy for each of the designated High Intensity Drug Trafficking Areas: *Provided*, That of the

\$86,000,000 made available, up to \$50,000,000 shall be transferred to Federal agencies and departments within 90 days of enactment of this Act for implementing the approved strategy for each High Intensity Drug Trafficking Area and shall be obligated by the end of fiscal year 1992: *Provided further*, That not less than \$36,000,000 shall be transferred to the Department of Justice and the Department of the Treasury within 90 days of enactment of this Act for disbursement to State and local drug control entities for drug control activities which are consistent with the approved strategy for each High Intensity Drug Trafficking Area: *Provided further*, That in the case of the Southwest Border High Intensity Drug Trafficking Area, such funds shall be available for drug control activities which are consistent with the approved strategy and only for those activities approved by the Joint Command Group of Operation Alliance and the Assistant Secretary for Enforcement of the Department of the Treasury: *Provided further*, That notwithstanding any other provision of law, the Department of the Treasury, is authorized to transfer funds to other Federal, State, and local drug control 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.

#### SPECIAL FORFEITURE FUND

(INCLUDING TRANSFER OF FUNDS)

For activities authorized by Public Law 100-690, \$52,500,000 to be derived from deposits in the Special Forfeiture Fund; of which \$19,000,000 shall be transferred to the Alcohol, Drug Abuse, and Mental Health Administration: *Provided*, That \$10,000,000 shall be available to the Office of Substance Abuse Prevention for the implementation of not to exceed ten demonstration projects to permit substance-abusing women to reside with their children in comprehensive community prevention and treatment facilities: *Provided further*, That \$9,000,000 shall be made available to the Office of Treatment Improvement for drug treatment capacity expansion; of which \$7,500,000 shall be transferred to the Immigration and Naturalization Service for the hiring, equipping, and training of not less than an additional 75 full-time equivalent Border Patrol agents to be designated to sectors on the United States-Mexico border: *Provided*, That such positions shall be in addition to the full-time equivalent Border Patrol positions funded in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1992; of which \$6,000,000 shall be transferred to Internal Revenue Service, tax law enforcement, for the hiring, equipping, and training of additional special agents and administrative and support positions for drug-related investigations in designated High Intensity Drug Trafficking Areas; and of which \$20,000,000 shall be transferred to the Counter-Drug Technology Assessment Center of the Office of National Drug Control Policy for counternarcotics research and development activities and for substance abuse addiction and rehabilitation research to remain available until expended: *Provided further*, That any unobligated balances remaining in the Fund at the end of the third quarter of fiscal year 1992 in excess of \$131,125,000, shall be transferred to the Alcohol, Drug Abuse, and Mental Health Administration and made available for the purposes of reducing waiting lists; expanding drug

treatment capacity, drug abuse treatment, and treatment-related activities; and shall also be transferred to the Department of Housing and Urban Development and made available for the Drug Elimination Grant Program, and such funds shall remain available until expended.

#### UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year; \$1,000,000.

This title may be cited as the "Executive Office Appropriations Act, 1992".

Independent  
Agencies  
Appropriations  
Act, 1992.

### TITLE IV

#### INDEPENDENT AGENCIES

##### ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

###### SALARIES AND EXPENSES

For necessary expenses of the Administrative Conference of the United States, established by the Administrative Conference Act, as amended (5 U.S.C. 571 et seq.), including not to exceed \$1,000 for official reception and representation expenses; \$2,227,000.

##### ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

###### SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Advisory Commission on Intergovernmental Relations Act of 1959, as amended (42 U.S.C. 4271-79); \$1,330,000, and additional amounts, not to exceed \$200,000, collected from the sale of publications shall be credited to and used for the purposes of this appropriation.

##### COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

###### SALARIES AND EXPENSES

For necessary expenses of the Committee for Purchase From the Blind and Other Severely Handicapped established by the Act of June 23, 1971, Public Law 92-28; \$1,446,000.

##### FEDERAL ELECTION COMMISSION

###### SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended; \$18,808,000, of which not to exceed \$5,000 shall be available for reception and representation expenses.



## GENERAL SERVICES ADMINISTRATION

## FEDERAL BUILDINGS FUND

## LIMITATIONS ON AVAILABILITY OF REVENUE

For additional expenses necessary to carry out the purposes 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)), \$271,000,000 to be deposited into said Fund. The revenues and collections deposited into said 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; conversion and extension of federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, taxes, and any other obligations for public buildings acquired by installment purchase and purchase contract, in the aggregate amount of \$4,152,613,000 of which (1) not to exceed \$548,482,000 shall remain available until expended for construction of additional projects at locations and at maximum construction improvement costs (including funds for sites and expenses) as follows:

## New Construction:

## California:

Menlo Park, United States Geological Survey, Office Laboratory Buildings, escalation, \$11,047,000

Orange County, Courthouse, \$250,000

## District of Columbia:

U.S. Secret Service, consolidation, \$4,400,000

## Florida:

Fort Myers, Federal Building and United States Courthouse, \$977,000

Tallahassee, U.S. Courthouse Annex, \$3,764,000

## Georgia:

Albany, U.S. Courthouse, design, \$921,000

Atlanta, Centers for Disease Control, \$5,000,000

Augusta, U.S. Courthouse, \$3,500,000

## Indiana:

Hammond, Courthouse and Federal Building, \$5,000,000

## Kansas:

Wichita, U.S. Courthouse, \$9,968,400

## Maine:

Portland, Edward T. Gignoux U.S. Courthouse, \$10,575,000

## Maryland:

Bureau of the Census, Computer Center, planning and design, \$2,700,000

Montgomery and Prince George's Counties, Food and Drug Administration, consolidation, site acquisition, planning and design, construction, \$200,000,000

Prince George's County, U.S. Courthouse, \$10,747,000

Massachusetts:

Boston, Thomas P. O'Neill Federal Building, claim, \$3,100,000

Minnesota:

Minneapolis, Federal Building and U.S. Courthouse, \$19,000,000

Missouri:

St. Louis, Federal Building and U.S. Courthouse, \$30,000,000

Nevada:

Reno, C. Clifton Young Federal Building, United States Courthouse Annex, design and site acquisition, \$6,321,000

New York:

Brooklyn, U.S. Courthouse, \$10,000,000

North Carolina:

Asheville, U.S. Courthouse and Federal Building, \$29,791,000

Tennessee:

Knoxville, U.S. Courthouse-Post Office, \$36,616,000

United States Virgin Islands:

Charlotte Amalie, Saint Thomas, U.S. Courthouse Annex, \$8,524,000

West Virginia:

Beckley, Federal Building and U.S. Courthouse, \$25,000,000

Nonprospectus Construction Projects, \$5,000,000:

*Provided*, That each of the immediately foregoing limits of costs on new construction projects may be exceeded to the extent that savings are effected in other such projects, but by not to exceed 10 per centum: *Provided further*, That all funds for direct construction projects shall expire on September 30, 1993, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: *Provided further*, That claims against the Government of less than \$100,000 arising from direct construction projects, acquisitions of buildings and purchase contract projects pursuant to Public Law 92-313, be liquidated with prior notification to the Committees on Appropriations of the House and Senate to the extent savings are effected in other such projects: *Provided further*, That the General Services Administration shall reprogram up to \$16,200,000 to supplement funds previously authorized and appropriated for the National Oceanographic and Atmospheric Administration laboratory, Boulder, Colorado, subject to the approval of the House and Senate Committees on Appropriations according to existing reprogramming procedures: *Provided further*, That such funds will be obligated only upon the advance approval of the House Committee on Public Works and Transportation and the Senate Committee on Environment and Public Works: *Provided further*, That the amount available under this heading for Department of Transportation, Headquarters, site in Public Law 101-509, dated November 5, 1990 is hereby deferred and shall be available for

obligation on October 1, 1992 and all contingencies and constraints on the use of such funds in the original language are continued herewith; (2) not to exceed \$569,251,000 which shall remain available until expended, for repairs and alterations: *Provided further*, That funds in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount by project as follows, except each project may be increased by an amount not to exceed 10 per centum unless advance approval is obtained from the Committees on Appropriations of the House and Senate of a greater amount:

Repairs and Alterations:

California:

Pasadena, Court of Appeals and Federal Building,  
\$9,218,000

Sacramento, Federal Building, 801 I Street, \$9,529,000

Santa Rosa, John F. Shaw Federal Building, \$1,583,000

Connecticut:

Hartford, William R. Cotter Federal Building, \$3,814,000

District of Columbia:

Federal Building 10A, \$16,527,000

Herbert Clark Hoover Department of Commerce Building, \$3,857,000

Housing and Urban Development Building, \$5,365,000

Justice Building, \$7,495,000

New Executive Office Building, \$8,083,000

Old Executive Office Building, \$19,000,000

Wilbur J. Cohen Federal Building, \$15,000,000

Illinois:

Chicago, John C. Kluczynski Federal Building,  
\$20,335,000

Kentucky:

Louisville, Federal Building, \$15,470,000

Maryland:

Baltimore, Edward A. Garmatz Federal Building U.S.  
Courthouse, \$6,311,000

Massachusetts:

Boston, John Fitzgerald Kennedy Federal Building and  
Government Center (phase 2), \$36,800,000

Worcester, Harold D. Donahue Federal Building and  
United States Courthouse, \$14,000,000

Missouri:

Kansas City, Federal Office Building, \$5,256,000

Montana:

Billings, Federal Building U.S. Courthouse, \$1,919,000

New Mexico:

Albuquerque, Dennis Chavez Federal Building and U.S.  
Courthouse, \$3,846,000

New York:

Brooklyn, Emanuel Celler Federal Building and U.S.  
Courthouse (phase 1), \$8,729,000

Buffalo, Michael J. Dillon Memorial United States Court-  
house, \$5,962,000

New York, Alexander Hamilton Custom House (phase 1),  
\$20,273,000

New York, Jacob K. Javits Federal Building, \$11,955,000

Ohio:

Cincinnati, John Weld Peck Federal Building, \$2,537,000

Columbus, Federal Building and U.S. Courthouse,  
\$3,348,000

Pennsylvania:

Philadelphia, Robert N. C. Nix, Sr., Federal Building and  
United States Post Office, \$10,000,000

Scranton, Federal Building and U.S. Courthouse,  
\$2,600,000

Texas:

Austin, IRS, Department of Veterans Affairs, Treasury  
Complex, \$11,366,000

Galveston, Post Office and U.S. Courthouse, \$3,310,000

Houston, Bob Casey Federal Building and U.S. Court-  
house, \$7,222,000

San Antonio, Federal Building, \$4,084,000

Utah:

Salt Lake City, Frank E. Moss U.S. Courthouse,  
\$4,872,000

Salt Lake City, Wallace F. Bennett Federal Building,  
\$3,254,000

Minor Repairs and Alterations, \$266,331,000: *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 all funds for repairs and alterations prospectus projects shall expire on September 30, 1993, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date; (3) not to exceed \$144,587,000 for installment acquisition payments including payments on purchase contracts; (4) not to exceed \$1,568,900,000 for rental of space; (5) not to exceed \$1,107,372,000 for real property operations of which \$7,000,000 shall be available for the relocation of the National Science Foundation headquarters; (6) not to exceed \$137,748,000 for program direction and centralized services; and (7) not to exceed \$112,273,000 for design and construction services which shall remain available until expended: *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 none of the funds available to the General Services Administration, except for the Albany, Georgia U.S. Courthouse; the Augusta, Georgia U.S. Courthouse; the Wichita, Kansas U.S. Courthouse; the Portland, Maine Edward T. Gignoux U.S. Courthouse; the Maryland, Food and Drug Administration consolidation; the St. Louis, Missouri, Federal Building and U.S. Courthouse; the Reno, Nevada C. Clifton Young Federal Building and U.S. Courthouse Annex; the Asheville, North Carolina U.S. Courthouse and Federal Building; the Knoxville, Tennessee U.S. Courthouse-Post Office; the Beckley, West Virginia, U.S. Courthouse and Federal Building; the Atlanta, Georgia, Centers for Disease Control Building; the Orange County, California, U.S. Courthouse; the Worcester, Massachusetts, Harold D. Donahue Federal Building

and U.S. Courthouse; the Hammond, Indiana, Courthouse and Federal Building; the Brooklyn, New York, U.S. Courthouse; and the Maryland, U.S. Census Bureau Computer Center; the District of Columbia, U.S. Secret Service consolidation shall be available for expenses in connection with any construction, repair, alteration, and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, as amended, has not been approved, except that necessary funds may be expended for each project for required expenses in connection with the development of a proposed prospectus: *Provided further*, That 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 1992 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 \$4,152,613,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

#### FEDERAL SUPPLY SERVICE

##### OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, necessary for property management activities, utilization of excess and disposal of surplus personal property, rehabilitation of personal property, transportation management activities, transportation audits by in-house personnel, procurement, and other related supply management activities, including services as authorized by 5 U.S.C. 3109; \$54,605,000.

#### FEDERAL PROPERTY RESOURCES SERVICE

##### OPERATING EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for carrying out the functions of the Administrator with respect to utilization of excess real property; the disposal of surplus real property, the utilization survey, deed compliance inspection, appraisal, environmental and cultural analysis, and land use planning functions pertaining to excess and surplus real property, including services as authorized by 5 U.S.C. 3109; \$14,227,000, to be derived from proceeds from transfers of excess real property and disposal of surplus real property and related personal property, subject to the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601-5).

## REAL PROPERTY RELOCATION

For expenses not otherwise provided for, \$12,000,000 to remain available until expended, necessary for carrying out the functions of the Administrator with respect to relocation of Federal agencies from property which has been determined by the Administrator to be other than optimally utilized under the provisions of section 210(e) of the Federal Property and Administrative Services Act of 1949, as amended: *Provided*, That such relocations shall only be undertaken when the estimated proceeds from the disposition of the original facilities approximate the appraised fair market value of such new facilities and exceed the estimated costs of relocation. Relocation costs include expenses for and associated with acquisition of sites and facilities, and expenses of moving or repurchasing equipment and personal property. These funds may be used for payments to other Federal entities to accomplish the relocation functions: *Provided further*, That nothing in this paragraph shall be construed as relieving the Administrator of General Services or the head of any other Federal agency from any obligation or restriction under the Public Buildings Act of 1959 (including any obligation concerning submission and approval of a prospectus), the Federal Property and Administrative Services Act of 1949, as amended, or any other Federal law, or as authorizing the Administrator of General Services or the head of any other Federal agency to take actions inconsistent with statutory obligations or restrictions placed upon the Administrator of General Services or such agency head with respect to authority to acquire or dispose of real property: *Provided further*, That \$3,770,000 of the amount shall be made available to the National Archives and Records Administration to pay expenses related to the establishment and relocation of the National Long Term Records Center (which shall be known hereafter as the "Silvio O. Conte National Records Center"), authorized and directed by Public Law 101-509.

## GENERAL MANAGEMENT AND ADMINISTRATION

## SALARIES AND EXPENSES

For necessary expenses, not otherwise provided, for Policy Direction, Board of Contract Appeals, and accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Claims, and services authorized by 5 U.S.C. 3109, \$31,155,000: *Provided*, That this appropriation shall be available for general administrative and staff support services, subject to reimbursement by the applicable organization or agencies pursuant to subsections (a) and (b) of section 1535 of title 31, United States Code: *Provided further*, That not less than \$825,000 shall be available for personnel and associated costs in support of Congressional District and Senate State offices without reimbursement from these offices: *Provided further*, That not to exceed \$5,000 shall be available for official reception and representation expenses.

Federal  
buildings and  
facilities.

## INFORMATION RESOURCES MANAGEMENT SERVICE

## OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, necessary for carrying out Government-wide and internal responsibilities relating to automated data management, telecommunications, information resources management, and related activities, including services as authorized by 5 U.S.C. 3109; and for the Information Security Oversight Office established pursuant to Executive Order 12356; \$46,014,000.

## OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and services authorized by 5 U.S.C. 3109, \$35,994,000, of which not to exceed \$2,400,000 shall remain available until expended for procurement and installment of an automation program in support of audits and investigations: *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; \$2,129,000: *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 SERVICES ADMINISTRATION—GENERAL PROVISIONS

Real property.

SECTION 1. Notwithstanding any other provision of law, the General Services Administration shall pay from funds made available to GSA in the Real Property Relocation account, not to exceed \$8,000,000, for expenses related to the relocation of the U.S. Fish and Wildlife Service regional office authorized and directed by Public Law 101-136.

SEC. 2. The Administrator of the General Services Administration (GSA) is authorized to accept property from the State of Maryland at no cost for the purpose of constructing a computer facility for the Bureau of the Census and to begin preliminary design work on such a facility. GSA and the Office of Management and Budget are directed to submit to the appropriate authorizing and appropriations committees of the Congress an evaluation of need and a prospectus for this project no later than January 31, 1992.

Maryland.

SEC. 3. 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. 4. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 5. Not to exceed 2 per centum of funds made available in appropriations for operating expenses and salaries and expenses, during the current fiscal year, may be transferred between such appropriations for mandatory program requirements. Any transfers proposed shall be submitted promptly to the Committees on Appropriations of the House and Senate for approval.

SEC. 6. Funds in the Federal Buildings Fund made available for fiscal year 1992 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements. Any transfers proposed shall be submitted promptly to the Committees on Appropriations of the House and Senate for approval.

40 USC 490f.

SEC. 7. (a) Notwithstanding any other provision of law, agencies are hereafter authorized to make rent payments to the General Services Administration for lease space relating to expansion needs of the agency and General Services Administration is authorized to use such funds, in addition to the amount received as New Obligational Authority in the Rental of Space activity of the Federal Buildings Fund. Such payments are to be at the commercial equivalent rates specified by section 201(j) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(j)) and are to be deposited into 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)).

(b) There are hereby appropriated, out of the Federal Buildings Fund, such sums as may be necessary to carry out the purpose of subsection (a).

SEC. 8. None of the funds appropriated by this Act may be obligated or expended in any way for the purpose of the sale, excessing, surplus, or disposal of lands in the vicinity of Norfolk Lake, Arkansas, administered by the Corps of Engineers, Department of the Army, without the specific approval of the Congress.

SEC. 9. None of the funds appropriated by this Act may be obligated or expended in any way for the purpose of the sale, excessing, surplus, or disposal of lands in the vicinity of Bull Shoals Lake, Arkansas, administered by the Corps of Engineers, Department of the Army, without the specific approval of the Congress.

SEC. 10. Notwithstanding the provisions of the Act of September 13, 1982 (Public Law 97-258, 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. 11. Notwithstanding any other provision of law, 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)), is authorized to receive any revenues, collection, or other income received during fiscal year 1992 in the form of rebates, cash incentives or otherwise, related to energy savings or materials recycling efforts, all of which shall remain in the Fund until expended, and remain available for Federal energy management improvement



programs, recycling programs, or employee programs as may be authorized by law or as may be deemed appropriate by the Administrator of General Services. The General Services Administration is authorized to use such funds, in addition to amounts received as New Obligational Authority, in such activity or activities of the Fund as may be necessary.

SEC. 12. The Administrator of General Services shall submit to the Congress no later than September 30, 1992, an inventory of all the real property in Hawaii that is owned or controlled by any agency of the Federal Government, including the United States Department of Defense: *Provided*, That the Administrator of General Services shall submit an interim report no later than June 1, 1992 and shall compile all information including that received from the United States Department of Defense: *Provided further*, That the State of Hawaii shall cooperate to the fullest extent in the preparation of the inventory: *Provided further*, That the inventory shall identify and include: (1) ceded lands—title vested in the then territory of Hawaii, and nonceded territorial lands, title vested in the then territory of Hawaii; (2) ceded lands, title vested in the United States, but controlled and used by the then territory of Hawaii; (3) ceded lands formally set aside by Presidential Executive orders for use by the United States Government; (4) then territorial lands formally set aside by gubernatorial executive orders for use by the United States Government; (5) ceded lands under the control of the then territory of Hawaii, but used by the United States Government under permits and licenses; (6) nonceded lands and private lands acquired and used by the United States Government: *Provided further*, That for each property identified, the inventory shall provide: (1) an explanation of how the land was acquired, including the date of acquisition, the history and the current status of the title, an identification of all current encumbrances and leases, the expiration date of all leases, contracts and other agreements, and a record of the ceded lease fee or any other sums paid for the use of or title to the land; (2) the identity of past and present Federal users of the land, and a description of past and current use specifying which United States Government agency or department of the military has control of the property; (3) the obligations of the controlling United States Government agency or department of the military for the management and maintenance of the land.

SEC. 13. Notwithstanding any other provision of law, the General Services Administration shall enter into an agreement with the City of Des Moines, Iowa, to pay expenses for one-half of the operation, maintenance and repair of each skywalk bridge spanning city streets or alleys and connecting to the Federal Building at 210 Walnut Street in Des Moines, Iowa after the construction of each such skywalk and each year thereafter.

SEC. 14. The Center and Federal Building located at 255 East Temple Street in Los Angeles, California, is hereby designated as the "Edward R. Roybal Center and Federal Building". Any reference to such building in a law, map, regulation, document, record, or other paper of the United States shall be considered to be a reference to the "Edward R. Roybal Center and Federal Building".

SEC. 15. Notwithstanding any other provision of law, where funds have been made available to the General Services Administration in the real property operations activity of the Federal Buildings Fund in fiscal year 1992, not to exceed \$7,000,000, for expenses related to relocation of a specific agency as authorized by this Act, such agency

Hawaii.

Iowa.

Federal buildings and facilities.

is hereby authorized and required to reimburse the General Services Administration for such expenditures in equal amounts over a period of two years, beginning in fiscal year 1993.

Iowa.

SEC. 16. After certification by the City of Des Moines, Iowa (the City), that the YMCA of Greater Des Moines (YMCA) will serve significant educational purposes, including educational requirements of the City, the Secretary of Education (the Secretary) is authorized to consider the YMCA as an educational institution or organization for the purposes of section 203(k) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. section 484(k)), with respect to use by the YMCA of a portion, to be designated by the City, of the land conveyed to the City by the United States pursuant to section 203(k) on or about November 6, 1972. Upon joint application by the YMCA and the City, the Secretary, acting in accordance with section 203(k) and regulations related thereto, shall promptly consider, and is authorized to approve, a lease by the City to the YMCA of the above property designated by the City, subject to such terms and conditions as the Secretary shall deem necessary to protect or advance the interests of the United States.

California.

SEC. 17. Notwithstanding any other provision of law, funds previously provided under this heading in Public Law 101-136, for a grant to the County of Los Angeles, California, shall be provided directly to the City of Long Beach, California, for construction of a parking facility and the City will assume the role of grantee and all the responsibilities attendant therewith: *Provided*, That the City of Long Beach, California, shall provide to the GSA, without cost, 250 parking spaces for a period of 99 years, in a parking facility to be constructed: *Provided further*, That section 16, GSA General Provisions, Public Law 101-136, is hereby repealed.

103 Stat. 804.

SEC. 18. Notwithstanding any other provisions of this Act the limitation on the real property operations activity of the Federal Buildings Fund of the General Services Administration is \$1,071,372,000.

#### NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

##### OPERATING EXPENSES

For necessary expenses in connection with National Archives and Records Administration 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, \$152,143,000, of which \$5,400,000 for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, as amended, shall remain available until expended.

#### OFFICE OF GOVERNMENT ETHICS

##### SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, as amended by Public Law 100-598, and the Ethics Reform Act of 1989, Public Law 101-194, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia

and elsewhere, hire of passenger motor vehicles, and not to exceed \$1,500 for official reception and representation expenses; \$6,303,000.

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, and 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: *Provided*, That notwithstanding 31 U.S.C. 3302, the Director is hereby authorized to accept gifts for goods and services, which shall be available only for hosting National Civil Service Appreciation Conferences, to be held in several locations throughout the United States in 1992. Goods and services provided in connection with the conference may include, but are not limited to, food and refreshments; rental of seminar rooms, banquet rooms, and facilities; and use of communications, printing and other equipment. Awards of minimal intrinsic value will be allowed. Gifts provided by an individual donor shall not exceed 50 percent of the total value of the gifts provided at each location; \$116,593,000, of which not less than \$600,000 shall be made available for the establishment of Federal health promotion and disease prevention programs for Federal employees; and in addition \$79,757,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management in the amounts determined by the Office of Personnel Management without regard to other statutes, including direct procurement of health benefits printing, for the retirement and insurance programs: *Provided further*, That amounts authorized to be transferred from the appropriate trust funds for implementation of the Federal Employees' Retirement System automated recordkeeping system in this or prior Acts, may be transferred at any time the Office of Personnel Management deems appropriate: *Provided further*, 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, U.S.C.: *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, 1992, 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:

*Provided further*, That the Director of the Office of Personnel Management may transfer from this appropriation an amount to be determined, but not to exceed \$253,000, to the National Advisory Council on the Public Service as established by Public Law 101-363, and of the funds appropriated to the Office of Personnel Management under this heading in the Treasury, Postal Service and General Government Appropriations Act, 1991, the Director may transfer an amount to be determined, but not to exceed \$84,000, to such Council, notwithstanding any other provision of this Act, to be available for expenditure no later than September 30, 1991.

#### 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: \$4,018,000; and in addition, not to exceed \$5,825,000 for administrative expenses to audit the Office of Personnel Management's 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, \$2,503,535,000, to remain available until expended.

#### 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, \$14,249,000, to remain available until expended.

#### 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, \$6,078,686,000: *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 PERSONNEL MANAGEMENT

## GENERAL PROVISION

SECTION 1. The allowances provided to employees at rates set under section 5941 of title 5, United States Code, and Executive Order Numbered 10000 as in effect on the date of the enactment of this Act may not be reduced during the period beginning on the date of the enactment of this Act through December 31, 1995: *Provided*, That no later than March 1, 1995, the Office of Personnel Management shall conduct a study and submit a report to the Congress proposing adjustments to the methodology for calculating allowances which take into account all costs of living in the geographic areas of the affected employees.

5 USC 5941 note.

Reports.

## MERIT SYSTEMS PROTECTION BOARD

## SALARIES AND EXPENSES

## (INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and direct procurement of survey printing, \$23,361,000, together with not to exceed \$1,850,000 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.

## 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), and the Whistleblower Protection Act of 1989 (Public Law 101-12), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; \$7,789,000.

## 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; \$20,769,000: *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.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

26 USC 7443  
note.

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109; \$32,050,000: *Provided*, That travel expenses of the judges shall be paid upon the written certificate of the judge.

This title may be cited as the "Independent Agencies Appropriations Act, 1992".

TITLE V—GENERAL PROVISIONS

THIS ACT

SECTION 501. No part of any appropriation made available in this Act shall be used for the purchase or sale of real estate or for the purpose of establishing new offices inside or outside the District of Columbia: *Provided*, That this limitation shall not apply to programs which have been approved by the Congress and appropriations made therefor.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

Contracts.

SEC. 503. 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. 504. No part of any appropriation contained in this Act shall be available for the procurement of, or for the payment of, the salary of any person engaged in the procurement of any hand or measuring tool(s) not produced in the United States or its possessions except to the extent that the Administrator of General Services or his designee shall determine that a satisfactory quality and sufficient quantity of hand or measuring tools produced in the United States or its possessions cannot be procured as and when needed from sources in the United States and its possessions, or except in accordance with procedures prescribed by section 6-104.4(b) of Armed Services Procurement Regulation dated January 1, 1969, as such regulation existed on June 15, 1970: *Provided*, That a factor of 75 per centum in lieu of 50 per centum shall be used for evaluating foreign source end products against a domestic source end product. This section shall be applicable to all solicitations for bids opened after its enactment.

40 USC 490c.

SEC. 505. None of the funds made available to the General Services Administration pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949 shall be obligated or expended after the date of enactment of this Act for the procurement by contract of any service which, before such date, was performed by individuals in their capacity as employees of the General Services Administration in any position of guards, elevator operators, messengers, and custodians, except that such funds may be

obligated or expended for the procurement by contract of the covered services with sheltered workshops employing the severely handicapped under Public Law 92-28.

SEC. 506. No funds appropriated in this Act shall be available for administrative expenses in connection with implementing or enforcing any provisions of the rule TD ATF-66 issued June 13, 1980, by the Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms on labeling and advertising of wine, distilled spirits and malt beverages, except if the expenditure of such funds, is necessary to comply with a final order of the Federal court system.

SEC. 507. None of the funds appropriated in this Act may be used for administrative expenses to close the Federal Information Center of the General Services Administration located in Sacramento, California.

SEC. 508. None of the funds made available by this Act for the Department of the Treasury may be used for the purpose of eliminating any existing requirement for sureties on customs bonds.

SEC. 509. 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 1930 Tariff Act.

SEC. 510. None of the funds made available by this Act shall be available for the purpose of transferring control over the Federal Law Enforcement Training Center located at Glynco, Georgia, Marana, Arizona, and Artesia, New Mexico, out of the Treasury Department.

SEC. 511. 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. 512. No part of any appropriation contained in this Act shall be available for the payment of the salary of any officer or employee of the United States Postal Service, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any officer or employee of the United States Postal Service from having any direct oral or written communication or contact with any Member or committee of Congress in connection with any matter pertaining to the employment of such officer or employee or pertaining to the United States Postal Service in any way, irrespective of whether such communication or contact is at the initiative of such officer or employee or in response to the request or inquiry of such Member or committee; or

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

SEC. 513. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection

Abortion.

Abortion.

with any health plan under the Federal employees health benefit program which provides any benefits or coverage for abortions.

SEC. 514. The provision of section 513 shall not apply where the life of the mother would be endangered if the fetus were carried to term.

SEC. 515. None of the funds appropriated by this Act may be used to solicit bids, lease space, or enter into any contract to close or consolidate executive seminar centers for the Office of Personnel Management.

SEC. 516. The Administrator of General Services, under section 210(h) of the Federal Property and Administrative Services Act of 1949, as amended, may acquire, by means of a lease of up to thirty years duration, space for the United States Courts in Tacoma, Washington, at the site of Union Station, Tacoma, Washington.

SEC. 517. Funds under this Act shall be available as authorized by sections 4501-4506 of title 5, United States Code, when the achievement involved is certified, or when an award for such achievement is otherwise payable, in accordance with such sections. Such funds may not be used for any purpose with respect to which the preceding sentence relates beyond fiscal year 1992.

SEC. 518. (a) Notwithstanding any other provision of law, during fiscal year 1992, the authority to establish higher rates of pay under section 5303 of title 5, United States Code, may—

(1) in addition to positions paid under any of the pay systems referred to in subsection (a) of section 5303 of title 5, United States Code, be exercised with respect to positions paid under any other pay system established by or under Federal statute for positions within the executive branch of the Government; and

(2) in addition to the circumstance described in the first sentence of subsection (a) of section 5303 of title 5, United States Code, be exercised based on—

(A) pay rates for the positions involved being generally less than the rates payable for similar positions held—

(i) by individuals outside the Government; or

(ii) by other individuals within the executive branch of the Government;

(B) the remoteness of the area or location involved;

(C) the undesirability of the working conditions or the nature of the work involved, including exposure to toxic substances or other occupational hazards; or

(D) any other circumstances which the President (or an agency duly authorized or designated by the President in accordance with the last sentence of section 5303(a) of title 5, United States Code, for purposes of this subparagraph) may identify.

Nothing in paragraph (2) shall be considered to permit the exercise of any authority based on any of the circumstances under such paragraph without an appropriate finding that such circumstances are significantly handicapping the Government's recruitment or retention efforts.

(b)(1) A rate of pay established during fiscal year 1992 through the exercise of any additional authority under subsection (a) of section 5303 of title 5, United States Code—

(A) shall be subject to revision or adjustment,

(B) shall be subject to reduction or termination (including pay retention), and



(C) shall otherwise be treated, in the manner as generally applies with respect to any rate otherwise established under section 5303 of title 5, United States Code.

(2) The President (or an agency duly authorized or designated by the President in accordance with the last sentence of section 5303(a) of title 5, United States Code, for purposes of this subsection) may prescribe any regulations necessary to carry out this subsection.

(c) Any additional authority under this section may, during fiscal year 1992, be exercised only to the extent that amounts otherwise appropriated under this Act for purposes of section 5303 of title 5, United States Code, are available.

SEC. 519. None of the funds appropriated or otherwise made available to the Department of the Treasury by this or any other Act shall be obligated or expended to contract out positions in, or downgrade the position classifications of, members of the United States Mint Police Force and the Bureau of Engraving and Printing Police Force, or for studying the feasibility of contracting out such positions.

SEC. 520. The Office of Personnel Management may, during the fiscal year ending September 30, 1992, accept donations of supplies, services, and equipment for the Federal Executive Institute, the Federal Quality Institute, and Executive Seminar Centers for the enhancement of the morale and educational experience of attendees.

SEC. 521. No part of any appropriation contained in this Act shall be available for the procurement of, or for the payment of, the salary of any person engaged in the procurement of stainless steel flatware not produced in the United States or its possessions, except to the extent that the Administrator of General Services or his designee shall determine that a satisfactory quality and sufficient quantity of stainless steel flatware produced in the United States or its possessions, cannot be procured as and when needed from sources in the United States or its possessions or except in accordance with procedures provided by section 6-104.4(b) of Armed Services Procurement Regulations, dated January 1, 1969. This section shall be applicable to all solicitations for bids issued after its enactment.

SEC. 522. The United States Secret Service may, during the fiscal year ending September 30, 1992, accept donations of money to off-set costs incurred while protecting former Presidents and spouses of former Presidents when the former President or spouse travels for the purpose of making an appearance or speech for a payment of money or any thing of value.

SEC. 523. None of the funds made available by this Act may be used to withdraw the designation of the Virginia Inland Port at Front Royal, Virginia, as a United States Customs Service port of entry.

SEC. 523A. (a)(1) In the cases of all appropriations accounts within this Act, with the exception of the Committee for Purchase from the Blind and Other Severely Handicapped, salaries and expenses, from which expenses for travel, transportation, and subsistence (including per diem allowances) are paid under chapter 57 of title 5, United States Code, there are hereby prohibited to be obligated under such accounts in fiscal year 1992 a uniform percentage of such amounts, as determined by the President in accordance with the provisions of paragraph (2), as, but for this subsection, would—

(A) be available for obligation in such accounts as of October 1, 1991,

(B) be planned to be obligated for such expenses after such date during fiscal year 1992, and

(C) result in total outlays of \$15,733,000 in fiscal year 1992.

President.

(2) Before making determinations under paragraph (1), the President shall obtain from the Director of the Office of Management and Budget and the Comptroller General of the United States recommendations for determinations with respect to (A) the identification of the accounts affected, (B) the amount in each such account available as of such date for obligation, (C) the amounts planned to be obligated for such expenses after such date in fiscal year 1992, and (D) the uniform percentage by which such amounts need to be reduced in order to comply with paragraph (1).

President.  
Reports.

(b) Within 30 days after the date of enactment of this Act, the President shall prepare and transmit to the Congress a report specifying the determinations of the President under subsection (a).

New Mexico.

SEC. 524. None of the funds made available to the Postal Service by this Act shall be used to transfer mail processing capabilities from the Las Cruces, New Mexico postal facility, and that every effort will be made by the Postal Service to recognize the rapid rate of population growth in Las Cruces and to automate the Las Cruces, New Mexico postal facility in order that mail processing can be expedited and handled in Las Cruces.

SEC. 525. Such sums as may be necessary for fiscal year 1992 pay raises for programs funded by this Act shall be absorbed within the levels appropriated by this Act.

SEC. 526. None of the funds in this Act may be used to reduce the rank or rate of pay of a career appointee in the SES upon reassignment or transfer.

Nebraska.  
Iowa.

SEC. 527. No funds in this Act may be used to award a Federal agency lease in the Omaha, Nebraska—Council Bluffs, Iowa, geographical area, which does not meet the following criteria:

Any Federal agency which leases commercial space in the Omaha, Nebraska—Council Bluffs, Iowa, geographical area, when entering into new leases, shall give preference to space available meeting standard government lease criteria, which is offered at the lowest cost per square foot within the geographical area, provided it also meets the occupying agency's mission requirement.

SEC. 528. The provisions of section 515 shall not apply after October 1, 1991.

SEC. 529. 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 ninety days after his release from such service or from hospitalization continuing after discharge for a period of not more than one 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.

West Virginia.

SEC. 530. (a) The Secretary of the Treasury shall implement the plan announced by the Bureau of the Public Debt on March 19, 1991 to consolidate such Bureau's operations in Parkersburg, West Virginia.

(b) The consolidation referred to in subsection (a) shall commence on or before September 30, 1992, and shall be complete by Decem-

ber 31, 1995, in accordance with the plan of the Bureau of the Public Debt.

SEC. 531. (a) None of the funds appropriated by this Act may, with respect to an individual employed by the Bureau of the Public Debt in the Washington Metropolitan Region on April 10, 1991, be used to separate, reduce the grade or pay of, or carry out any other adverse personnel action against such individual for declining to accept a directed reassignment to a position outside such region, pursuant to a transfer of any such Bureau's operations or functions to Parkersburg, West Virginia.

Government  
employees.

(b) Subsection (a) shall not apply with respect to any individual who, on or after the date of enactment of this Act, declines an offer of another position in the Department of the Treasury which is of at least equal pay and which is within the Washington Metropolitan Region.

SEC. 532. None of the funds made available to the United States Customs Service may be used to collect or impose any land border processing fee at ports of entry along the United States-Mexico border.

SEC. 533. Section 12 of the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note) is amended—

(1) in the first sentence by inserting “or at an airport facility used for travel en route to or from such property” after “Public Law 94-524,”;

(2) in the fourth sentence by inserting after “\$300,000”, “at the one nongovernmental property, and \$70,000 at the airport facility,”; and

(3) by adding at the end thereof the following after “Governments”: “: *Provided further*, That the airport facility is wholly or partially located in a municipality or political subdivision of any State where the permanent resident population is 7,000 or less, the airport is located within 25 nautical miles of the designated nongovernmental property, and where the absence of such Federal assistance would place an undue economic burden on the affected State and local governments”.

SEC. 534. Where appropriations in this Act are expendable for travel expenses of employees and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amount set forth therefor in the budget estimates submitted for the appropriations without the advance approval of the House and Senate Committees on Appropriations: *Provided*, That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards of the Selective Service System; to travel performed directly in connection with care and treatment of medical beneficiaries of the Department of Veterans Affairs; to travel of the Office of Personnel Management in carrying out its observation responsibilities of the Voting Rights Act; or to payments to interagency motor pools where separately set forth in the budget schedules.

## 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.

Drugs and drug abuse.

SEC. 602. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 1992 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 any other provision of law, a Federal employing agency shall make the deposit from existing appropriations into the Federal Employees Compensation Account of the Unemployment Trust Fund, as required by section 8509 of title 5, United States Code, not later than thirty days after the Department of Labor has billed the agency for the amount to be deposited.

Child care.  
Government employees.

SEC. 604. Notwithstanding the provisions of the Act of September 13, 1982 (Public Law 97-258, 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.

31 USC 1343  
note.

SEC. 605. 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 and ambulances), is hereby fixed at \$7,100 except station wagons for which the maximum shall be \$8,100: *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 five 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. 606. 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.

5 USC 3101 note.

SEC. 607. 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, or the Baltic countries lawfully admitted to the United States for permanent residence, or (5) South Vietnamese, Cambodian, and Laotian refugees paroled in the United States after January 1, 1975, or (6) nationals of the People's Republic of China protected by Executive Order Number 12711 of April 11, 1990: *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 one 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, the Republic of the Philippines or to nationals of those countries allied with the United States in the current defense effort, or to temporary employment of translators, or to temporary employment in the field service (not to exceed sixty days) as a result of emergencies.

SEC. 608. 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 (86 Stat. 216), or other applicable law.

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. Pursuant to section 1415 of the Act of July 15, 1952 (66 Stat. 662), foreign credits (including currencies) owed to or owned by the United States may be used by Federal agencies for any purpose for which appropriations are made for the current fiscal year (including the carrying out of Acts requiring or authorizing the use of such credits), only when reimbursement therefor is made to the Treasury from applicable appropriations of the agency concerned:

*Provided*, That such credits received as exchanged allowances or proceeds of sales of personal property may be used in whole or part payment for acquisition of similar items, to the extent and in the manner authorized by law, without reimbursement to the Treasury.

SEC. 612. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards, commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 613. 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. 614. 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. 615. No part of any appropriation contained in, or funds made available by, this or any other Act, shall be available for any agency to pay to the Administrator of the General Services Administration a higher rate per square foot for rental of space and services (established pursuant to section 210(j) of the Federal Property and Administrative Services Act of 1949, as amended) than the rate per square foot established for the space and services by the General Services Administration for the fiscal year for which appropriations were granted.

SEC. 616. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for the fiscal years ending September 30, 1992, or September 30, 1993, 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, or any employee covered by section 5348 of that title—

(1) during the period from the date of expiration of the limitation imposed by section 612 of the Treasury, Postal Service, and General Government Appropriations Act, 1991, until the first day of the first applicable pay period that begins not less than ninety days after that date, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section 612; and

(2) during the period consisting of the remainder, if any, of fiscal year 1992, and that portion of fiscal year 1993, that precedes the normal effective date of the applicable wage survey adjustment that is to be effective in fiscal year 1993, in an amount that exceeds, as a result of a wage survey adjustment,

Government  
employees.  
Labor.  
5 USC 5343 note.

the rate payable under paragraph (1) of this subsection by more than the overall average percentage adjustment in the General Schedule during fiscal year 1992, under section 5303 of title 5, United States Code.

(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, may be paid during the periods for which subsection (a) of this section 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 purpose of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule that was not in existence on September 30, 1991, shall be determined under regulations prescribed by the Office of Personnel Management.

Regulations.

(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, 1991, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) The provisions of this section shall apply with respect to pay for services performed by any affected employee on or after October 1, 1991.

(f) For the purpose of administering any provision of law, including section 8431 of title 5, United States Code, or 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 may be construed to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

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

SEC. 617. None of the funds made available in this Act may be used to plan, implement, or administer (1) any reduction in the number of regions, districts or entry processing locations of the United States Customs Service; or (2) any consolidation or centralization of duty assessment or appraisal functions of any offices in the United States Customs Service.

SEC. 618. 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.

SEC. 619. (a) Notwithstanding the provisions of sections 112 and 113 of title 3, United States Code, each Executive agency detailing any personnel shall submit a report on an annual basis in each

5 USC prec. 3341  
note.

fiscal year to the Senate and House Committees on Appropriations on all employees or members of the armed services detailed to Executive agencies, listing the grade, position, and offices of each person detailed and the agency to which each such person is detailed.

(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 the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of Central Intelligence.

(c) The exemptions in part (b) of this section are not intended to apply to information on the use of personnel detailed to or from the intelligence agencies which is currently being supplied to the Senate and House Intelligence and Appropriations Committees by the executive branch through budget justification materials and other reports.

(d) For the purposes of this section, the term "Executive agency" has the same meaning as defined under section 105 of title 5, United States Code (except that the provisions of section 104(2) of title 5, United States Code, shall not apply) and includes the White House Office, the Executive Residence, and any office, council, or organizational unit of the Executive Office of the President.

SEC. 620. No funds appropriated in this or any other Act for fiscal year 1992 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."



SEC. 621. 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. 622. None of the funds appropriated by this or any other Act may be expended by any Federal agency to procure any product or service that is subject to the provisions of Public Law 89-306 and that will be available under the procurement by the Administrator of General Services known as "FTS2000" unless—

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

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

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

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

SEC. 623. (a) No amount of any grant made by a Federal agency shall be used to finance the acquisition of goods or services (including construction services) unless the recipient of the grant agrees, as a condition for the receipt of such grant, to—

(1) specify in any announcement of the awarding of the contract for the procurement of the goods and services involved (including construction services) the amount of Federal funds that will be used to finance the acquisition; and

(2) express the amount announced pursuant to paragraph (1) as a percentage of the total costs of the planned acquisition.

(b) The requirements of subsection (a) shall not apply to a procurement for goods or services (including construction services) that has an aggregate value of less than \$500,000.

SEC. 624. Notwithstanding section 1346 of title 31, United States Code, or section 607 of this Act, funds made available for fiscal year 1992 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. 625. Notwithstanding any provisions of this or any other Act, during the fiscal year ending September 30, 1992, any department, division, bureau, or office participating in the Federal Flexiplace Project may use funds appropriated by this or any other Act to install telephone lines, necessary equipment, and to pay monthly charges, in any private residence or private apartment: *Provided*, That the head of the department, division, bureau, or office certifies that adequate safeguards against private misuse exist, and that the service is necessary for direct support of the agency's mission.

SEC. 626. (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-deter-

mining 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 the Treasury, and the Department of Energy performing intelligence functions; and
- (7) the Director of Central Intelligence.

SEC. 627. Section 4521 of title 5, United States Code, is amended to read as follows:

“SEC. 4521. DEFINITION.—For the purpose of this subchapter, the term ‘law enforcement officer’ means—

“(1) a law enforcement officer within the meaning of section 8331(20) or section 8401(17) and to whom the provisions of chapter 51 apply;

“(2) a member of the United States Secret Service Uniformed Division;

“(3) a member of the United States Park Police;

“(4) a special agent in the Diplomatic Security Service;

“(5) a probation officer (referred to in section 3672 of title 18); and

“(6) a pretrial services officer (referred to in section 3153 of title 18).”

SEC. 628. (a) Notwithstanding any other provision of law, the Secretary of Education shall convey, without consideration, to the School District of Charleston County, South Carolina, a deed releasing the reversionary interest held by the United States to the property identified in paragraph (b).

(b) All that lot, piece or parcel of land, situated, lying and being on the west side of Chisolm Street, in ward 2, in the city of Charleston, County of Charleston, and State of South Carolina.

Measuring and containing in front on Chisolm Street 100 feet, and the same on the west or back line, and in depth on the northernmost line from east to west 150 feet and ½ inch, and the same on the southernmost line—be all the said dimensions a little more or less.

Butting and bounding to the north on lands now of Anderson Lumber Company, formerly of Mrs. E.C. Rennecker; east on Chisolm Street aforesaid; south on part of the original tract of land owned by the said A.B. Murray and West Point Mills Company, now reserved by the said grantors, and west on another part of the said original tract, formerly belonging to the

said A.B. Murray and West Point Mills Company, and conveyed by them to the United States of America.

The said lot of land hereby conveyed being the northernmost portion of that portion of the Chisolm's Mills Property, reserved by the A.B. Murray and West Point Mills Company after conveyance of the greater part of the said Chisolm's Mills property to the United States of America, by Deeds which are recorded and may be seen in book U-24, page 582 and page 585 in the R.M.C. Office for Charleston County, and all of which is more fully shown and delineated on a plat of the said Chisolm's Mills Property, dated April 23, 1914, and made and certified to by H.D. King, Inspector, United States Light House Department, which said plat is on record in plat book C, page 97, in the R.M.C. Office for Charleston County.

Being the same premises which were conveyed to the United States of America by deed of Andrew B. Murray dated October 23, 1916, and recorded in the Office of the R.M.C. for Charleston County in book U-24, page 587, and by deed of West Point Mill Company, dated November 20, 1916, and recorded in said office in book U-24, page 589.

**SEC. 629. NEW COLLEGE OF CALIFORNIA, INC.**

Real property.

(a) **RELEASE OF REVERSIONARY INTEREST.**—Notwithstanding any other provision of law, the Secretary of Education shall convey, without consideration, to the New College of California, Inc., a deed releasing the reversionary interest held by the United States to the property described in subsection (b).

(b) **PROPERTY DESCRIPTION.**—For the purpose of subsection (a), the property, sometimes known as 50 Fell Street, is described as: A parcel of land situated in the City and County of San Francisco, State of California, said parcel being described in the Judgment on Declaration of Taking entered 11 March 1946 in Civil Action No. 25791 in the District Court of the United States in and for the Northern District of California, Southern Division, which was filed March 22, 1946, in the Office of the Recorder, City and County of San Francisco, California. Beginning at a point on the northerly line of Fell Street distant therefrom 100 feet easterly from the easterly line of Van Ness Avenue and running thence easterly along said line of Fell Street 109 feet; thence at a right angle northerly 120 feet; thence at a right angle westerly 109 feet; thence at a right angle southerly 120 feet to the Point of Beginning, being a portion of Western Addition, Block No. 69, and known on the assessor's map as Lot 10, Block 814, City and County of San Francisco, California, containing 0.30 acres more or less. Improvements: One L-shaped Spanish-type building containing 27,020 square feet more or less.

**SEC. 630.** None of the funds appropriated by this or any other Act may be used to relocate the Department of Justice Immigration Judges from Offices located in Phoenix, Arizona, to new quarters in Florence, Arizona without the prior approval of the House and Senate Committees on Appropriations.

**SEC. 631.** Notwithstanding any other provision of law, the Administrator of the Office of Federal Procurement Policy, for the purpose of clarifying the Federal Acquisition Regulation with respect to the definition of "construction materials" and the identification of "domestic construction materials," shall evaluate emergency life safety systems—such as emergency lighting, fire alarms, audio evacuation systems and the like—which are discrete systems incor-

porated into a public building or work and which are produced as a complete system, as a single and distinct construction material regardless of when or how the individual parts or components of such systems were delivered to the construction site.

28 USC 994 note.

SEC. 632. (1) Pursuant to its authority under section 994 of title 28, United States Code, the Sentencing Commission shall promulgate guidelines, or amend existing or proposed guidelines as follows:

(A) Guideline 2G2.2 to provide a base offense level of not less than 15 and to provide at least a 5 level increase for offenders who have engaged in a pattern of activity involving the sexual abuse or exploitation of a minor.

(B) Guideline 2G2.4 to provide that such guideline shall apply only to offense conduct that involves the simple possession of materials proscribed by chapter 110 of title 18, United States Code and guideline 2G2.2 to provide that such guideline shall apply to offense conduct that involves receipt or trafficking (including, but not limited to transportation, distribution, or shipping).

(C) Guideline 2G2.4 to provide a base offense level of not less than 13, and to provide at least a 2 level increase for possessing 10 or more books, magazines, periodicals, films, video tapes or other items containing a visual depiction involving the sexual exploitation of a minor.

(D) Section 2G3.1 to provide a base offense level of not less than 10.

(2)(A) Notwithstanding any other provision of law, the Sentencing Commission shall promulgate the amendments mandated in subsection (1) by November 1, 1991, or within 30 days after enactment, whichever is later. The amendments to the guidelines promulgated under subsection (1) shall take effect November 1, 1991, or 30 days after enactment, and shall supersede any amendment to the contrary contained in the amendments to the sentencing guidelines submitted to the Congress by the Sentencing Commission on or about May 1, 1991.

(B) The provisions of section 944(x) of title 28, United States Code, shall not apply to the promulgation or amendment of guidelines under this section.

Effective date.

Intergovernmental relations.  
AIDS.  
Health and health care.  
42 USC 300ee-2 note.

SEC. 633. Notwithstanding any other provision of law, each State Public Health Official shall, not later than one year after the date of enactment of this Act, certify to the Secretary of Health and Human Services that guidelines issued by the Centers for Disease Control, or guidelines which are equivalent to those promulgated by the Centers for Disease Control concerning recommendations for preventing the transmission of the human immunodeficiency virus and the hepatitis B virus during exposure prone invasive procedures, except for emergency situations when the patient's life or limb is in danger, have been instituted in the State. State guidelines shall apply to health professionals practicing within the State and shall be consistent with Federal law. Compliance with such guidelines shall be the responsibility of the State Public Health Official. Said responsibilities shall include a process for determining what appropriate disciplinary or other actions shall be taken to ensure compliance. If such certification is not provided under this section within the one-year period, the State shall be ineligible to receive assistance under the Public Health Service Act (42 U.S.C. 301 et seq.) until such certification is provided, except that the Secretary may extend the

time period for a State, upon application of such State, that additional time is required for instituting said guidelines.

This Act may be cited as the "Treasury, Postal Service and General Government Appropriations Act, 1992".

Approved October 28, 1991.

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LEGISLATIVE HISTORY—H.R. 2622:

HOUSE REPORTS: Nos. 102-109 (Comm. on Appropriations) and 102-234 (Comm. of Conference).

SENATE REPORTS: No. 102-95 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 137 (1991):

June 18, considered and passed House.

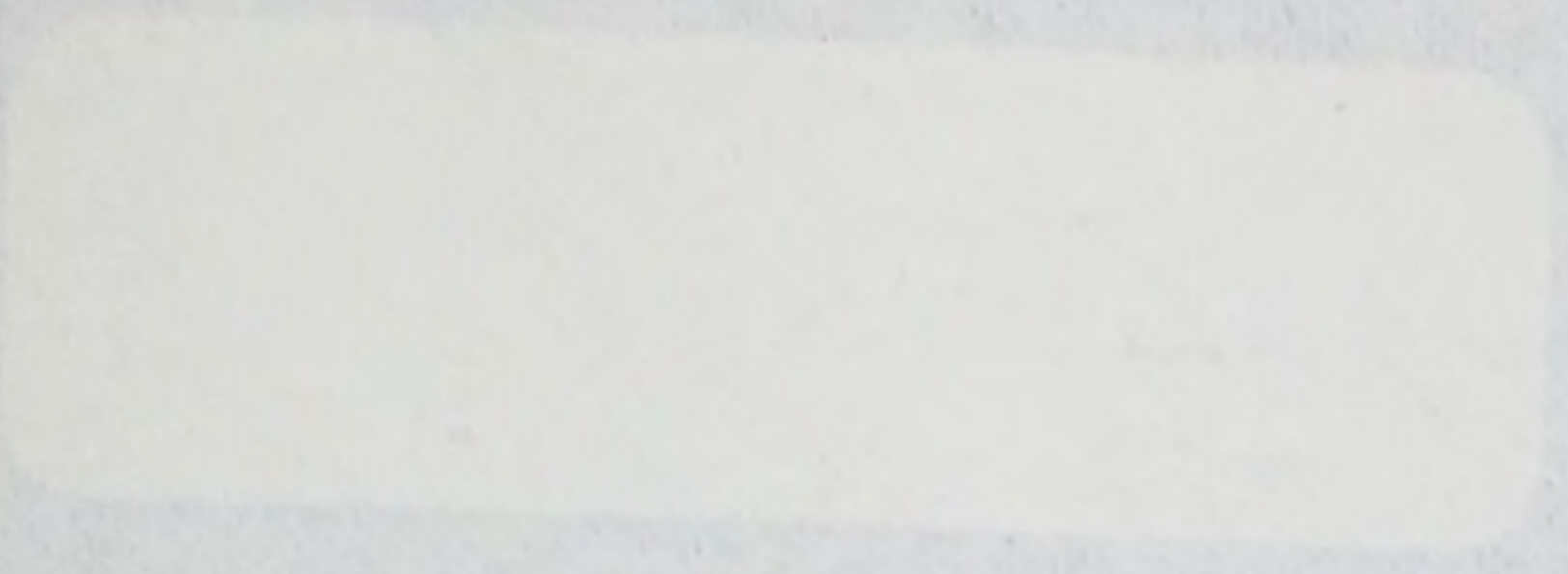
July 11, 15, 18, considered and passed Senate, amended.

Oct. 3, House agreed to conference report; receded and concurred in certain Senate amendments, in others with amendments. Senate agreed to conference report; concurred in certain House amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 27 (1991):

Oct. 28, Presidential statement.





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