

FY1990 Treasury APPROP
Senate version of bill
IB

101ST CONGRESS
1ST SESSION

H. R. 2989

IN THE HOUSE OF REPRESENTATIVES

AUGUST 4, 1989

Ordered to be printed with the amendments of the Senate numbered

AN ACT

Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1990, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any money
4 in the Treasury not otherwise appropriated, for the Treasury
5 Department, the United States Postal Service, the Executive
6 Office of the President, and certain Independent Agencies,
7 for the fiscal year ending September 30, 1990, and for other
8 purposes, namely:

TITLE I

(1) DEPARTMENT OF THE TREASURY

(2) OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary 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 to exceed \$1,649,000, to remain available until expended, for systems modernization requirements; not to exceed \$573,000, to remain available until expended, for repairs and improvements to the Main Treasury Building and Annex; \$58,081,000.

INTERNATIONAL AFFAIRS

For necessary expenses of the international affairs function of the Office of the Secretary; 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 offi-

1 eial travel expenses; and not to exceed ~~\$73,000~~ for official
2 reception and representation expenses; ~~\$25,010,000~~.

3 DEPARTMENTAL OFFICES

4 SALARIES AND EXPENSES

5 *For necessary expenses of the Departmental Offices, in-*
6 *cluding operation and maintenance of the Treasury Building*
7 *and Annex; hire of passenger motor vehicles; maintenance,*
8 *repairs, and improvements of, and purchase of commercial*
9 *insurance policies for, real properties leased or owned over-*
10 *seas, when necessary for the performance of official business;*
11 *not to exceed \$95,000 for official reception and representa-*
12 *tion expenses; not to exceed \$200,000 for unforeseen emer-*
13 *gencies of a confidential nature, to be allocated and expended*
14 *under the direction of the Secretary of the Treasury and to be*
15 *accounted for solely on his certificate; not less than*
16 *\$2,000,000 and 40 full time-equivalent positions for the*
17 *Office of Foreign Assets Control; not to exceed \$2,000,000*
18 *for official travel expenses; not to exceed \$1,649,000, to*
19 *remain available until expended, for systems modernization*
20 *requirements; not to exceed \$573,000, to remain available*
21 *until expended, for repairs and improvements to the Main*
22 *Treasury Building and Annex; \$83,091,000.*

1 OFFICE OF INSPECTOR GENERAL

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of the Inspector
4 General in carrying out the provisions of the Inspector Gen-
5 eral Act of 1978, as amended, \$13,605,000.

6 FEDERAL LAW ENFORCEMENT TRAINING

7 CENTER

8 SALARIES AND EXPENSES

9 For necessary expenses of the Federal Law Enforce-
10 ment Training Center, as a bureau of the Department of the
11 Treasury, including purchase (not to exceed thirty for police-
12 type use) and hire of passenger motor vehicles; for expenses
13 for student athletic and related activities; uniforms without
14 regard to the general purchase price limitation for the current
15 fiscal year; the conducting of and participating in firearms
16 matches and presentation of awards; for public awareness
17 and enhancing community support of law enforcement train-
18 ing; not to exceed \$5,000 for official reception and represen-
19 tation expenses; room and board for student interns; and
20 services as authorized by 5 U.S.C. 3109: *Provided*, That the
21 Center is authorized to accept gifts: *Provided further*, That
22 notwithstanding any other provision of law, students attend-
23 ing training at any Federal Law Enforcement Training
24 Center site shall reside in on-Center or Center-provided
25 housing, insofar as available and in accordance with Center

1 policy: *Provided further*, That funds appropriated in this ac-
2 count shall be available for State and local government law
3 enforcement training on a space-available basis; training of
4 foreign law enforcement officials on a space-available basis
5 with reimbursement of actual costs to this appropriation;
6 training of private sector security officials on a space avail-
7 able basis with reimbursement of actual costs to this appro-
8 priation; travel expenses of non-Federal personnel to attend
9 State and local course development meetings at the Center:
10 *Provided further*, That the Director of the Federal Law En-
11 forcement Training Center shall annually present an award
12 to be accompanied by a gift of intrinsic value to the outstand-
13 ing student who graduated from a basic training program at
14 the Center during the previous fiscal year, to be funded by
15 donations received through the Center's gift authority: *Pro-*
16 *vided further*, That the Federal Law Enforcement Training
17 Center shall hire up to and maintain an average of not less
18 than 425 direct full-time equivalent positions for fiscal year
19 1990; **(3)** ~~\$34,664,000~~ \$36,277,000: *Provided further*,
20 That none of the funds appropriated under this heading shall
21 be used to reduce the level of advanced training or other
22 training activities of the Federal Law Enforcement Training
23 Center at Marana, Arizona.

1 ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND
2 RELATED EXPENSES

3 (4) For expansion of the Federal Law Enforcement
4 Training Center and for on-going maintenance, facility im-
5 provements, and related expenses, \$9,880,000, to remain
6 available until expended.

7 *For expansion of the Federal Law Enforcement Train-*
8 *ing Center, for acquisition of necessary additional real prop-*
9 *erty and facilities, and for on-going maintenance, facility im-*
10 *provements and related expenses, \$20,783,000, to remain*
11 *available until expended.*

12 FINANCIAL MANAGEMENT SERVICE

13 SALARIES AND EXPENSES

14 For necessary expenses of the Financial Management
15 Service, \$289,695,000, of which not to exceed
16 (5) ~~\$14,864,000~~, \$14,864,000 shall remain available until
17 expended for systems modernization initiatives.

18 BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

19 SALARIES AND EXPENSES

20 For necessary expenses of the Bureau of Alcohol, To-
21 bacco and Firearms, including purchase of not to exceed
22 (6) ~~five hundred~~ *six hundred and fifty* vehicles for police-
23 type use for replacement only and hire of passenger motor
24 vehicles; hire of aircraft; and services of expert witnesses at
25 such rates as may be determined by the Director; not to

1 exceed ~~(7) \$5,000~~ \$7,500 for official reception and repre-
2 sentation expenses; for training of State and local law en-
3 forcement agencies with or without reimbursement; provision
4 of laboratory assistance to State and local agencies, with
5 or without reimbursement; ~~(8) \$245,933,000~~
6 \$257,565,000, of which ~~(9) \$15,000,000~~ \$24,000,000 shall
7 be available solely for the enforcement of the Federal Alcohol
8 Administration Act during fiscal year 1990, and of which not
9 to exceed \$1,000,000 shall be available for the payment of
10 attorneys' fees as provided by 18 U.S.C. 924(d)(2): *Provided,*
11 That no funds appropriated herein shall be available for ad-
12 ministrative expenses in connection with consolidating or
13 centralizing within the Department of the Treasury the
14 records of receipts and disposition of firearms maintained by
15 Federal firearms licensees or for issuing or carrying out any
16 provisions of the proposed rules of the Department of the
17 Treasury, Bureau of Alcohol, Tobacco and Firearms, on
18 Firearms Regulations, as published in the Federal Register,
19 volume 43, number 55, of March 21, 1978: *Provided further,*
20 That none of the funds appropriated herein shall be available
21 for explosive identification or detection tagging research, de-
22 velopment, or implementation: *Provided further,* That not to
23 exceed \$300,000 shall be available for research and develop-
24 ment of an explosive identification and detection device: *Pro-*
25 *vided further,* That funds made available under this Act shall

1 be used to ~~(10) maintain a base level of 3,701~~ achieve a
2 *minimum level of 3,850* full-time equivalent positions for
3 fiscal year 1990, of which no fewer than ~~(11) 543~~ 692 full-
4 time equivalent positions shall be allocated for the Armed
5 Career Criminal Apprehension Program.

6 UNITED STATES CUSTOMS SERVICE

7 SALARIES AND EXPENSES

8 For necessary expenses of the United States Customs
9 Service, including purchase of up to one thousand motor ve-
10 hicles for replacement only, including nine hundred and
11 ninety for police-type use and commercial operations; hire of
12 passenger motor vehicles; not to exceed ~~(12) \$10,000~~
13 *\$15,000* for official reception and representation expenses;
14 and awards of compensation to informers, as authorized by
15 any Act enforced by the United States Customs Service;
16 ~~(13) \$1,041,490,000~~ *\$1,059,634,000*, of which such sums
17 as become available in the Customs User Fee Account,
18 except sums subject to section 13031(f)(3) of the Consolida-
19 ed Omnibus ~~(14)~~ *Budget* Reconciliation Act of 1985, as
20 amended (19 U.S.C. 58c(f)(3)), shall be derived from that Ac-
21 count; of the total, not to exceed \$150,000 shall be available
22 for payment for rental space in connection with preclearance
23 operations, and not to exceed \$4,000,000, to remain avail-
24 able until expended, for research: *Provided*, That uniforms
25 may be purchased without regard to the general purchase

1 price limitation for the current fiscal year: *Provided further,*
2 That none of the funds made available by this Act shall be
3 available for administrative expenses to pay any employee
4 overtime pay in an amount in excess of \$25,000: *Provided*
5 *further,* That the Commissioner or his designee may waive
6 this limitation in individual cases in order to prevent exces-
7 sive costs or to meet emergency requirements of the Service
8 ~~(15):~~ *Provided further,* That none of the funds made avail-
9 able by this Act may be used for administrative expenses in
10 connection with the proposed redirection of the Equal Em-
11 ployment Opportunity Program: *Provided further,* That none
12 of the funds made available by this Act shall be available for
13 administrative expenses to reduce the number of Customs
14 Service regions below seven during fiscal year 1990: *Provid-*
15 *ed further,* That the United States Customs Service shall hire
16 and maintain an average of not less than ~~(16)~~ 16,600
17 17,006 full-time equivalent positions in fiscal year
18 ~~(17)~~ 1990 1990, of which a minimum level of 10,385 full-
19 time equivalent positions shall be allocated to commercial op-
20 erations activities, and of which a minimum level of 960 full-
21 time equivalent positions shall be allocated to air interdiction
22 activities of the United States Customs Service ~~(18):~~ *Pro-*
23 *vided further,* That none of the funds made available in this
24 or any other Act may be used to fund more than nine hun-
25 dred positions in the Headquarters staff of the United States

1 Customs Service in the fiscal year ending September 30,
 2 1990: *Provided further*, That no funds appropriated by this
 3 Act may be used to reduce to single eight hour shifts at air-
 4 ports and that all current services as provided by the Cus-
 5 toms Service shall continue through September 30, 1990:
 6 *Provided further*, That not less than \$500,000 shall be ex-
 7 pended for additional part-time and temporary positions in
 8 the Honolulu Customs District.

9 OPERATION AND MAINTENANCE, AIR INTERDICTION

10 PROGRAM

11 For expenses, not otherwise provided for, necessary for
 12 the hire, lease, acquisition (transfer or acquisition from any
 13 other agency), operation and maintenance of aircraft, and
 14 other related equipment of the Air (19) ~~Interdiction~~ Pro-
 15 gram; (20) ~~\$125,128,000~~ \$231,728,000, to remain avail-
 16 able until expended (21) ~~Provided, That, of this amount,~~
 17 ~~\$7,020,000 shall be available for the machine-readable docu-~~
 18 ~~ment border security program:~~ *Provided, That no aircraft or*
 19 *other related equipment shall be transferred to any Federal*
 20 *agency, Department, or office outside of the Department of*
 21 *the Treasury during fiscal year 1990.*

22 CUSTOMS FORFEITURE FUND

23 (LIMITATION ON AVAILABILITY OF DEPOSITS)

24 For necessary expenses of the Customs Forfeiture
 25 Fund, not to exceed (22) ~~\$10,000,000~~ \$20,000,000, as au-

1 thorized by Public Law 100-690; to be derived from deposits
2 in the Fund.

3 CUSTOMS SERVICES AT SMALL AIRPORTS

4 (TO BE DERIVED FROM FEES COLLECTED)

5 Such sums as may be necessary, not to exceed
6 ~~(23) \$1,588,000~~ \$2,175,000, for expenses for the provision
7 of Customs services at certain small airports ~~(24)~~ or other
8 facilities designated by the Secretary of the Treasury, includ-
9 ing expenditures for the salaries and expenses of individuals
10 employed to provide such services, to be derived from fees
11 collected by the Secretary of the Treasury pursuant to sec-
12 tion 236 of Public Law 98-573 for each of these airports
13 ~~(25)~~ or other facilities, and to remain available until
14 expended.

15 UNITED STATES MINT

16 SALARIES AND EXPENSES

17 For necessary expenses of the United States Mint;
18 \$50,735,000, including amounts for purchase and mainte-
19 nance of uniforms not to exceed \$275 multiplied by the
20 number of employees of the agency who are required by reg-
21 ulation or statute to wear a prescribed uniform in the per-
22 formance of official duties.

1 BUREAU OF THE PUBLIC DEBT

2 ADMINISTERING THE PUBLIC DEBT

3 For necessary expenses connected with any public-debt
4 issues of the United States; ~~(26) \$219,430,000~~
5 *\$244,316,000.*

6 INTERNAL REVENUE SERVICE

7 SALARIES AND EXPENSES

8 For necessary expenses of the Internal Revenue Serv-
9 ice, not otherwise provided; for executive direction and man-
10 agement services, and hire of passenger motor vehicles (31
11 U.S.C. 1343(b)); and services as authorized by 5 U.S.C.
12 3109, at such rates as may be determined by the Commis-
13 sioner; \$72,382,000, of which not to exceed \$25,000 for offi-
14 cial reception and representation expenses and of which not
15 to exceed \$500,000 shall remain available until ~~(27) ex-~~
16 ~~pende~~*d, for research expended for research, and of which*
17 *\$128,000 shall remain available until expended only for tax*
18 *systems modernization initiatives.*

19 PROCESSING TAX RETURNS

20 For necessary expenses of the Internal Revenue Service
21 not otherwise provided for; including processing tax returns;
22 revenue accounting; computer services; and hire of passenger
23 motor vehicles (31 U.S.C. 1343(b)); and services as author-
24 ized by 5 U.S.C. 3109, at such rates as may be determined
25 by the Commissioner; ~~(28) \$1,953,446,000~~ *\$1,946,003,000*

1 of which ~~(29) not to exceed \$80,000,000~~ *\$156,419,000*
2 shall remain available until expended ~~(30)~~ *only* for sys-
3 tems modernization initiatives.

4 EXAMINATION AND APPEALS

5 For necessary expenses of the Internal Revenue Service
6 for determining and establishing tax liabilities; employee
7 plans and exempt organizations; tax litigation; hire of passen-
8 ger motor vehicles (31 U.S.C. 1343(b)); and services as
9 authorized by 5 U.S.C. 3109, at such rates as may be
10 determined by the Commissioner; ~~(31) \$1,911,301,000~~
11 *\$1,911,301,000, of which \$1,674,000 shall remain available*
12 *until expended only for tax systems modernization initia-*
13 *tives.*

14 INVESTIGATION, COLLECTION, AND TAXPAYER SERVICE

15 For necessary expenses of the Internal Revenue Service
16 for investigation and enforcement activities; including pur-
17 chase (not to exceed four hundred and fifty-one for replace-
18 ment only, for police-type use) and hire of passenger motor
19 vehicles (31 U.S.C. 1343(b)); securing unfiled tax returns;
20 collecting unpaid accounts; examining selected employment
21 and excise tax returns; technical rulings; enforcement litiga-
22 tion; providing assistance to taxpayers; and services as au-
23 thorized by 5 U.S.C. 3109, at such rates as may be deter-
24 mined by the Commissioner: *Provided*, That notwithstanding
25 any other provision of the Act, none of the funds made avail-

1 able by this Act shall be used to reduce the number of posi-
 2 tions allocated to taxpayer service activities below fiscal year
 3 1984 levels, or to reduce the number of positions allocated to
 4 any other direct taxpayer assistance functions below fiscal
 5 year 1984 levels, including, but not limited to Internal Reve-
 6 nue Service toll-free telephone tax law assistance and walk-
 7 in assistance available at Internal Revenue Service field of-
 8 fices: *Provided further*, That the Internal Revenue Service
 9 shall fund the Tax Counseling for the Elderly Program at
 10 ~~(32) \$2,800,000~~ \$3,000,000. The Internal Revenue Serv-
 11 ice shall absorb within existing funds the administrative costs
 12 of the program in order that the full ~~(33) \$2,800,000~~
 13 \$3,000,000 can be devoted to program requirements;
 14 ~~(34) \$1,620,252,000~~ \$1,612,809,000, of which \$1,431,000
 15 shall remain available until expended only for tax systems
 16 modernization initiatives.

17 ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE

18 SERVICE

19 SECTION 1. Not to exceed 4 per centum of any appro-
 20 priation made available to the Internal Revenue Service for
 21 the current fiscal year by this Act may be transferred to any
 22 other Internal Revenue Service appropriation ~~(35)~~ upon
 23 the advance approval of the House and Senate Committees
 24 on Appropriations.

1 SEC. 2. Not to exceed 15 per centum, or \$15,000,000,
2 whichever is greater, of any appropriation made available to
3 the Internal Revenue Service for document matching for the
4 current fiscal year by this Act may be transferred to any
5 other Internal Revenue Service appropriation for document
6 matching.

7 UNITED STATES SECRET SERVICE

8 SALARIES AND EXPENSES

9 For necessary expenses of the United States Secret
10 Service, including purchase (not to exceed three hundred and
11 forty-three vehicles for police-type use for replacement only)
12 ~~(36)~~ *without regard to the general purchase price limitation*
13 *for the current fiscal year* and hire of passenger motor vehi-
14 cles; hire of aircraft; training and assistance requested by
15 State and local governments, which may be provided without
16 reimbursement; services of expert witnesses at such rates as
17 may be determined by the Director; rental of buildings in the
18 District of Columbia, and fencing, lighting, guard booths, and
19 other facilities on private or other property not in Govern-
20 ment ownership or control, as may be necessary to perform
21 protective functions; the conducting of and participating in
22 firearms matches and presentation of awards; and for travel
23 of Secret Service employees on protective missions without
24 regard to the limitations on such expenditures in this or any
25 other Act: *Provided*, That approval is obtained in advance

1 from the House and Senate Committees on Appropriations;
2 for repairs, alterations, and minor construction at the James
3 J. Rowley Secret Service Training Center; for research and
4 development; for making grants to conduct behavioral re-
5 search in support of protective research and operations; not
6 to exceed \$12,500 for official reception and representation
7 expenses; for payment in advance for commercial accommo-
8 dations as may be necessary to perform protective functions;
9 and for uniforms without regard to the general purchase price
10 limitation for the current fiscal year; ~~(37) \$371,401,000~~
11 *\$360,785,000*, of which \$2,100,000 shall remain available
12 until expended for construction at the Vice President's Tem-
13 porary Official ~~(38) Residence~~ *Residence*, and of which not
14 *to exceed \$160,000 shall be made available for the protection*
15 *of the permanent residence of the President of the United*
16 *States under the provisions of section 12 of the Presidential*
17 *Protection Assistance Act of 1976 (18 U.S.C. 3056 note).*

18 DEPARTMENT OF THE TREASURY—GENERAL
19 PROVISIONS

20 SECTION 101. Appropriations to the Treasury Depart-
21 ment in this Act shall be available for uniforms or allowances
22 therefor, as authorized by law (5 U.S.C. 5901), including
23 maintenance, repairs, and cleaning; purchase of insurance for
24 official motor vehicles operated in foreign countries; entering
25 into contracts with the Department of State for the furnish-

1 ing of health and medical services to employees and their
2 dependents serving in foreign countries; and services as au-
3 thorized by 5 U.S.C. 3109.

4 SEC. 102. None of the funds appropriated by this title
5 shall be used in connection with the collection of any under-
6 payment of any tax imposed by the Internal Revenue Code of
7 1954 unless the conduct of officers and employees of the In-
8 ternal Revenue Service in connection with such collection
9 complies with subsection (a) of section 805 (relating to com-
10 munications in connection with debt collection), and section
11 806 (relating to harassment or abuse), of the Fair Debt Col-
12 lection Practices Act (15 U.S.C. 1692).

13 SEC. 103. Not to exceed 2 per centum of any appropria-
14 tions in this Act for the Department of the Treasury may be
15 transferred between such appropriations. However, no such
16 appropriation shall be increased or decreased by more than 2
17 per centum and any such proposed transfers shall be ap-
18 proved in advance by the Committees on Appropriations of
19 the House and Senate.

20 (39) SEC. 104. None of the funds made available by
21 this Act may be used to place the United States Secret Serv-
22 ice, the United States Customs Service, or the Bureau of
23 Alcohol, Tobacco and Firearms under the operation of the
24 Inspector General of the Department of the Treasury. As
25 used in this section, operation means "the authority to direct

1 the activities and operations of such organizations other than
2 as provided by the Inspector General Act of 1978, as
3 amended.”

4 (40) SEC. 104. Notwithstanding any other provision
5 of law, beginning October 1, 1990, and thereafter, the Finan-
6 cial Management Service shall be fully and directly reim-
7 bursed from the Social Security Trust Funds for the costs it
8 incurs in processing Social Security Trust Funds benefit
9 payments, including but not limited to, payment preparation,
10 postage, and account reconciliation. Such direct reimburse-
11 ment shall also be made for all other trust and special funds
12 which are the recipients of services performed by the Finan-
13 cial Management Service and which prior to enactment of
14 this provision reimburse the General Fund of the Treasury
15 for such services.

16 (41) SEC. 105. The Secretary of the Treasury shall
17 transfer to the Arizona Health Sciences Center, Tucson, Ari-
18 zona, for medical and emergency transportation purposes, an
19 air worthy turboprop aircraft that—

20 (1) was forfeited to the United States under the
21 customs laws;

22 (2) is not transferred to any Federal agency or
23 State or local law enforcement agency under section
24 616 of the Tariff Act of 1930; and

1 (3) would, but for the purpose of this section, be
2 sold at public auction under section 609 of the Tariff
3 Act of 1930. Section 616(d) of the Tariff Act of 1930
4 applies to the aircraft transferred under this section.

5 **(42)** SEC. 106. (a) Not more than \$22,640,000 of the
6 funds appropriated by this Act may be obligated or expended
7 for the procurement of advisory or assistance services by the
8 Department of the Treasury.

9 (b)(1) Not later than 20 days after the end of each fiscal
10 quarter, the Secretary of the Treasury shall (A) submit to
11 Congress a report on the amounts obligated and expended by
12 the department during that quarter for the procurement of
13 advisory and assistance services, and (B) transmit a copy of
14 such report to the Comptroller General of the United States.

15 (2) Each report submitted under paragraph (1) shall
16 include a list with the following information:

17 (A) All contracts awarded for the procurement of
18 advisory and assistance services during the quarter
19 and the amount of each contract.

20 (B) The purpose of each contract.

21 (C) The justification of the award of each contract
22 and the reason the work cannot be performed by civil
23 servants.

24 (c) The Comptroller General of the United States shall
25 review the reports submitted under subsection (b) and trans-

1 *mit to Congress any comments and recommendations the*
2 *Comptroller General considers appropriate regarding the*
3 *matter contained in such reports.*

4 This title may be cited as the "Treasury Department
5 Appropriations Act, 1990".

6 TITLE II

7 POSTAL SERVICE

8 PAYMENT TO THE POSTAL SERVICE FUND

9 For payment to the Postal Service Fund for revenue
10 forgone on free and reduced rate mail, pursuant to subsection
11 (c) of section 2401 of title 39, United States Code;
12 **(43)** ~~\$459,755,000~~ \$429,755,000: *Provided*, That mail for
13 overseas voting and mail for the blind shall continue to be
14 free: *Provided further*, That six-day delivery and rural deliv-
15 ery of mail shall continue at not less than the 1983 level:
16 *Provided further*, That none of the funds made available to
17 the Postal Service by this Act shall be used to implement any
18 rule, regulation, or policy of charging any officer or employee
19 of any State or local child support enforcement agency, or
20 any individual participating in a State or local program of
21 child support enforcement, a fee for information requested or
22 provided concerning an address of a postal customer: *Provid-*
23 *ed further*, That none of the funds provided in this Act shall
24 be used to consolidate or close small rural and other small
25 post offices in the fiscal year ending on September 30, 1990.

1 PAYMENT TO THE POSTAL SERVICE FUND FOR
2 NONFUNDED LIABILITIES

3 For payment to the Postal Service Fund for meeting the
4 liabilities of the former Post Office Department to the Em-
5 ployees' Compensation Fund pursuant to 39 U.S.C. 2004,
6 \$36,942,000.

7 UNITED STATES POSTAL SERVICE (44) —

8 ~~ADMINISTRATIVE~~ (45) GENERAL PROVISIONS

9 SECTION 1. That none of the funds in this Act or made
10 available by 39 U.S.C. 2401(a) may be used to enter into any
11 new contracts relating to the Westchester County, New
12 York, General Mail Facility or construction thereof for a
13 period of ninety days. During this ninety-day period, the
14 Postal Service shall pursue alternative site locations for the
15 Westchester GMF and at the end of that period shall report
16 back to the Appropriations Committee with recommended
17 alternatives.

18 (46) SEC. 2. Funds made available to the United
19 States Postal Service pursuant to section 2401(a) of title 39,
20 United States Code, shall be used hereafter to continue full
21 postal service to the people of Holly Springs proper, includ-
22 ing upgrading, remodeling, and improving the United States
23 Post Office building located at 110 North Memphis Street,
24 Holly Springs, Mississippi.

1 available for official expenses shall be considered as taxable
2 to the President.

3 OFFICE OF ADMINISTRATION

4 SALARIES AND EXPENSES

5 For necessary expenses of the Office of Administration;
6 ~~(50) \$18,325,000~~ \$18,825,000, including services as au-
7 thorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of
8 passenger motor vehicles (51) *and of which not less than*
9 *\$500,000 shall be made available to the White House Con-*
10 *ference on Indian Education.*

11 THE WHITE HOUSE OFFICE

12 SALARIES AND EXPENSES

13 For necessary expenses for the White House as author-
14 ized by law, including not to exceed \$3,850,000 for services
15 as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; including
16 subsistence expenses as authorized by 3 U.S.C. 105, which
17 shall be expended and accounted for as provided in that sec-
18 tion; hire of passenger motor vehicles, newspapers, periodi-
19 cals, teletype news service, and travel (not to exceed
20 \$100,000 to be expended and accounted for as provided by 3
21 U.S.C. 103); not to exceed \$20,000 for official entertain-
22 ment expenses, to be available for allocation within the
23 Executive Office of the President; \$30,639,000.

1 EXECUTIVE RESIDENCE AT THE WHITE HOUSE

2 OPERATING EXPENSES

3 For the care, maintenance, repair and alteration, refur-
4 nishing, improvement, heating and lighting, including electric
5 power and fixtures, of the Executive Residence at the White
6 House and official entertainment expenses of the President;
7 **(52)** ~~\$6,773,000~~ \$6,898,000, of which \$800,000 for the re-
8 placement of exterior windows of the Executive Residence
9 shall remain available until expended, to be expended and
10 accounted for as provided by 3 U.S.C. 105, 109-110, 112-
11 114 **(53)** *and of which \$125,000 shall remain available*
12 *until expended for refurbishment of furniture.*

13 OFFICIAL RESIDENCE OF THE VICE PRESIDENT

14 OPERATING EXPENSES

15 For the care, maintenance, repair and alteration, refur-
16 nishing, improvement, heating and lighting, including electric
17 power and fixtures, of the official residence of the Vice Presi-
18 dent, the hire of passenger motor vehicles, and not to exceed
19 \$75,000 for official entertainment expenses of the Vice Presi-
20 dent, to be accounted for solely on his certificate; \$578,000:
21 *Provided, That advances or repayments or transfers from this*
22 *appropriation may be made to any department or agency for*
23 *expenses of carrying out such activities.*

1 SPECIAL ASSISTANCE TO THE PRESIDENT

2 SALARIES AND EXPENSES

3 For necessary expenses to enable the Vice President to
 4 provide assistance to the President in connection with spe-
 5 cially assigned functions, services as authorized by 5 U.S.C.
 6 3109 and 3 U.S.C. 106, including subsistence expenses as
 7 authorized by 3 U.S.C. 106, which shall be expended and
 8 accounted for as provided in that section; and hire of passen-
 9 ger motor vehicles; \$2,335,000.

10 COUNCIL OF ECONOMIC ADVISERS

11 SALARIES AND EXPENSES

12 For necessary expenses of the Council in carrying out
 13 its functions under the Employment Act of 1946 (15 U.S.C.
 14 1021); \$2,906,000.

15 OFFICE OF POLICY DEVELOPMENT

16 SALARIES AND EXPENSES

17 For necessary expenses of the Office of Policy Develop-
 18 ment, including services as authorized by 5 U.S.C. 3109, and
 19 3 U.S.C. 107; \$3,079,000.

20 NATIONAL CRITICAL MATERIALS COUNCIL

21 SALARIES AND EXPENSES

22 For necessary expenses of the National Critical Materi-
 23 als Council, including activities as authorized by Public Law
 24 98-373; **(54) \$225,000 \$550,000 (55)**: *Provided, That a*
 25 *minimum level of 5 permanent full-time equivalent positions*

1 shall be hired and maintained by the National Critical Mate-
2 rials Council in fiscal year 1990: *Provided further, That*
3 none of the funds made available to the Council under this
4 Act shall be used to pay other Federal agencies for reimburs-
5 able detailees in fiscal year 1990 without the advance
6 approval of the House and Senate Committees on Appro-
7 priations.

8 NATIONAL SECURITY COUNCIL

9 SALARIES AND EXPENSES

10 For necessary expenses of the National Security Coun-
11 cil, including services as authorized by 5 U.S.C. 3109;
12 \$5,409,000.

13 OFFICE OF MANAGEMENT AND BUDGET

14 SALARIES AND EXPENSES

15 For necessary expenses of the Office of Management
16 and Budget, including hire of passenger motor vehicles, serv-
17 ices as authorized by 5 U.S.C. 3109; \$44,894,000, of which
18 not to exceed \$4,500,000 shall be available to carry out the
19 provisions of 44 U.S.C., chapter 35: *Provided, That, as pro-*
20 *vided in 31 U.S.C. 1301(a), appropriations shall be applied*
21 *only to the objects for which appropriations were made*
22 *except as otherwise provided by law: Provided further, That*
23 *none of the funds appropriated in this Act for the Office of*
24 *Management and Budget may be used for the purpose of re-*
25 *viewing any agricultural marketing orders or any activities or*

1 regulations under the provisions of the Agricultural Market-
2 ing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided*
3 *further*, That none of the funds made available for the Office
4 of Management and Budget by this Act may be expended for
5 the (56) ~~review~~ *altering* of the transcript of actual testimo-
6 ny of witnesses, except for testimony of officials of the Office
7 of Management and Budget, before the Committee on Appro-
8 priations or the Committee on Veterans' Affairs or their sub-
9 committees: *Provided further*, That this proviso shall not
10 apply to printed hearings released by the Committee on Ap-
11 propriations or the Committee on Veterans' Affairs: *Provided*
12 *further*, That none of the funds made available by this Act or
13 any other Act shall be used to reduce the scope or publication
14 frequency of statistical data relative to the operations and
15 production of the alcoholic beverage and tobacco industries
16 below fiscal year 1985 levels: *Provided further*, That none of
17 the funds appropriated by this Act shall be available to the
18 Office of Management and Budget for revising, curtailing or
19 otherwise amending the administrative and/or regulatory
20 methodology employed by the Bureau of Alcohol, Tobacco
21 and Firearms to assure compliance with section (57) ~~205~~
22 105, title 27 of the United States Code (Federal Alcohol Ad-
23 ministration Act) or with regulations, rulings or forms pro-
24 mulgated thereunder (58): ~~*Provided further*, That none of~~
25 ~~the funds made available by this Act shall be available to~~

1 fund the Office of Information and Regulatory Affairs until
2 authorized by law.

3 **(59) INVESTMENT IN MANAGEMENT IMPROVEMENT**

4 For expenses necessary to improve the management
5 and productivity of Executive agencies, such as the develop-
6 ment of systems to integrate budget, accounting, administra-
7 tive, and program management information, and pilot
8 projects to use credit card technology to disburse benefit pay-
9 ments, \$1,000,000, to remain available until expended.

10 **OFFICE OF FEDERAL PROCUREMENT POLICY**

11 **SALARIES AND EXPENSES**

12 For expenses of the Office of Federal Procurement
13 Policy, including services as authorized by 5 U.S.C. 3109;
14 \$2,660,000.

15 **OFFICE OF NATIONAL DRUG CONTROL POLICY**

16 **SALARIES AND EXPENSES**

17 For necessary expenses of the Office of National Drug
18 Control **(60) Policy**, ~~\$12,000,000~~ *Policy; for research ac-*
19 *tivities pursuant to title I of Public Law 100-690; not to*
20 *exceed \$7,500 for official reception and representation ex-*
21 *penses; for participation in joint projects or in the provision*
22 *of services on matters of mutual interest with nonprofit, re-*
23 *search, or public organizations or agencies, with or without*
24 *reimbursement; \$12,000,000: Provided, That the Office is*
25 *authorized to accept, hold, administer, and utilize gifts, both*

1 *real and personal, for the purpose of aiding or facilitating the*
2 *work of the Office.*

3 **(61) SPECIAL FORFEITURE FUND**

4 For expenses authorized by section 6073 of the Anti-
5 Drug Abuse Act of 1988, not to exceed \$136,000,000, to be
6 derived from the Department of Justice Assets Forfeiture
7 Fund and to remain available until expended.

8 **(62) FUNDS APPROPRIATED TO THE**

9 **PRESIDENT**

10 **UNANTICIPATED NEEDS**

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

15 This title may be cited as the "Executive Office Appro-
16 priations Act, 1990".

17 **TITLE IV**

18 **ADMINISTRATIVE CONFERENCE OF THE UNITED**

19 **STATES**

20 **SALARIES AND EXPENSES**

21 For necessary expenses of the Administrative Confer-
22 ence of the United States, established by the Administrative
23 Conference Act, as amended (5 U.S.C. 571 et seq.), including
24 not to exceed \$1,000 for official reception and representation
25 expenses; \$1,865,000.

1 ADVISORY COMMISSION ON
2 INTERGOVERNMENTAL RELATIONS
3 SALARIES AND EXPENSES

4 For expenses necessary to carry out the provisions of
5 the Advisory Commission on Intergovernmental Relations
6 Act of 1959, as amended (42 U.S.C. 4271-79); \$1,300,000,
7 and additional amounts not to exceed \$200,000, collected
8 from the sale of publications shall be credited to and used for
9 the purposes of this appropriation.

10 ADVISORY COMMITTEE ON FEDERAL PAY
11 SALARIES AND EXPENSES

12 For necessary expenses of the Advisory Committee on
13 Federal Pay, established by 5 U.S.C. 5306;
14 \$205,000 (63) ~~:-Provided, That~~ the annual report of the
15 Advisory Committee on Federal Pay shall be submitted to
16 the Appropriations Committees of the House and Senate and
17 other appropriate Committees of the Congress at the same
18 time the report is submitted to the President.

19 COMMITTEE FOR PURCHASE FROM THE BLIND
20 AND OTHER SEVERELY HANDICAPPED
21 SALARIES AND EXPENSES

22 For necessary expenses of the Committee for Purchase
23 From the Blind and Other Severely Handicapped established
24 by the Act of June 23, 1971, Public Law 92-28,
25 \$1,062,000.

1 FEDERAL ELECTION COMMISSION

2 SALARIES AND EXPENSES

3 For necessary expenses to carry out the provisions of
4 the Federal Election Campaign Act of 1971, as amended;
5 ~~(64) \$14,257,000~~ \$15,570,000.

6 GENERAL SERVICES ADMINISTRATION

7 REAL PROPERTY ACTIVITIES

8 FEDERAL BUILDINGS FUND

9 LIMITATIONS ON AVAILABILITY OF REVENUE

10 For additional expenses necessary to carry out the pur-
11 poses of the Fund established pursuant to section 210(f) of
12 the Federal Property and Administrative Services Act of
13 1949, as amended (40 U.S.C. 490(f)), ~~(65) \$3,000,000~~
14 \$17,000,000 to be deposited into said fund. The revenues
15 and collections deposited into said fund shall be available for
16 necessary expenses of real property management and related
17 activities not otherwise provided for, including operation,
18 maintenance, and protection of federally owned and leased
19 buildings; rental of buildings in the District of Columbia; res-
20 toration of leased premises; moving Governmental agencies
21 (including space adjustments) in connection with the assign-
22 ment, allocation and transfer of space; contractual services
23 incident to cleaning or servicing buildings and moving; repair
24 and alteration of federally owned buildings, including
25 grounds, approaches and appurtenances; care and safeguard-

1 ing of sites; maintenance, preservation, demolition, and
 2 equipment; acquisition of buildings and sites by purchase,
 3 condemnation, or as otherwise authorized by law; conversion
 4 and extension of federally owned buildings; preliminary plan-
 5 ning and design of projects by contract or otherwise; con-
 6 struction of new buildings (including equipment for such
 7 buildings); and payment of principal, interest, taxes, and any
 8 other obligations for public buildings acquired by purchase
 9 contract, in the aggregate amount of ~~(66)~~ \$3,308,585,000,
 10 \$3,156,271,320, of which (1) not to exceed
 11 ~~(67)~~ \$123,253,000 \$41,739,000 shall remain available
 12 until expended for construction of additional projects at loca-
 13 tions and at maximum construction improvement costs (in-
 14 cluding funds for sites and expenses) as follows:

15 New Construction:

16 Alaska:

17 Skagway, Border Station, \$4,110,000

18 ~~(68)~~ Iowa:

19 Ames, a grant to establish a midwest Super-
 20 computer Access Center at Iowa State University,
 21 \$5,000,000

22 ~~(69)~~ California:

23 Long Beach, Grant to County of Los Ange-
 24 les, additional deck to a parking facility,
 25 \$3,000,000

- 1 **(70) Colorado:**
- 2 Boulder, NOAA, ~~\$31,814,000~~
- 3 Kansas:
- 4 Kansas City, Federal Building, Courthouse,
- 5 Site, \$200,000
- 6 Maryland:
- 7 Prince George's County Federal Courthouse,
- 8 Site and Design, \$4,700,000
- 9 Massachusetts:
- 10 Boston, Federal Building, Claim, \$2,930,000
- 11 **(71) Woods Hole, a grant for the develop-**
- 12 *ment of the Marine Biomedical Institute for Ad-*
- 13 *vanced Studies, \$2,000,000*
- 14 Minnesota:
- 15 International Falls, Border Station,
- 16 \$1,472,000
- 17 **(72) New Jersey:**
- 18 Paterson, Federal Building, ~~\$1,200,000~~
- 19 **(73) Nebraska: Lincoln, a grant for expan-**
- 20 *sion of the Eppley Institute for Research in*
- 21 *Cancer and Allied Diseases, \$5,000,000*
- 22 New Mexico:
- 23 Alamogordo, Grant to the New Mexico State
- 24 University, Primate / Research Institute, Site
- 25 and Facilities, to be constructed on a site leased

1 from the United States Air Force at Holloman
2 Air Force Base, \$5,000,000

3 **(74) North Carolina:**

4 Asheville, Federal Building, Site and Design,
5 \$4,000,000

6 **(75) Pennsylvania:**

7 Philadelphia, Veterans Administration,
8 \$54,000,000

9 Virgin Islands:

10 St. Croix, Federal Building, Courthouse,
11 \$8,827,000

12 Construction Projects, less than \$1,500,000,

13 **(76) ~~\$2,000,000~~: \$2,000,000**

14 **(77) Other selected purchases including options**
15 *to purchase, \$500,000:*

16 *Provided*, That each of the immediately foregoing limits of
17 costs on new construction projects may be exceeded to the
18 extent that savings are effected in other such projects, but by
19 not to exceed 10 per centum: *Provided further*, That all
20 funds for direct construction projects shall expire on Septem-
21 ber 30, 1991, and remain in the Federal Buildings Fund
22 except funds for projects as to which funds for design or other
23 funds have been obligated in whole or in part prior to such
24 date: *Provided further*, That claims against the Government
25 of less than \$100,000 arising from direct construction

1 projects, acquisitions of buildings and purchase contract
 2 projects pursuant to Public Law 92-313, be liquidated with
 3 prior notification to the Committees on Appropriations of the
 4 House and Senate to the extent savings are effected in other
 5 such projects; (2) not to exceed ~~(78) \$541,505,000~~
 6 \$478,443,320 which shall remain available until expended,
 7 for repairs and alterations: *Provided further*, That funds in
 8 the Federal Buildings Fund for Repairs and Alterations shall,
 9 for prospectus projects, be limited to the amount by project
 10 as follows, except each project may be increased by an
 11 amount not to exceed 10 per centum unless advance approval
 12 is obtained from the Committees on Appropriations of the
 13 House and Senate for a greater amount:

14 Repairs and Alterations:

15 Alabama:

16 Mobile, Federal Building, \$1,581,000

17 Alaska:

18 Juneau, Federal Building, Courthouse, Post
 19 Office, \$12,258,000

20 California:

21 Los Angeles, Federal Building, Post Office,
 22 11000 Wilshire Blvd., \$7,700,000

23 Los Angeles, Courthouse, 312 Spring Street,
 24 \$5,302,000

1 San Francisco, Federal Building, Court-
 2 house, 450 Golden Gate Avenue,
 3 **(79)** ~~\$55,851,000~~ \$13,450,000
 4 Colorado:
 5 Denver, **(80)** *Byron G. Rogers* Federal
 6 Building, Courthouse, \$8,614,000
 7 Lakewood, Denver Federal Center, Building
 8 810, \$7,841,000
 9 District of Columbia:
 10 **(81)** ~~GSA~~ *General Services Administration*
 11 Headquarters, \$19,000,000
 12 **(82)** *J. Edgar Hoover* Federal Building,
 13 \$9,800,000
 14 Housing and Urban Development,
 15 \$9,500,000
 16 Old Executive Office Building, \$18,000,000
 17 Florida:
 18 St. Petersburg, Federal Building,
 19 \$3,637,000
 20 Georgia:
 21 Macon, Federal Building, Courthouse,
 22 \$1,765,000
 23 Illinois:
 24 Chicago, Customhouse, \$9,596,000

1 Chicago, (83) *Everett M. Dirksen* Federal
2 Building, Courthouse, \$2,833,000

3 Chicago, Federal Building, 536 S. Clark
4 Street, (84) ~~\$35,328,000~~ \$11,102,000

5 Danville, Federal Building, Courthouse,
6 \$2,627,000

7 Massachusetts:

8 Boston, John F. Kennedy Federal Building,
9 \$9,700,000

10 Michigan:

11 Detroit, Federal Building, Courthouse,
12 \$2,580,000

13 Minnesota:

14 Fort Snelling, (85) *Bishop Henry Whipple*
15 Federal Building, \$4,728,000

16 Missouri:

17 Overland, Adjutant General Personnel
18 Center, \$1,940,000

19 Overland, Federal Records Center,
20 \$7,691,000

21 (86) *New Mexico:*

22 *Santa Fe, Federal Building, Cathedral*
23 *Place at Palace, \$2,130,000*

24 New York:

1 Brooklyn, (87) Cellar Federal Building
 2 Emmanuel Cellar Federal Building, Cadman
 3 Plaza, \$5,100,000

4 (88) North Carolina:

5 Asheville, Grove Arcade Federal Building,
 6 \$3,016,000

7 Pennsylvania:

8 Philadelphia, James A. Byrne Courthouse,
 9 \$7,801,000

10 Philadelphia, William J. Greene, Jr., Feder-
 11 al Building, \$6,774,000

12 Philadelphia, (89) Nix Federal Building
 13 Robert N.C. Nix, Sr., Federal Building,
 14 (90) ~~\$19,268,000~~ \$2,630,000

15 Pittsburgh, (91) William S. Moorhead
 16 Federal Building, \$7,850,000

17 Tennessee:

18 Chattanooga, Joel W. Solomon Federal
 19 Building, Courthouse, \$3,033,000

20 Jackson, Post Office, Courthouse,
 21 \$2,433,000

22 Texas:

23 Fort Worth, Fritz G. Lanham Federal Build-
 24 ing, \$4,834,000

25 Virginia:

1 Charlottesville, Federal Executive Institute,
2 \$2,100,000

3 Wisconsin:

4 Milwaukee, Federal Building, Courthouse,
5 \$3,548,000

6 Capital Improvements of United States-Mexico Border
7 Facilities, **(92)** ~~\$39,624,000~~ \$54,681,320 as follows:

8 Arizona:

9 **(93)** *Douglas, New Border Station,*
10 \$4,000,000

11 Nogales, Mariposa Border Station,
12 \$4,289,000

13 Nogales, Grand Ave/Morley Gate Border
14 Station, \$12,427,000

15 California:

16 Calexico, Border Station, **(94)** ~~\$3,095,000~~
17 \$4,000,320

18 Otay Mesa, Border Station, \$4,302,000

19 **(95)** *Otay Mesa, New facility, \$2,000,000*

20 San Ysidro, Border Station, \$3,366,000

21 **(96)** ~~San Ysidro, Otay Mesa, New facility,~~
22 ~~\$2,000,000~~

23 **(97)** *New Mexico:*

24 Santa Teresa, New Border Station,
25 \$6,152,000

1 Texas:

2 Brownsville, Los Indios Border Station,

3 \$1,535,000

4 (98) Columbia, New Border Station,

5 \$4,000,000

6 Eagle Pass, Border Station, \$1,402,000

7 El Paso, Bridge of the Americas, Border

8 Station, \$7,208,000.

9 Minor Repairs and Alterations, \$201,268,000 (99),—
10 including funds for the reconstruction of the first U.S. Cus-
11 toms House west of the Rockies in Astoria, Oregon, on a site
12 to be donated (100): *Provided, That by no later than July*
13 *30, 1990, the Administrator of General Services shall assess*
14 *the level of unobligated balances, if any, in the Federal*
15 *Buildings Fund and request reprogramming of such bal-*
16 *ances, not to exceed \$10,000,000, to provide additional fund-*
17 *ing for United States-Mexico Border Facility projects: Pro-*
18 *vided, That additional projects for which prospectuses have*
19 *been fully approved may be funded under this category only if*
20 *advance approval is obtained from the Committees on Appro-*
21 *priations of the House and Senate: Provided further, That all*
22 *funds for repairs and alterations prospectus projects shall*
23 *expire on September 30, 1991, and remain in the Federal*
24 *Buildings Fund except funds for projects as to which funds*
25 *for design or other funds have been obligated in whole or in*

1 part prior to such date; (3) not to exceed
2 ~~(101) \$126,752,000~~ \$128,752,000 for payment on pur-
3 chase contracts entered into prior to July 1, 1975; (4) not to
4 exceed ~~(102) \$1,351,500,000~~ \$1,341,736,000 for rental of
5 space; (5) not to exceed ~~(103) \$951,253,000~~ \$948,000,000
6 for real property operations; (6) not to exceed
7 ~~(104) \$68,020,000~~ \$65,520,000 for program direction and
8 centralized services; and (7) not to exceed
9 ~~(105) \$146,302,000~~ \$152,081,000 for design and construc-
10 tion services which shall remain available until expended:
11 *Provided further*, That for the purposes of this authorization,
12 buildings constructed pursuant to the purchase contract au-
13 thority of the Public Buildings Amendments of 1972 (40
14 U.S.C. 602a), and buildings under the control of another de-
15 partment or agency where alterations of such buildings are
16 required in connection with the moving of such other depart-
17 ment or agency from buildings then, or thereafter to be,
18 under the control of the General Services Administration
19 shall be considered to be federally owned buildings ~~(106) :-~~
20 *Provided further*, That the Administrator of General Services
21 is hereby directed to enter into a lease to ownership agree-
22 ment, pursuant to a competitive selection process, for the
23 lease purchase of a building of approximately 541,000 occu-
24 piable square feet, in Chamblee, Georgia. The contract shall
25 provide, by lease or installment payments over a period of

1 not to exceed thirty years, for the payment of the purchase
2 price and reasonable interest thereon, and shall provide for
3 title to the building to vest in the United States on or before
4 the expiration of the contract term upon fulfillment of the
5 terms and conditions of the agreement. Obligations of funds
6 for the lease or installment payments shall be limited to the
7 current fiscal year for which payments are due without
8 regard to section 1341(a)(1)(B) of title 31, United States
9 Code (107): *Provided further, That, notwithstanding any*
10 *other provision of law, the Administrator of General Services*
11 *is hereby directed to enter into a lease to ownership agree-*
12 *ment, pursuant to a competitive selection process, for the*
13 *lease purchase of such buildings as required to provide not to*
14 *exceed 1,400,000 occupiable square feet and necessary park-*
15 *ing for the Environmental Protection Agency, on a site in the*
16 *District of Columbia. The contract shall provide, by lease or*
17 *installment payment over a period not to exceed thirty years,*
18 *from funds available in the Federal Buildings Fund for the*
19 *payment of the purchase price and reasonable interest there-*
20 *on, and shall provide for title to the building(s) to vest in the*
21 *United States on or before the expiration of the contract term*
22 *upon fulfillment of the terms and conditions of the agreement.*
23 *Obligation of funds for the lease or installment payments*
24 *shall be limited to the current fiscal year for which payments*
25 *are due without regard to section 1341 (a)(1)(B) of title 31,*

1 *United States Code: Provided further, That the Administra-*
2 *tor of General Services is hereby directed to enter into a*
3 *lease to ownership agreement, pursuant to a competitive se-*
4 *lection process, for the lease purchase of a building of ap-*
5 *proximately 664,100 occupiable square feet, on a site to be*
6 *donated or otherwise acquired, in the City of Baltimore,*
7 *Maryland, or the City of Woodlawn, Maryland. The contract*
8 *shall provide, by lease or installment payments over a period*
9 *of not to exceed thirty years, for the payment of the purchase*
10 *price and reasonable interest thereon, and shall provide for*
11 *title to the building to vest in the United States on or before*
12 *the expiration of the contract term upon fulfillment of the*
13 *terms and conditions of the agreement. Obligations of funds*
14 *for the lease or installment payments shall be limited to the*
15 *current fiscal year for which payments are due without*
16 *regard to section 1341(a)(1)(B) of title 31, United States*
17 *Code (108): Provided further, That the limitation on pur-*
18 *chase price for the Oakland, California building authorized*
19 *under this heading in Public Law 100-202 may be increased*
20 *by an amount not to exceed 10 per centum unless advance*
21 *approval is obtained from the Committees on Appropriations*
22 *of the House and Senate for a greater amount: Provided fur-*
23 *ther, That none of the funds available to the General Services*
24 *Administration with the exception of those for the Prince*
25 *George's County, Maryland, Federal (109) Courthouse*

1 *Courthouse; Capital Improvements for United States-Mexico*
2 *Border Facilities; and the Santa Fe New Mexico Federal*
3 *Building* shall be available for expenses in connection with
4 any construction, repair, alteration, and acquisition project
5 for which a prospectus, if required by the Public Buildings
6 Act of 1959, as amended, has not been approved, except that
7 necessary funds may be expended for each project for re-
8 quired expenses in connection with the development of a pro-
9 posed prospectus: *Provided further*, That funds available in
10 the Federal Buildings Fund may be expended for emergency
11 repairs when advance approval is obtained from the Commit-
12 tees on Appropriations of the House and Senate: *Provided*
13 *further*, That amounts necessary to provide reimbursable spe-
14 cial services to other agencies under section 210(f)(6) of the
15 Federal Property and Administrative Services Act of 1949,
16 as amended (40 U.S.C. 490(f)(6)) and amounts to provide
17 such reimbursable fencing, lighting, guard booths, and other
18 facilities on private or other property not in Government
19 ownership or control as may be appropriate to enable the
20 United States Secret Service to perform its protective func-
21 tions pursuant to 18 U.S.C. 3056, as amended, shall be
22 available from such revenues and collections: *Provided fur-*
23 *ther*, That revenues and collections and any other sums ac-
24 cruing to this Fund during fiscal year 1990 excluding reim-
25 bursements under section 210(f)(6) of the Federal Property

1 and Administrative Services Act of 1949 (40 U.S.C.
2 490(f)(6)) in excess of ~~(110) \$3,308,585,000~~
3 \$3,156,271,320 shall remain in the Fund and shall not be
4 available for expenditure except as authorized in ~~(111) ap-~~
5 ~~propriation~~ *appropriations* Acts.

6 FEDERAL SUPPLY SERVICE

7 OPERATING EXPENSES

8 For expenses authorized by law, not otherwise provided
9 for, necessary for property management activities, utilization
10 of excess and disposal of surplus personal property, rehabili-
11 tation of personal property, transportation management ac-
12 tivities, transportation audits by in-house personnel, procure-
13 ment, and other related supply management activities,
14 including services as authorized by 5 U.S.C. 3109;
15 \$47,644,000.

16 FEDERAL PROPERTY RESOURCES SERVICE

17 OPERATING EXPENSES

18 (INCLUDING TRANSFER OF FUNDS)

19 For expenses, not otherwise provided for, necessary for
20 carrying out the functions of the Administrator with respect
21 to utilization of excess real property; the disposal of surplus
22 real property, the utilization survey, deed compliance inspec-
23 tion, appraisal, environmental and cultural analysis, and land
24 use planning functions pertaining to excess and surplus real
25 property, including services as authorized by 5 U.S.C. 3109;

1 \$12,174,000, to be derived from proceeds from transfers of
2 excess real property and disposal of surplus real property and
3 related personal property, subject to the provisions of the
4 Land and Water Conservation Fund Act of 1965, as amend-
5 ed (16 U.S.C. 4601-5).

6 REAL PROPERTY RELOCATION

7 For expenses not otherwise provided for, \$8,000,000 to
8 remain available until expended, necessary for carrying out
9 the functions of the Administrator with respect to relocation
10 of Federal agencies from property which has been determined
11 by the Administrator to be other than optimally utilized
12 under the provisions of section 210(e) of the Federal Property
13 and Administrative Services Act of 1949, as amended: *Pro-*
14 *vided*, That such relocations shall only be undertaken when
15 the estimated proceeds from the disposition of the original
16 facilities approximate the appraised fair market value of such
17 new facilities and exceed the estimated costs of relocation.
18 Relocation costs include expenses for and associated with ac-
19 quisition of sites and facilities, and expenses of moving or
20 repurchasing equipment and personal property. These funds
21 may be used for payments to other Federal entities to accom-
22 plish the relocation functions: *Provided further*, That nothing
23 in this paragraph shall be construed as relieving the Adminis-
24 trator of General Services or the head of any other Federal
25 agency from any obligation or restriction under the Public

1 Buildings Act of 1959 (including any obligation concerning
2 submission and approval of a prospectus), the Federal Prop-
3 erty and Administrative Services Act of 1949, as amended,
4 or any other Federal law, or as authorizing the Administrator
5 of General Services or the head of any other Federal agency
6 to take actions inconsistent with statutory obligations or re-
7 strictions placed upon the Administrator of General Services
8 or such agency head with respect to authority to acquire or
9 dispose of real property.

10 GENERAL MANAGEMENT AND ADMINISTRATION

11 SALARIES AND EXPENSES

12 For necessary expenses of agency management of ac-
13 tivities under the control of the General Services Administra-
14 tion, and general administrative and staff support services not
15 otherwise provided for; for providing accounting, records
16 management, and other support incident to adjudication of
17 Indian Tribal Claims by the United States Court of Claims,
18 and services authorized by 5 U.S.C. 3109; \$124,297,000, of
19 which \$800,000 shall be available only for, and is hereby
20 specifically earmarked for personnel and associated costs in
21 support of Congressional District and Senate State offices:
22 *Provided*, That this appropriation shall be available, subject
23 to reimbursement by the applicable agency, for services per-
24 formed for other agencies pursuant to subsections (a) and (b)
25 of section 1535 of title 31, United States Code: *Provided*

1 further, That not to exceed \$5,000 shall be available for offi-
2 cial reception and representation expenses (112):—*Provided*
3 further, That for the fiscal year ending September 30, 1990,
4 in addition to funds previously appropriated to General Man-
5 agement and Administration, there is hereby appropriated
6 \$16,152,000 to remain available until expended, to be allo-
7 cated as grants for the following projects:

8 a. Rochester Institute of Technology, Rochester,
9 New York, to establish a strategic materials research
10 center, \$3,000,000;

11 b. Michigan Technological University, Houghton,
12 Michigan, for construction of a center for applied met-
13 allurgical, minerals, and materials research,
14 \$5,000,000;

15 c. University of Maryland, College Park, Mary-
16 land, to establish a center for strategic man-made ma-
17 terials, \$3,000,000;

18 d. University of Hawaii, Manoa, Hawaii, for a
19 strategic materials research facility, \$1,000,000; and

20 e. University of Texas, El Paso, Texas, for a
21 grant to study and facilitate the development and
22 transfer and installation of strategic materials technol-
23 ogies among American industries, \$4,152,000.

1 INFORMATION RESOURCES MANAGEMENT SERVICE

2 OPERATING EXPENSES

3 For expenses authorized by law, not otherwise provided
4 for, necessary for carrying out Government-wide and internal
5 responsibilities relating to automated data management, tele-
6 communications, information resources management, and re-
7 lated activities, including services as authorized by 5 U.S.C.
8 3109; and for the Information Security Oversight Office es-
9 tablished pursuant to Executive Order 12356; \$32,480,000.

10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector Gen-
12 eral; \$26,500,000 of which \$1,000,000 is available until ex-
13 pended for procurement and installment of an automation
14 program in support of audits and investigations: *Provided,*
15 That not to exceed \$10,000 shall be available for payment
16 for information and detection of fraud against the Govern-
17 ment, including payment for recovery of stolen Government
18 property: *Provided further,* That not to exceed \$2,500 shall
19 be available for awards to employees of other Federal
20 agencies and private citizens in recognition of efforts and
21 initiatives resulting in enhanced Office of Inspector General
22 effectiveness.

1 ALLOWANCES AND OFFICE STAFF FOR FORMER
2 PRESIDENTS

3 For carrying out the provisions of the Act of
4 August 25, 1958, as amended (3 U.S.C. 102 note), and
5 Public Law 95-138; \$1,823,000: *Provided*, That the Admin-
6 istrator of General Services shall transfer to the Secretary of
7 the Treasury such sums as may be necessary to carry out the
8 provisions of such Acts.

9 GENERAL SERVICES ADMINISTRATION—

10 GENERAL PROVISIONS

11 SECTION 1. The appropriate appropriation or fund
12 available to the General Services Administration shall be
13 credited with the cost of operation, protection, maintenance,
14 upkeep, repair, and improvement, included as part of rentals
15 received from Government corporations pursuant to law (40
16 U.S.C. 129).

17 SEC. 2. Funds available to the General Services Admin-
18 istration shall be available for the hire of passenger motor
19 vehicles.

20 SEC. 3. Not to exceed 1 per centum of funds made
21 available in appropriations for operating expenses and sala-
22 ries and expenses, during the current fiscal year, may be
23 transferred between such appropriations for mandatory pro-
24 gram requirements. Any transfers proposed shall be submit-

1 ted promptly to the Committees on Appropriations of the
2 House and Senate for approval.

3 SEC. 4. Funds in the Federal Buildings Fund made
4 available for fiscal year 1990 for Federal Buildings Fund ac-
5 tivities may be transferred between such activities only to the
6 extent necessary for mandatory program requirements. Any
7 transfers proposed shall be submitted promptly to the Com-
8 mittees on Appropriations of the House and Senate for
9 approval.

10 (113) SEC. 5. Funds hereafter made available to the
11 General Services Administration for the payment of rent
12 shall be available for the purpose of leasing, for periods not to
13 exceed thirty years, space in buildings erected on land owned
14 by the United States.

15 (114) SEC. 6. Notwithstanding any provisions of this
16 Act or any other Act in any fiscal year, the Administrator of
17 General Services is authorized and directed to charge the
18 Department of the Interior for design and alterations to the
19 Avondale, Maryland, property at rates so as to recover the
20 approximate applicable cost incurred by General Services
21 Administration in providing such alterations, and the Depart-
22 ment of the Interior is authorized to repay such charges out
23 of any appropriation available to the department and the pay-
24 ments shall be deposited in the fund established by 40 U.S.C.
25 490(f).

1 SEC. (115)7 5. Notwithstanding any other provision
2 of law, the Administrator of General Services is hereafter
3 authorized to transfer from the resources of the Federal
4 Buildings Fund, in accordance with such rules and proce-
5 dures as may be established by the Office of Management and
6 Budget and the Department of the Treasury, such amounts
7 as are necessary to repay the principal amount of General
8 Services Administration borrowings from the Federal Financ-
9 ing Bank when such borrowings are legal obligations of the
10 Fund.

11 SEC. (116)8 6. The General Services Administration
12 shall take immediate action to secure corrections to health
13 and safety problems at the IRS Manhattan District Office
14 (117)and is directed, if unable to correct such problems
15 within ninety days of enactment of this Act, to terminate the
16 lease and relocate the employees to quality working space.

17 SEC. (118)9 7. OBLIGATIONS FOR MULTIYEAR
18 AGREEMENTS FOR LEASE OR OTHER ACQUISITION OF
19 MOTOR VEHICLES ENTERED INTO BY ADMINISTRATOR OF
20 GENERAL SERVICES.—(a) IN GENERAL.—Subject to sub-
21 section (b), obligations of funds for multiyear agreements for
22 the lease or other acquisition of motor vehicles entered into
23 by the Administrator of General Services for the purposes of
24 section 211 of the Federal Property and Administrative
25 Services Act of 1949 (40 U.S.C. 491) shall be limited to the

1 current fiscal year for which payments are due, without
2 regard to any termination or cancellation costs, and without
3 regard to section 1341(a)(1)(B) of title 31, United States
4 Code.

5 (b) **AFFECTED AGREEMENTS.**—This section shall apply
6 to multiyear agreements which—

7 (1) are entered into by the Administrator during
8 the 4-year period beginning on the date of the enact-
9 ment of this Act; and

10 (2) provide for the lease of motor vehicles for a
11 period of not more than four years.

12 **SEC. (119) 8.** The general provision (section 8) in
13 Public Law 100-440 is amended as follows: In subsection
14 (b)(1) delete “600,000” and insert “900,000”. Delete sub-
15 section (b)(2).

16 **(120) SEC. 11.** (a) ~~Notwithstanding any other provi-~~
17 ~~sions of law, the Administrator of General Services, with the~~
18 ~~concurrence of the Director of the U.S. Fish and Wildlife~~
19 ~~Service, is authorized and directed to acquire, by means of a~~
20 ~~lease of up to twenty years duration, a new facility to house~~
21 ~~the offices of Region Five of the U.S. Fish and Wildlife Serv-~~
22 ~~ice in Hampshire County or Holyoke, Massachusetts.~~

23 (b) There is hereby made available until expended, out
24 of the Federal Buildings Fund, not to exceed \$100,000 for
25 telecommunication system expenses associated with the relo-

1 eation of Region Five of the U.S. Fish and Wildlife Service
2 to the facility authorized to be leased by this Act.

3 (121) SEC. 12. The Administrator of GSA is directed
4 to lease approximately one hundred thousand occupiable
5 square feet of office and special purpose space to provide for
6 relocation and consolidation of the outpatient clinic functions
7 in Boston, Massachusetts, currently located in an outdated
8 Federal building at 17 Court Street.

9 (122) SEC. 13. Notwithstanding any other provision of
10 law, the Secretary of Commerce shall transfer to the General
11 Services Administration at no cost approximately fifteen
12 acres of the site at 325 Broadway in Boulder, Colorado, for
13 the construction of a new Federal Building to house the Na-
14 tional Oceanic and Atmospheric Administration. In selecting
15 the land to be transferred, the Secretary shall give due con-
16 sideration to access from Broadway and the availability of
17 utilities.

18 (123) SEC. 14. Before acquiring any space over one
19 hundred thousand square feet in the Washington Metropoli-
20 tan Region, the Administrator of General Services shall so-
21 licit bids for such space through a region-wide advertisement
22 in the National Capital Region, including Maryland, Virginia,
23 and the District of Columbia. The Administrator, subject to
24 authorization, shall competitively acquire such space and
25 select quality space at the lowest possible cost in such Metro-

1 politan Region. This shall occur in all cases except where an
2 agency has an authorized expansion requirement that must
3 be contiguous to an existing location and which is not in
4 excess of 10 percent of the agency's existing space at that
5 location or continued occupancy must be provided at an ex-
6 isting location as an interim step to a competitive action if
7 such occupancy is for a period not in excess of twelve
8 months.

9 (124) *SEC. 9. The Administrator of General Services*
10 *after consultation with the Internal Revenue Service, De-*
11 *partment of the Treasury and the Department of Defense*
12 *shall submit a prospectus for the Internal Revenue Service*
13 *and a prospectus for the Department of the Navy to the*
14 *House Committee on Public Works, the Senate Committee*
15 *on Environment and Public Works, and the House and*
16 *Senate Committees on Appropriations within 90 days of en-*
17 *actment of this Act.*

18 *One prospectus shall provide for the consolidation of ex-*
19 *isting leased space for activities of the National Office of the*
20 *Internal Revenue Service and additional space which may be*
21 *required by such activities in the National Capital Region,*
22 *into one consolidated suburban Maryland location in the Na-*
23 *tional Capital Region.*

24 *A second prospectus shall provide for the consolidation*
25 *of existing leased space in northern Virginia and additional*

1 space required by the Department of the Navy in the north-
2 ern Virginia area into one consolidated location in the north-
3 ern Virginia area.

4 The prospectuses shall outline how such space shall op-
5 erate in a coordinated fashion with existing Government con-
6 trolled space that will continue to be occupied by such agency
7 or department and shall provide that the Administrator of
8 General Services shall competitively acquire and select qual-
9 ity space representing the best value for the Government at
10 the lowest possible cost within each respective area.

11 (125) SEC. 15. Notwithstanding any other provision of
12 law, the General Services Administration is hereby author-
13 ized to sell to the city of Asheville or political subdivision at
14 fair market value, the Grove Arcade Federal Building and
15 site, in whole or in part, in Asheville, North Carolina, and to
16 deposit such proceeds into the Federal Buildings Fund.

17 (126) SEC. 16. Notwithstanding any other provision of
18 law, the County of Los Angeles in the State of California
19 shall provide to the General Services Administration, without
20 cost, 250 parking spaces for a period of ninety-nine years, in
21 the Parking Facility at Long Beach, California, for which a
22 Grant is provided from revenues and collections deposited
23 into the Fund established pursuant to section 210(f) of the
24 Federal Property and Administrative Services Act of 1949,
25 as amended (40 U.S.C. 490(f)).

1 **(127) SEC. 10. (a) CONVEYANCE.**—Subject to sub-
2 section (c), notwithstanding any other provision of law, the
3 Administrator of General Services (Administrator) shall
4 convey, subject to existing easements, without consideration,
5 to the State of Hawaii, all right title and interest of the
6 United States in and to approximately 89.274 acres more
7 specifically described in subsection (b), together with any im-
8 provements, structures and fixtures located thereon and relat-
9 ed personal property in Waianae, Oahu, State of Hawaii at
10 the former U.S. Coast Guard transmitter site.

11 **(b) LEGAL DESCRIPTION.**—This land is a portion of
12 Grant 4751 to H.M. Von Holt and a portion of Lot A-4-A
13 of Land Court Application 130 situated about 2,000 feet
14 Northeasterly from Farrington Highway at Lualualei,
15 Waianae, Oahu, State of Hawaii; beginning at the North-
16 west corner of this piece of land and on the easterly boundary
17 of Grant 7859 to Ralph E. Turner, the true azimuth and
18 distance from Government Survey Triangulation Station
19 “Puu-O-Hulu (Makai)” being $167^{\circ}33'$ 5556.27 feet and
20 running by true azimuths measured clockwise from South:
21 (1) $261^{\circ}44'$ 1940.00 feet along 50' road easement; (2)
22 $360^{\circ}00'$ 2551.34 feet; (3) $89^{\circ}06'$ 1413.41 feet; (4) $167^{\circ}33'$
23 2349.87 feet along Grant 8422 to Lizzie Gilliland and
24 Grant 7859 to Ralph E. Turner to the point of beginning;
25 total acreage 93.575.

1 *Excluding from said 93.575 acre parcel, Parcel A of*
2 *WAIANAENUI WATERSHED PROJECT, MAILI*
3 *CHANNEL IMPROVEMENT, LINES M-5 and M-6,*
4 *Being Lot 202-A, area 1.440 acres, as shown on Map 53,*
5 *and filed in the Office of the Assistant Registrar of the Land*
6 *Court of State of Hawaii with Land Court Application No.*
7 *130 of Alexander C. Dowsett et als, and being a portion of*
8 *the land described in Transfer Certificate of Title No. 86,019*
9 *issued to said grantor, situated at Lualualei, Waianae,*
10 *Oahu, Hawaii, and also excluding therefrom, Parcel "B" of*
11 *WAIANAENUI WATERSHED PROJECT, MAILI*
12 *CHANNEL IMPROVEMENT, LINES M-5 and M-6:*
13 *All of that certain parcel of land being a portion of Grant*
14 *4751 to H.M. Von Holt (Portion of U.S. Civil No. 868),*
15 *situated at Lualualei, Waianae, Oahu, Hawaii, approxi-*
16 *mately 2.861 acres.*

17 (c) *CONDITIONS OF CONVEYANCES.—(1) The Admin-*
18 *istrator shall convey the approximately 89.274 acres de-*
19 *scribed in subsection (b) to the State of Hawaii on the condi-*
20 *tion that the State of Hawaii, within 3 years of date of con-*
21 *veyance, exchange such property for one or more of Hawai-*
22 *ian home lands on the islands of Hawaii, Oahu and Molo-*
23 *kai—consisting of: (1) approximately 6.00 acres of real prop-*
24 *erty located in Keaukaha (Tract 1), Waiakea, Hilo, Hawaii,*
25 *being the present site of Keaukaha School; (2) approximately*

1 26.207 acres of real property filed in the Office of the De-
2 partment of Land and Natural Resources in C.S.F. No.
3 20282 and a separate parcel, being the present site of Molo-
4 kai High School and Athletic Field; and (3) approximately
5 13.675 acres, filed in the Office of the Department of Land
6 and Natural Resources in C.S.F. Nos. 12325, 10414, and
7 6342, being the present site of Nanaikapono Elementary
8 School.

9 In the event the exchange of the property is not complet-
10 ed within the time period as specified herein, all right, title
11 and interest to such property shall revert to the United States
12 and the United States shall have the immediate right of entry
13 thereon.

14 (2) Prior to the conveyance by the Administrator of ap-
15 proximately 89.274 acres described in subsection (b), as a
16 condition of the conveyance, the State of Hawaii shall agree
17 that the Hawaiian Home Land properties to be acquired by
18 the State of Hawaii in the exchange described in subsection
19 (c)(1) shall only be used for governmental purposes in perpe-
20 tuity, and in the event the properties cease to be so used, all
21 or any portion of such properties, shall, in its existing condi-
22 tion, revert to the United States.

23 (128) SEC. 11. (a) Notwithstanding Sec. 203(k) of
24 the Federal Property and Administrative Services Act of
25 1949, any implementing regulations, and the conveyance of

1 *Deed Without Warranty of June 5, 1968 recorded in Book*
2 *250 pages 183 through 196 of the Deed Records of Chaves*
3 *County, New Mexico, on June 5, 1968, and Correction Deed*
4 *of January 6, 1969, to the Deed Without Warranty of June*
5 *5, 1968, recorded in Book 252 pages 100 through 115 of the*
6 *Deed Records of Chaves County, New Mexico, from the*
7 *United States of America to the Board of Regents, Eastern*
8 *New Mexico University (ENMU), the Secretary of Educa-*
9 *tion shall, as to the property described in subsection (b),*
10 *grant a release to ENMU from all terms, conditions, reserva-*
11 *tions, and restrictions required by the Federal Property and*
12 *Administrative Services Act, implementing regulations or*
13 *contained in the above mentioned Deeds, to permit at no cost*
14 *to ENMU, a lease by ENMU for unrestricted use of such*
15 *property to the city of Roswell, Chaves County, New Mexico*
16 *upon such terms, conditions and for such periods (not to*
17 *exceed 99 years) which in the sole discretion of ENMU, may*
18 *be prescribed. To the extent that the leased property continues*
19 *to be used for any educational or training purpose (not limit-*
20 *ed to the purposes in the application) by the city of Roswell*
21 *or any other party, such use shall be considered as being in*
22 *compliance with the terms of the deeds for purposes of compli-*
23 *ance by ENMU with the 30 year educational use require-*
24 *ment and the earning of the public benefit allowance by*

1 *ENMU. The Secretary of Education shall issue such modi-*
2 *fications to the deeds as may be required.*

3 **(b)** *The property referred to in this section is described*
4 *as a tract of land lying and being situated in Section 33,*
5 *Township 11 South, Range 24 East, NMPM, Chaves*
6 *County, New Mexico and being more particularly described*
7 *as follows: Beginning at a point on the South boundary of*
8 *the PECOS VALLEY VILLAGE SUBDIVISION from*
9 *which the Northwest corner of said Section 33 bears N*
10 *6°16'28" W a distance of 2382.64 feet, said point being the*
11 *intersection of said South boundary and the centerline of*
12 *Gail Harris Street; thence S 89°37'30" E along the south*
13 *boundary of the PECOS VALLEY VILLAGE SUBDI-*
14 *VISION, a distance of 753.38 feet; thence S 0°00'43" E a*
15 *distance of 2382.10 feet; thence S 89°58'24" W a distance*
16 *of 771.18 feet to the centerline of Gail Harris Street; thence*
17 *N 0°24'51" E along said centerline, a distance of 2387.43*
18 *feet to the point of beginning. Containing 41.7245 acres,*
19 *more or less.*

20 **(c)** *Notwithstanding the conditions subsequent, or the*
21 *provisions concerning abrogation contained in the above men-*
22 *tioned deeds, the Secretary of Education shall, if requested*
23 *by ENMU, consent to a sale, of the property described in*
24 *subsection (b), to the city of Roswell, if ENMU pays to the*
25 *United States an amount computed by deducting, from the*

1 *estimated fair market value of the property described in sub-*
2 *section (b), as of the date of the original conveyance from the*
3 *United States to ENMU, a credit at the rate of 3 $\frac{1}{3}$ % of the*
4 *estimated fair market value for each 12 months during which*
5 *the property has been utilized for educational or training pur-*
6 *poses, in accordance with the purpose specified in the appli-*
7 *cation referred to in the deeds.*

8 **(129)** *SEC. 12. Notwithstanding any other provision*
9 *of law, the Administrator of General Services—*

10 *(a) shall convey, without consideration, jurisdic-*
11 *tion (custody, accountability and control) to the Insti-*
12 *tute of American Indian and Alaska Native Culture*
13 *and Arts Development (Institute), over approximately*
14 *31,006 square feet of real property, together with any*
15 *improvements, structures, and fixtures located thereon*
16 *and related personal property, located at Cathedral*
17 *Place at Palace, in Ward Number 4 of the City of*
18 *Santa Fe and Precinct Number 18 of the County of*
19 *Santa Fe, New Mexico, and*

20 *(b) shall transfer to the Institute, from revenues*
21 *and collections in the fund established pursuant to sec-*
22 *tion 210(f) of the Federal Property and Administrative*
23 *Services Act of 1949 (40 United States Code 490(f)),*
24 *the sum of \$2,130,000 for the purpose of repairs and*
25 *alterations to the facility transferred by this section.*

1 (130) SEC. 13. (a) Notwithstanding any other provi-
2 sion of law, the Secretary of Education shall convey, without
3 consideration, to the School District of Charleston County,
4 South Carolina, a deed releasing the reversionary interest
5 held by the United States to the property identified in para-
6 graph (b).

7 (b) All that lot, piece or parcel of land, situate, lying
8 and being on the west side of Chisolm Street, in Ward 2, in
9 the City of Charleston, County of Charleston, and State of
10 South Carolina.

11 Measuring and containing in front on Chisolm Street
12 100 feet, and the same on the west or back line, and in depth
13 on the northernmost line from east to west 150 feet and $\frac{1}{2}$
14 inch, and the same on the southern most line—be all the said
15 dimensions a little more or less.

16 Butting and bounding to the north on lands now of An-
17 derson Lumber Company, formerly of Mrs. E.C. Rennecker;
18 east on Chisolm Street aforesaid; south on part of the origi-
19 nal tract of land owned by the said A.B. Murray and West
20 Point Mills Company, now reserved by the said grantors,
21 and west on another part of the said original tract, formerly
22 belonging to the said A.B. Murray and West Point Mills
23 Company, and conveyed by them to the United States of
24 America.

1 *The said lot of land hereby conveyed being the northern-*
2 *most portion of that portion of the Chisolm's Mills Property,*
3 *reserved by the A.B. Murray and West Point Mills Compa-*
4 *ny after conveyance of the greater part of the said Chisolm's*
5 *Mills property to the United States of America, by Deeds*
6 *which are recorded and may be seen in Book U-24, Page*
7 *582 and Page 585 in the R.M.C. Office for Charleston*
8 *County, and all of which is more fully shown and delineated*
9 *on a Plat of the said Chisolm's Mills Property, dated April*
10 *23, 1914, and made and certified to by H.D. King, Inspec-*
11 *tor, United States Light House Department, which said Plat*
12 *is on record in Plat Book C, Page 97, in the R.M.C. Office*
13 *for Charleston County.*

14 *Being the same premises which were conveyed to the*
15 *United States of America by deed of Andrew B. Murray*
16 *dated October 23, 1916, and recorded in the Office of the*
17 *R.M.C. for Charleston County in Book U-24, Page 587,*
18 *and by deed of West Point Mill Company, dated Novem-*
19 *ber 20, 1916, and recorded in said office in Book U-24,*
20 *Page 589.*

21 **(131)** *SEC. 14. (a) Notwithstanding any other provi-*
22 *sion of law, agencies are authorized to make rent payments to*
23 *the General Services Administration for lease space relating*
24 *to expansion needs of the agency and General Services Ad-*
25 *ministration is authorized to use such funds, in addition to*

1 the amount received as New Obligational Authority in the
2 Rental of Space activity of the Federal Buildings Fund.
3 Such payments are to be at the commercial equivalent rates
4 specified by Section 201(j) of the Federal Property and Ad-
5 ministrative Services Act of 1949, as amended (40 U.S.C.
6 490(j)) and are to be deposited into the Fund established pur-
7 suant to Section 210(f) of the Federal Property and Admin-
8 istrative Services Act of 1949, as amended (40 U.S.C.
9 490(f)).

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

13 (132) SEC. 15. Notwithstanding any provisions of
14 this Act or any other Act in any fiscal year, obligations of
15 funds for lease, entered into in accordance with section
16 210(h)(1) of the Federal Property and Administrative Serv-
17 ices Act of 1949, as amended, 40 U.S.C. 490, shall be limit-
18 ed to the current fiscal year for which payments are due with-
19 out regard to section 1341(a)(1)(b) of title 31, United States
20 Code.

21 (133) SEC. 16. None of the funds appropriated by this
22 Act may be obligated or expended in any way for the purpose
23 of the sale, excessing, surplusing, or disposal of lands in the
24 vicinity of Norfolk Lake, Arkansas, administered by the

1 senger motor vehicles, \$126,612,000 of which
2 (137) ~~\$4,000,000~~ \$6,000,000 for allocations and grants for
3 historical publications and records as authorized by 44
4 U.S.C. 2504, as amended, shall remain available until ex-
5 pended.

6 OFFICE OF GOVERNMENT ETHICS

7 SALARIES AND EXPENSES

8 For necessary expenses to carry out functions of the
9 Office of Government Ethics pursuant to the Ethics in Gov-
10 ernment Act of 1978, as amended by Public Law 100-598,
11 including services as authorized by 5 U.S.C. 3109, rental of
12 conference rooms in the District of Columbia and elsewhere,
13 hire of passenger motor vehicles, and not to exceed \$1,500
14 for official reception and representation expenses:
15 \$3,414,000.

16 OFFICE OF PERSONNEL MANAGEMENT

17 SALARIES AND EXPENSES

18 (INCLUDING TRANSFER OF TRUST FUNDS)

19 For necessary expenses to carry out functions of the
20 Office of Personnel Management pursuant to Reorganization
21 Plan Numbered 2 of 1978 and the Civil Service Reform Act
22 of 1978, including services as authorized by 5 U.S.C. 3109,
23 medical examinations performed for veterans by private phy-
24 sicians on a fee basis, rental of conference rooms in the Dis-
25 trict of Columbia and elsewhere, hire of passenger motor ve-

1 hicles, not to exceed \$2,500 for official reception and repre-
2 sentation expenses, and advances for reimbursements to ap-
3 plicable funds of the Office of Personnel Management and the
4 Federal Bureau of Investigation for expenses incurred under
5 Executive Order 10422 of January 9, 1953, as amended;
6 **(138)** ~~\$113,668,000~~ of which no less than \$250,000 shall
7 be made available to establish a program to facilitate the use
8 of job-sharing arrangements in agencies as authorized in sec-
9 tion 3402 of title 5, United States Code
10 **(139)** \$111,192,000, of which not to exceed \$1,000,000
11 shall be made available for establishment of Federal health
12 promotion and disease prevention programs for Federal em-
13 ployees; in addition to \$81,907,000 for administrative ex-
14 penses, including direct procurement of health benefits print-
15 ing, for the retirement and insurance programs of which
16 \$11,800,000 shall remain available until expended for costs
17 incurred in implementing the recordkeeping system of the
18 Federal Employees Retirement System, to be transferred
19 from the appropriate trust funds of the Office of Personnel
20 Management in the amounts determined by the Office of Per-
21 sonnel Management without regard to other statutes: *Provid-*
22 *ed*, That the provisions of this appropriation shall not affect
23 the authority to use applicable trust funds as provided by
24 section 8348(a)(1)(B) of title 5, U.S.C.: *Provided further*,
25 That no part of this appropriation shall be available for sala-

1 ries and expenses of the Legal Examining Unit of the Office
2 of Personnel Management established pursuant to Executive
3 Order 9358 of July 1, 1943, or any successor unit of like
4 purpose: *Provided further*, That the President's Commission
5 on White House Fellows, established by Executive Order
6 11183 of October 3, 1964, may, during the fiscal year ending
7 September 30, 1990, accept donations of money, property,
8 and personal services in connection with the development of
9 a publicity brochure to provide information about the White
10 House Fellows, except that no such donations shall be ac-
11 cepted for travel or reimbursement of travel expenses, or
12 for the salaries of employees of such Commission.

13 OFFICE OF INSPECTOR GENERAL

14 SALARIES AND EXPENSES

15 (INCLUDING TRANSFER OF TRUST FUNDS)

16 For necessary expenses of the Office of Inspector Gen-
17 eral in carrying out the provisions of the Inspector General
18 Act, as amended, including services as authorized by 5
19 U.S.C. 3109, rental of conference rooms in the District of
20 Columbia and elsewhere, hire of passenger motor vehicles:
21 \$2,918,000; and in addition, not to exceed \$2,193,000 for
22 administrative expenses to audit the Office of Personnel Man-
23 agement's insurance programs, to be transferred from the ap-
24 propriate trust funds of the Office of Personnel Management
25 in amounts sufficient to cover such administrative expenses,

1 as determined by the Inspector General without regard to
2 other statutes.

3 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES

4 HEALTH BENEFITS

5 For payment of Government contributions with respect
6 to retired employees, as authorized by chapter 89 of title 5,
7 United States Code, and the Retired Federal Employees
8 Health Benefits Act (74 Stat. 849), as amended,
9 \$3,780,169,000, to remain available until expended.

10 GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE

11 LIFE INSURANCE

12 For payment of Government contributions with respect
13 to employees retiring after December 31, 1989, as required
14 by chapter 87 of title 5, United States Code, \$2,700,000, to
15 remain available until expended.

16 PAYMENT TO CIVIL SERVICE RETIREMENT AND

17 DISABILITY FUND

18 For financing the unfunded liability of new and in-
19 creased annuity benefits becoming effective on or after Octo-
20 ber 20, 1969, as authorized by 5 U.S.C. 8348, and annuities
21 under special Acts to be credited to the Civil Service Retire-
22 ment and Disability Fund, \$5,211,732,000: *Provided*, That
23 annuities authorized by the Act of May 29, 1944, as amend-
24 ed (22 U.S.C. 3682(e)), August 19, 1950, as amended (33

1 U.S.C. 771-75), may hereafter be paid out of the Civil Serv-
2 ice Retirement and Disability Fund.

3 REVOLVING FUND

4 Pursuant to section 4109(d)(1) of title 5, United States
5 Code, costs for entertainment expenses of the President's
6 Commission on Executive Exchange shall not exceed
7 \$12,000.

8 (140) OFFICE OF PERSONNEL MANAGEMENT

9 GENERAL PROVISION

10 SEC. 1. Section 8902(k)(1) of title 5, United States
11 Code, is amended—

12 (1) by striking out “performed by a clinical psy-
13 chologist or optometrist” and inserting in lieu thereof
14 “performed by a clinical psychologist, optometrist,
15 nurse midwife, or nurse practitioner/clinical special-
16 ist”; and

17 (2) by striking out “qualified clinical social
18 worker or optometrist” and inserting in lieu thereof
19 “qualified clinical social worker, optometrist, nurse
20 midwife, or nurse practitioner/nurse clinical specialist”.

21 MERIT SYSTEMS PROTECTION BOARD

22 SALARIES AND EXPENSES

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses to carry out functions of the
25 Merit Systems Protection Board pursuant to Reorganization

1 Plan Numbered 2 of 1978 and the Civil Service Reform Act
 2 of 1978, including services as authorized by 5 U.S.C. 3109,
 3 rental of conference rooms in the District of Columbia and
 4 elsewhere, hire of passenger motor vehicles; \$20,987,000,
 5 together with not to exceed \$1,450,000 for administrative
 6 expenses to adjudicate retirement appeals to be transferred
 7 from the Civil Service Retirement and Disability Fund in
 8 amounts determined by the Merit Systems Protection Board.

9 ~~(141) OFFICE OF SPECIAL COUNSEL~~

10 *OFFICE OF SPECIAL COUNSEL*

11 SALARIES AND EXPENSES

12 For necessary expenses to carry out functions of the
 13 Office of the Special Counsel pursuant to Reorganization
 14 Plan Numbered 2 of 1978 and the Civil Service Reform Act
 15 of 1978 (Public Law 95-454), including services as author-
 16 ized by 5 U.S.C. 3109, payment of fees and expenses for
 17 witnesses, rental of conference rooms in the District of Co-
 18 lumbia and elsewhere, and hire of passenger motor vehicles;
 19 \$5,142,000.

20 FEDERAL LABOR RELATIONS AUTHORITY

21 SALARIES AND EXPENSES

22 For necessary expenses to carry out functions of the
 23 Federal Labor Relations Authority, pursuant to Reorganiza-
 24 tion Plan Numbered 2 of 1978, and the Civil Service Reform
 25 Act of 1978, including services as authorized by 5 U.S.C.

1 3109, including hire of experts and consultants, hire of pas-
2 senger motor vehicles, rental of conference rooms in the Dis-
3 trict of Columbia and elsewhere; ~~(142)~~ \$17,500,000
4 \$17,680,000: *Provided*, That public members of the Federal
5 Service Impasses Panel may be paid travel expenses and per
6 diem in lieu of subsistence as authorized by law (5 U.S.C.
7 5703) for persons employed intermittently in the Government
8 service, and compensation as authorized by 5 U.S.C. 3109.

9 UNITED STATES TAX COURT

10 SALARIES AND EXPENSES

11 For necessary expenses, including contract reporting
12 and other services as authorized by 5 U.S.C. 3109;
13 \$28,120,000: *Provided*, That travel expenses of the judges
14 shall be paid upon the written certificate of the judge.

15 This title may be cited as the "Independent Agencies
16 Appropriations Act, 1990".

17 TITLE V—GENERAL PROVISIONS

18 THIS ACT

19 ~~(143)~~ SECTION 501. Where appropriations in this Act
20 are expendable for travel expenses of employees and no spe-
21 cific limitation has been placed thereon, the expenditures for
22 such travel expenses may not exceed the amount set forth
23 therefor in the budget estimates submitted for the appropria-
24 tions: *Provided*, That this section shall not apply to travel
25 performed by uncompensated officials of local boards and

1 appeal boards of the Selective Service System; to travel per-
2 formed directly in connection with care and treatment of
3 medical beneficiaries of the Veterans' Administration; to
4 travel of the Office of Personnel Management in carrying out
5 its observation responsibilities of the Voting Rights Act; or to
6 payments to interagency motor pools where separately set
7 forth in the budget schedules.

8 SEC. (144) ~~502~~ 501. No part of any appropriation
9 contained in this Act shall be available to pay the salary of
10 any person filling a position, other than a temporary position,
11 formerly held by an employee who has left to enter the
12 Armed Forces of the United States and has satisfactorily
13 completed his period of active military or naval service and
14 has within ninety days after his release from such service or
15 from hospitalization continuing after discharge for a period of
16 not more than one year made application for restoration to
17 his former position and has been certified by the Office of
18 Personnel Management as still qualified to perform the duties
19 of his former position and has not been restored thereto.

20 SEC. (145) ~~503~~ 502. No part of any appropriation
21 made available in this Act shall be used for the purchase or
22 sale of real estate or for the purpose of establishing new of-
23 fices inside or outside the District of Columbia: *Provided,*
24 That this limitation shall not apply to programs which have

1 been approved by the Congress and appropriations made
2 therefor.

3 SEC. (146) ~~504~~ 503. No part of any appropriation
4 contained in this Act shall remain available for obligation
5 beyond the current fiscal year unless expressly so provided
6 herein.

7 SEC. (147) ~~505~~ 504. The expenditure of any appro-
8 priation under this Act for any consulting service through
9 procurement contract, pursuant to 5 U.S.C. 3109, shall be
10 limited to those contracts where such expenditures are a
11 matter of public record and available for public inspection,
12 except where otherwise provided under existing law, or
13 under existing Executive order issued pursuant to existing
14 law.

15 (148) SEC. 505. *No part of any appropriation con-*
16 *tained in this Act shall be available for the procurement of, or*
17 *for the payment of, the salary of any person engaged in the*
18 *procurement of any hand or measuring tool(s) not produced*
19 *in the United States or its possessions except to the extent*
20 *that the Administrator of General Services or his designee*
21 *shall determine that a satisfactory quality and sufficient*
22 *quantity of hand or measuring tools produced in the United*
23 *States or its possessions cannot be procured as and when*
24 *needed from sources in the United States and its possessions,*
25 *or except in accordance with procedures prescribed by section*

1 6-104.4(b) of Armed Services Procurement Regulation dated
2 January 1, 1969, as such regulation existed on June 15,
3 1970: Provided, That a factor of 75 per centum in lieu of 50
4 per centum shall be used for evaluating foreign source end
5 products against a domestic source end product. This sec-
6 tion shall be applicable to all solicitations for bids opened
7 after its enactment.

8 SEC. 506. None of the funds made available to the Gen-
9 eral Services Administration pursuant to section 210(f) of the
10 Federal Property and Administrative Services Act of 1949
11 shall be obligated or expended after the date of enactment of
12 this Act for the procurement by contract of any service
13 which, before such date, was performed by individuals in
14 their capacity as employees of the General Services
15 Administration in any position of guards, elevator operators,
16 messengers, and custodians (149) if said employees would
17 be terminated by procurement of such services, except that
18 such funds may be obligated or expended for the procurement
19 by contract of the covered services with sheltered workshops
20 employing the severely handicapped under Public Law
21 92-28.

22 SEC. 507. No funds appropriated in this Act shall be
23 available for administrative expenses in connection with im-
24 plementing or enforcing any provisions of the rule TD ATF-
25 66 issued June 13, 1980, by the Department of the Treas-

1 ury, Bureau of Alcohol, Tobacco and Firearms on labeling
2 and advertising of wine, distilled spirits and malt beverages,
3 except if the expenditure of such funds, is necessary to
4 comply with a final order of the Federal court system.

5 (150) ~~SEC. 508.~~ None of the funds appropriated or
6 made available by this Act shall be used to competitively
7 procure electric utility service, except where such procure-
8 ment is expressly authorized by the Federal Power Act or by
9 State law or regulation.

10 (151) ~~SEC. 509.~~ None of the funds appropriated in this
11 Act may be used for administrative expenses to close the
12 Federal Information Center of the General Services Adminis-
13 tration located in Sacramento, California.

14 SEC. (152) ~~510~~ 508. None of the funds made available
15 by this Act for the Department of the Treasury may be used
16 for the purpose of eliminating any existing requirement for
17 sureties on customs bonds.

18 SEC. (153) ~~511~~ 509. None of the funds made available
19 by this Act shall be available for any activity or for paying
20 the salary of any Government employee where funding an
21 activity or paying a salary to a Government employee would
22 result in a decision, determination, rule, regulation, or policy
23 that would prohibit the enforcement of section 307 of the
24 1930 Tariff Act.

1 SEC. (154) ~~512~~ 510. None of the funds made available
2 by this Act shall be available for the purpose of transferring
3 control over the Federal Law Enforcement Training Center
4 located at Glynco, Georgia, Marana, Arizona, and Artesia,
5 New Mexico, out of the Treasury Department.

6 SEC. (155) ~~513~~ 511. No part of any appropriation
7 contained in this Act shall be used for publicity or propagan-
8 da purposes within the United States not heretofore author-
9 ized by the Congress.

10 SEC. (156) ~~514~~ 512. No part of any appropriation
11 contained in this Act shall be available for the payment of the
12 salary of any officer or employee of the United States Postal
13 Service, who—

14 (1) prohibits or prevents, or attempts or threatens
15 to prohibit or prevent, any officer or employee of the
16 United States Postal Service from having any direct
17 oral or written communication or contact with any
18 Member or committee of Congress in connection with
19 any matter pertaining to the employment of such offi-
20 cer or employee or pertaining to the United States
21 Postal Service in any way, irrespective of whether
22 such communication or contact is at the initiative of
23 such officer or employee or in response to the request
24 or inquiry of such Member or committee; or

1 (2) removes, suspends from duty without pay, de-
2 motes, reduces in rank, seniority, status, pay, or per-
3 formance of efficiency rating, denies promotion to, relo-
4 cates, reassigns, transfers, disciplines, or discriminates
5 in regard to any employment right, entitlement, or
6 benefit, or any term or condition of employment of, any
7 officer or employee of the United States Postal Serv-
8 ice, or attempts or threatens to commit any of the fore-
9 going actions with respect to such officer or employee,
10 by reason of any communication or contact of such offi-
11 cer or employee with any Member or committee of
12 Congress as described in paragraph (1) of this sub-
13 section.

14 (157) SEC. 515. ~~Except for vehicles provided to the~~
15 ~~President, Vice President and their families, or to the United~~
16 ~~States Secret Service, none of the funds provided in this Act~~
17 ~~to any Department or Agency shall be obligated or expended~~
18 ~~to procure passenger automobiles as defined in 15 U.S.C.~~
19 ~~2001 with an EPA estimated miles per gallon average of less~~
20 ~~than twenty-two miles per gallon. The requirements of this~~
21 ~~section may be waived by the Administrator of the General~~
22 ~~Services Administration for special purposes or special mis-~~
23 ~~sion automobiles.~~

24 SEC. (158) ~~516~~ 513. No funds appropriated by this
25 Act shall be available to pay for an abortion, or the adminis-

1 trative expenses in connection with any health plan under the
2 Federal employees health benefit program which provides
3 any benefits or coverage for abortions.

4 SEC. (159)~~517~~ 514. The provision of section
5 (160)~~516~~ 513 shall not apply where the life of the mother
6 would be endangered if the fetus were carried to term.

7 SEC. (161)~~518~~ 515. None of the funds appropriated
8 by this Act may be used to solicit bids, lease space, or enter
9 into any contract to close or consolidate executive seminar
10 centers for the Office of Personnel Management.

11 SEC. (162)~~519~~ 516. The Administrator of General
12 Services, under section 210(h) of the Federal Property and
13 Administrative Services Act of 1949, as amended, may ac-
14 quire, by means of a lease of up to thirty years duration,
15 space for the United States Courts in Tacoma, Washington,
16 at the site of Union Station, Tacoma, Washington.

17 SEC. (163)~~520~~ 517. Funds under this Act shall be
18 available as authorized by sections 4501-4506 of title 5,
19 United States Code, when the achievement involved is certi-
20 fied, or when an award for such achievement is otherwise
21 payable, in accordance with such sections. Such funds may
22 not be used for any purpose with respect to which the preced-
23 ing sentence relates beyond fiscal year 1990.

24 SEC. (164)~~521~~ 518. (a) Notwithstanding any other
25 provision of law, during fiscal year 1990, the authority to

1 establish higher rates of pay under section 5303 of title 5,
2 United States Code, may—

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

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

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

15 (i) by individuals outside the Govern-
16 ment; or

17 (ii) by other individuals within the exec-
18 utive branch of the Government;

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

21 (C) the undesirability of the working condi-
22 tions or the nature of the work involved, including
23 exposure to toxic substances or other occupational
24 hazards; or

1 (D) any other circumstances which the Presi-
2 dent (or an agency duly authorized or designated
3 by the President in accordance with the last sen-
4 tence of section 5303(a) of title 5, United States
5 Code, for purposes of this subparagraph) may
6 identify.

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

12 (b)(1) A rate of pay established during fiscal year 1990
13 through the exercise of any additional authority under sub-
14 section (a) of section 5303 of title 5, United States Code—

15 (A) shall be subject to revision or adjustment,

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

18 (C) shall otherwise be treated,

19 in the manner as generally applies with respect to any rate
20 otherwise established under section 5303 of title 5, United
21 States Code.

22 (2) The President (or an agency duly authorized or des-
23 igned by the President in accordance with the last sentence
24 of section 5303(a) of title 5, United States Code, for purposes

1 of this subsection) may prescribe any regulations necessary to
2 carry out this subsection.

3 (C) Any additional authority under this section may,
4 during fiscal year 1990, be exercised only to the extent that
5 amounts otherwise appropriated under this Act for purposes
6 of section 5303 of title 5, United States Code, are available.

7 SEC. ~~(165) 522~~ 519. None of the funds available in
8 this Act may be used to contract out positions or downgrade
9 the position classification of the Bureau of Engraving and
10 Printing Police Force.

11 SEC. ~~(166) 523~~ 520. The Office of Personnel Manage-
12 ment may, during the fiscal year ending September 30, 1990,
13 accept donations of supplies and equipment for the Federal
14 Executive Institute for the enhancement of the morale and
15 educational experience of attendees at the Institute.

16 ~~(167) SEC. 524~~ None of the funds in this Act may be
17 used to abolish, close or relocate the Office of Fiscal Oper-
18 ations and the Resources Systems Development Division of
19 the Detroit Data Center.

20 ~~(168) SEC. 525.~~ For the purposes of subchapter IV of
21 chapter 53 of title 5, United States Code, prevailing rate
22 employees employed in Broome and Tioga counties, New
23 York, shall be considered to be employed in the Syracuse/
24 Utica/Rome New York wage area.

1 SEC. ~~(169) 526~~ 521. The Director of the Office of
2 Management and Budget shall take appropriate action to pro-
3 vide that the official title of the metropolitan statistical area
4 which includes Allentown, Bethlehem, and Easton, Pennsyl-
5 vania, shall be the "Allentown-Bethlehem-Easton Metropoli-
6 tan Statistical Area".

7 ~~(170) SEC. 527.~~ Section 631 of the "Treasury, Postal
8 Service and General Government Appropriations Act, 1989"
9 (Public Law 100-440) is amended by striking "December
10 22, 1987" and inserting in lieu thereof "October 1, 1988".
11 The amendment made by this section shall be effective as if it
12 had been included in Public Law 100-440.

13 ~~(171) SEC. 522.~~ *Notwithstanding any other provision*
14 *of law, the Bureau of Alcohol, Tobacco and Firearms is au-*
15 *thorized, beginning October 1, 1989 and thereafter, to pay*
16 *bonuses up to twenty-five percent of base pay to employees*
17 *who possess and make substantial use of one or more lan-*
18 *guages, other than English, in the performance of their offi-*
19 *cial duties, upon the advance approval of the House and*
20 *Senate Committee on Appropriations: Provided, That the Di-*
21 *rector of the Bureau of Alcohol, Tobacco and Firearms shall*
22 *develop such policies as necessary to implement the payment*
23 *of the bonuses.*

1 **(172)** *SEC. 523. The Presidential Protection Assist-*
2 *ance Act of 1976 (18 U.S.C. 3056 note) is amended by*
3 *adding at the end thereof:*

4 *“SEC. 12. Expenditures by the Secret Service for serv-*
5 *ices to secure the non-governmental property of the perma-*
6 *nent residence of the President of the United States are au-*
7 *thorized not to exceed an additional amount of \$160,000 in*
8 *each fiscal year to be made available to the local municipality*
9 *or applicable political subdivision of any State in which such*
10 *residence is located: Provided, That the permanent residence*
11 *is located in a municipality or political subdivision of any*
12 *State where the permanent resident population is 7,000 or*
13 *less and where the absence of such Federal assistance would*
14 *place an undue economic burden on the municipality or polit-*
15 *ical subdivision.*

16 **SEC. (173) 528 524. (174)** ~~No monies appropriated~~
17 ~~by this Act may be used to implement or enforce section~~
18 ~~1151 of the Tax Reform Act of 1986 or the amendments~~
19 ~~made by such section. No monies appropriated by this Act~~
20 ~~may be used to enforce, or to issue any regulations binding~~
21 ~~on the taxpayer with respect to the following provisions of~~
22 ~~section 1151 of the Tax Reform Act of 1986, or the amend-~~
23 ~~ments made by such provisions—~~

24 (1) Subsections 1151(a) and (b);

1 (2) Subsection 1151(c), insofar as such subsection
2 incorporates by reference provisions included in subsec-
3 tion 1151(a);

4 (3) Paragraph 1 of subsection 1151(d), insofar as
5 such paragraph incorporates by reference provisions in-
6 cluded in subsection 1151(a), which prescribed qualifi-
7 cations requirements for employee benefit plans; and

8 (4) Subsection 1151(k), insofar as such subsec-
9 tion applies to the preceding provisions of section 1151
10 of the Tax Reform Act of 1986: Provided, That noth-
11 ing in this section shall affect the ability of any em-
12 ployee of the Department of the Treasury or Internal
13 Revenue Service to respond to any request for taxpayer
14 assistance, or to receive training relating to any provi-
15 sion in section 1151 of the Tax Reform Act of 1986.

16 **(175)** SEC. 525. No part of any appropriation con-
17 tained in this Act shall be available for the procurement of, or
18 for the payment of, the salary of any person engaged in the
19 procurement of stainless steel flatware not produced in the
20 United States or its possessions, except to the extent that the
21 Administrator of General Services or his designee shall de-
22 termine that a satisfactory quality and sufficient quantity of
23 stainless steel flatware produced in the United States or its
24 possessions, cannot be procured as and when needed from
25 sources in the United States or its possessions or except in

1 *accordance with procedures provided by section 6-104.4(b) of*
2 *Armed Services Procurement Regulations, dated January 1,*
3 *1969. This section shall be applicable to all solicitations for*
4 *bids issued after its enactment.*

5 **(176)** *SEC. 526. Section 613A, subsection (a)(3)(F),*
6 *of the Tariff Act of 1930 (19 U.S.C. 1613b) is amended to*
7 *read as follows: "payment of overtime, salaries, travel, fuel,*
8 *training, equipment, and other similar costs of State and*
9 *local law enforcement officers that are incurred in assisting*
10 *the United States Customs Service in law enforcement ac-*
11 *tivities."*

12 **(177)** *SEC. 527. Such sums as may be necessary for*
13 *fiscal year 1990 pay raises for programs funded by this Act*
14 *shall be absorbed within the levels appropriated by this Act.*

15 **TITLE VI—GENERAL PROVISIONS**

16 **DEPARTMENTS, AGENCIES, AND CORPORATIONS**

17 **SECTION 601.** Unless otherwise specifically provided,
18 the maximum amount allowable during the current fiscal year
19 in accordance with section 16 of the Act of August 2, 1946
20 (60 Stat. 810), for the purchase of any passenger motor vehi-
21 cle (exclusive of buses and ambulances), is hereby fixed at
22 **(178)** ~~\$6,600~~ \$7,100 except station wagons for which the
23 maximum shall be **(179)** ~~\$7,600~~ \$8,100: *Provided, That*
24 *these limits may be exceeded by not to exceed \$3,700 for*
25 *police-type vehicles, and by not to exceed \$4,000 for special*

1 heavy-duty vehicles: *Provided further*, That the limits set
2 forth in this section may be exceeded by not more than five
3 percent for electric or hybrid vehicles purchased for demon-
4 stration under the provisions of the Electric and Hybrid Ve-
5 hicle Research, Development, and Demonstration Act of
6 1976.

7 SEC. 602. Appropriations of the executive departments
8 and independent establishments for the current fiscal year
9 available for expenses of travel or for the expenses of the
10 activity concerned, are hereby made available for quarters
11 allowances and cost-of-living allowances, in accordance with
12 5 U.S.C. 5922-24.

13 SEC. 603. Unless otherwise specified during the current
14 fiscal year no part of any appropriation contained in this or
15 any other Act shall be used to pay the compensation of any
16 officer or employee of the Government of the United States
17 (including any agency the majority of the stock of which is
18 owned by the Government of the United States) whose post
19 of duty is in the continental United States unless such person
20 (1) is a citizen of the United States, (2) is a person in the
21 service of the United States on the date of enactment of this
22 Act, who, being eligible for citizenship, has filed a declaration
23 of intention to become a citizen of the United States prior to
24 such date and is actually residing in the United States, (3) is
25 a person who owes allegiance to the United States, (4) is an

1 alien from Cuba, Poland, South Vietnam, or the Baltic coun-
2 tries lawfully admitted to the United States for permanent
3 residence, or (5) South Vietnamese, Cambodian, and Laotian
4 refugees paroled in the United States after January 1, 1975:
5 *Provided*, That for the purpose of this section, an affidavit
6 signed by any such person shall be considered prima facie
7 evidence that the requirements of this section with respect to
8 his status have been complied with: *Provided further*, That
9 any person making a false affidavit shall be guilty of a felony,
10 and, upon conviction, shall be fined no more than \$4,000 or
11 imprisoned for not more than one year, or both: *Provided*
12 *further*, That the above penal clause shall be in addition to,
13 and not in substitution for any other provisions of existing
14 law: *Provided further*, That any payment made to any officer
15 or employee contrary to the provisions of this section shall be
16 recoverable in action by the Federal Government. This sec-
17 tion shall not apply to citizens of Ireland, Israel, the Republic
18 of the Philippines or to nationals of those countries allied
19 with the United States in the current defense effort, or to
20 temporary employment of translators, or to temporary em-
21 ployment in the field service (not to exceed sixty days) as a
22 result of emergencies.

23 SEC. 604. Appropriations available to any department
24 or agency during the current fiscal year for necessary ex-
25 penses, including maintenance or operating expenses, shall

1 also be available for payment to the General Services Admin-
2 istration for charges for space and services and those ex-
3 penses of renovation and alteration of buildings and facilities
4 which constitute public improvements performed in accord-
5 ance with the Public Buildings Act of 1959 (73 Stat. 749),
6 the Public Buildings Amendments of 1972 (86 Stat. 216), or
7 other applicable law.

8 (180) ~~SEC. 605.~~ Funds made available by this or any
9 other Act for administrative expenses in the current fiscal
10 year of the corporations and agencies subject to chapter 91 of
11 title 31, United States Code, shall be available, in addition to
12 objects for which such funds are otherwise available, for rent
13 in the District of Columbia; services in accordance with 5
14 U.S.C. 3109; and the objects specified under this head, all
15 the provisions of which shall be applicable to the expenditure
16 of such funds unless otherwise specified in the Act by which
17 they are made available: *Provided*, That in the event any
18 functions budgeted as administrative expenses are subse-
19 quently transferred to or paid from other funds, the limita-
20 tions on administrative expenses shall be correspondingly
21 reduced.

22 SEC. (181) ~~606~~ 605. No part of any appropriation for
23 the current fiscal year contained in this or any other Act shall
24 be paid to any person for the filling of any position for which

1 he or she has been nominated after the Senate has voted not
2 to approve the nomination of said person.

3 SEC. ~~(182) 607~~ 606. Pursuant to section 1415 of
4 the Act of July 15, 1952 (66 Stat. 662), foreign credits
5 (including currencies) owed to or owned by the United States
6 may be used by Federal agencies for any purpose for which
7 appropriations are made for the current fiscal year (including
8 the carrying out of Acts requiring or authorizing the use of
9 such credits), only when reimbursement therefor is made to
10 the Treasury from applicable appropriations of the agency
11 concerned: *Provided*, That such credits received as ex-
12 changed allowances or proceeds of sales of personal property
13 may be used in whole or part payment for acquisition of simi-
14 lar items, to the extent and in the manner authorized by law,
15 without reimbursement to the Treasury.

16 SEC. ~~(183) 608~~ 607. No part of any appropriation
17 contained in this or any other Act shall be available for inter-
18 agency financing of boards, commissions, councils, commit-
19 tees, or similar groups (whether or not they are interagency
20 entities) which do not have a prior and specific statutory ap-
21 proval to receive financial support from more than one
22 agency or instrumentality.

23 ~~(184) SEC. 609. Funds made available by this or any~~
24 ~~other Act to (1) the General Services Administration, includ-~~
25 ~~ing the fund created by the Public Building Amendments of~~

1 1972 (86 Stat. 216), and (2) the "Postal Service Fund" (39
2 U.S.C. 2003), shall be available for employment of guards for
3 all buildings and areas owned or occupied by the United
4 States or the Postal Service and under the charge and con-
5 trol of the General Services Administration or the Postal
6 Service, and such guards shall have, with respect to such
7 property, the powers of special policemen provided by the
8 first section of the Act of June 1, 1948 (62 Stat. 281; 40
9 U.S.C. 318), but shall not be restricted to certain Federal
10 property as otherwise required by the proviso contained in
11 said section and, as to property owned or occupied by the
12 Postal Service, the Postmaster General may take the same
13 actions as the Administrator of General Services may take
14 under the provisions of sections 2 and 3 of the Act of June 1,
15 1948 (62 Stat. 281; 40 U.S.C. 318a, 318b), attaching there-
16 to penal consequences under the authority and within the
17 limits provided in section 4 of the Act of June 1, 1948 (62
18 Stat. 281; 40 U.S.C. 318c): *Provided*, That when the Ad-
19 ministrator of General Services delegates responsibility to
20 protect property under this charge and control to the head of
21 another Federal agency, that agency may employ guards to
22 protect the property who shall have the same powers of spe-
23 cial policemen in same manner as the foregoing.

24 (185) SEC. 608. Funds made available by this or any
25 other Act to the "Postal Service Fund" (39 U.S.C. 2003)

1 shall be available for employment of guards for all buildings
2 and areas owned or occupied by the Postal Service and under
3 the charge and control of the Postal Service, and such guards
4 shall have, with respect to such property, the powers of
5 special policemen provided by the first section of the Act of
6 June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318),
7 and, as to property owned or occupied by the Postal Service,
8 the Postmaster General may take the same actions as the
9 Administrator of General Services may take under the provi-
10 sions of sections 2 and 3 of the Act of June 1, 1948, as
11 amended (62 Stat. 281; 40 U.S.C. 318a, 318b), attaching
12 thereto penal consequences under the authority and within
13 the limits provided in section 4 of the Act of June 1, 1948, as
14 amended (62 Stat. 281; 40 U.S.C. 318c).

15 SEC. (186) ~~610~~ 609. None of the funds made available
16 pursuant to the provisions of this Act shall be used to imple-
17 ment, administer, or enforce any regulation which has been
18 disapproved pursuant to a resolution of disapproval duly
19 adopted in accordance with the applicable law of the United
20 States.

21 SEC. (187) ~~611~~ 610. No part of any appropriation
22 contained in, or funds made available by, this or any other
23 Act, shall be available for any agency to pay to the Adminis-
24 trator of the General Services Administration a higher rate
25 per square foot for rental of space and services (established

1 pursuant to section 210(j) of the Federal Property and Ad-
2 ministrative Services Act of 1949, as amended) than the rate
3 per square foot established for the space and services by the
4 General Services Administration for the fiscal year for which
5 appropriations were granted (188): *Provided, That the*
6 *amount of space and service levels provided will be commen-*
7 *surate with the amounts appropriated, or otherwise made*
8 *available therefore in Appropriations Acts.*

9 SEC. (189) ~~612~~ 611. (a) Notwithstanding any other
10 provision of law, and except as otherwise provided in this
11 section, no part of any of the funds appropriated for the fiscal
12 years ending September 30, 1990, or September 30, 1991,
13 by this Act or any other Act, may be used to pay any prevail-
14 ing rate employee described in section 5342(a)(2)(A) of title
15 5, United States Code, or any employee covered by section
16 5348 of that title—

17 (1) during the period from the date of expiration
18 of the limitation imposed by section 612 of the Treas-
19 ury, Postal Service, and General Government Appro-
20 priations Act, 1989, until the first day of the first ap-
21 plicable pay period that begins not less than ninety
22 days after that date, in an amount that exceeds the
23 rate payable for the applicable grade and step of the
24 applicable wage schedule in accordance with such sec-
25 tion 612; and

1 (2) during the period consisting of the remainder,
2 if any, of fiscal year 1990, and that portion of fiscal
3 year 1991, that precedes the normal effective date of
4 the applicable wage survey adjustment that is to be ef-
5 fective in fiscal year 1991, in an amount that exceeds,
6 as a result of a wage survey adjustment, the rate pay-
7 able under paragraph (1) of this subsection by more
8 than the overall average percentage adjustment in the
9 General Schedule during fiscal year 1990.

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

17 (c) For the purpose of this section, the rates payable to
18 an employee who is covered by this section and who is paid
19 from a schedule that was not in existence on September 30,
20 1989, shall be determined under regulations prescribed by
21 the Office of Personnel Management.

22 (d) Notwithstanding any other provision of law, rates of
23 premium pay for employees subject to this section may not be
24 changed from the rates in effect on September 30, 1989,

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

3 (e) The provisions of this section shall apply with re-
4 spect to pay for services performed by any affected employee
5 on or after October 1, 1989.

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

15 (g) Nothing in this section may be construed to permit
16 or require the payment to any employee covered by this sec-
17 tion at a rate in excess of the rate that would be payable
18 were this section not in effect.

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

23 SEC. (190) ~~613~~ 612. None of the funds made available
24 in this Act may be used to plan, implement, or administer (1)
25 any reduction in the number of regions, districts or entry

1 processing locations of the United States Customs Service; or
2 (2) any consolidation or centralization of duty assessment or
3 appraisement functions of any offices in the United States
4 Customs Service.

5 ~~(191) SEC. 614.~~ During the period in which the head
6 of any department or agency, or any other officer or civilian
7 employee of the Government appointed by the President of
8 the United States, holds office, no funds may be obligated or
9 expended in excess of \$5,000 to renovate, remodel, furnish,
10 or redecorate the office of such department head, agency
11 head, officer, or employee, or to purchase furniture or make
12 improvements for any such office, unless advance notice of
13 such renovation, remodeling, furnishing, or redecoration is
14 expressly approved by the Committees on Appropriations of
15 the House and Senate.

16 ~~SEC. (192) 615 613.~~ Funds appropriated in this or any
17 other Act may be used to pay travel to the United States for
18 the immediate family of employees serving abroad in cases of
19 death or life threatening illness of said employee.

20 ~~SEC. (193) 616 614.~~ (a) Notwithstanding the provi-
21 sions of sections 112 and 113 of title 3, United States Code,
22 each Executive agency detailing any personnel shall submit a
23 report on an annual basis in each fiscal year to the Senate
24 and House Committees on Appropriations on all employees
25 or members of the armed services detailed to Executive

1 agencies, listing the grade, position, and offices of each
2 person detailed and the agency to which each such person is
3 detailed.

4 (b) The provisions of this section shall not apply to Fed-
5 eral employees or members of the armed services detailed to
6 or from—

7 (1) the Central Intelligence Agency;

8 (2) the National Security Agency;

9 (3) the Defense Intelligence Agency;

10 (4) the offices within the Department of Defense
11 for the collection of specialized national foreign intelli-
12 gence through reconnaissance programs;

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

15 (6) any agency, office, or unit of the Army, Navy,
16 Air Force, and Marine Corps, the Federal Bureau of
17 Investigation and the Drug Enforcement Administra-
18 tion of the Department of Justice, the Department of
19 the Treasury, and the Department of Energy perform-
20 ing intelligence functions; and

21 (7) the Director of Central Intelligence.

22 (c) The exemptions in part (b) of this section are not
23 intended to apply to information on the use of personnel de-
24 tailed to or from the intelligence agencies which is currently
25 being supplied to the Senate and House Intelligence and Ap-

1 appropriations Committees by the executive branch through
2 budget justification materials and other reports.

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

10 (194) SEC. 617. ~~TEMPORARY AUTHORITY TO~~
11 ~~TRANSFER LEAVE.~~—In order to ensure that the experimen-
12 tal use of voluntary leave transfers established under Public
13 Laws 99-500, 99-591, and 100-202 may continue and may
14 cover additional employees in fiscal year 1990, the Office of
15 Personnel Management may continue to operate by regula-
16 tion, notwithstanding chapter 63 of title 5, United States
17 Code, a program under which the unused accrued annual
18 leave of officers or employees of the Federal Government
19 may be transferred for use by other officers or employees
20 who need such leave due to a personal emergency as defined
21 in the regulations. The Office may provide by regulation for
22 such exceptions from the provisions of section 7351 of title 5
23 as the Office may determine appropriate for the transfer of
24 leave under this section. The Veterans' Administration may
25 operate a similar program for employees subject to section

1 4108 of title 38, United States Code. The programs operated
2 under this section shall expire at the end of fiscal year 1990,
3 but any leave that has been transferred to an officer or em-
4 ployee under the programs shall remain available for use
5 until the personal emergency has ended, and any remaining
6 unused transferred leave shall, to the extent administratively
7 feasible, be restored to the leave accounts of the officers or
8 employees from whose accounts it was originally transferred.

9 SEC. (195) ~~618~~ 615. No funds appropriated in this or
10 any other Act for fiscal year 1990 may be used to implement
11 or enforce the agreements in Standard Forms 312 and 4355
12 of the Government or any other nondisclosure policy, form or
13 agreement if such policy, form or agreement:

14 (1) concerns information other than that specifical-
15 ly marked as classified; or, unmarked but known by the
16 employee to be classified; or, unclassified but known by
17 the employee to be in the process of a classification
18 determination;

19 (2) contains the term classifiable;

20 (3) directly or indirectly obstructs, by requirement
21 of prior written authorization, limitation of authorized
22 disclosure, or otherwise, the right of any individual to
23 petition or communicate with Members of Congress in
24 a secure manner as provided by the rules and proce-
25 dures of the Congress;

1 (4) interferes with the right of the Congress to
2 obtain executive branch information in a secure manner
3 as provided by the rules and procedures of the
4 Congress;

5 (5) imposes any obligations or invokes any reme-
6 dies inconsistent with statutory law:

7 *Provided*, That nothing in this section shall affect the en-
8 forcement of those aspects of such nondisclosure policy, form
9 or agreement that do not fall within subsection (1)–(5) of this
10 section.

11 SEC. (196) ~~619~~ 616. (a)(1) Notwithstanding any other
12 provision of law, in the case of fiscal year 1990, the overall
13 average percentage of the adjustment under section 5305 of
14 title 5, United States Code, in the rates of pay under the
15 General Schedule, and in the rates of pay under the other
16 statutory pay systems (as defined by section 5301(c) of such
17 title), shall be an increase of 3.6 percent.

18 (2) Each increase in a pay rate or schedule which takes
19 effect pursuant to paragraph (1) shall, to the maximum extent
20 practicable, be of the same percentage, and shall take effect
21 as of the first day of the first applicable pay period commenc-
22 ing on or after January 1, 1990.

23 (b)(1) Notwithstanding any other provision of this Act or
24 any other law, no adjustment in rates of pay under section
25 5305 of title 5, United States Code, which becomes effective

1 on or after October 1, 1989, and before October 1, 1990,
2 shall have the effect of increasing the rate of salary or basic
3 pay for any office or position in the legislative, executive,
4 or judicial branch or in the government of the District of
5 Columbia—

6 (A) if the rate of salary or basic pay payable for
7 that office or position as of September 30, 1989, was
8 equal to or greater than the rate of basic pay described
9 in paragraph (3); or

10 (B) to a rate exceeding the rate of basic pay de-
11 scribed in paragraph (3) if, as of September 30, 1989,
12 the rate of salary or basic pay payable for that office
13 or position was less than the rate described in such
14 paragraph.

15 (2) For purposes of paragraph (1), the rate of salary or
16 basic pay payable as of September 30, 1989, for any office or
17 position which was not in existence on such date shall be
18 deemed to be the rate of salary or basic pay payable to indi-
19 viduals in comparable offices or positions on such date, as
20 determined under regulations prescribed—

21 (A) by the President, in the case of any office or
22 position within the executive branch or in the govern-
23 ment of the District of Columbia;

24 (B) jointly by the Speaker of the House of Repre-
25 sentatives and the President pro tempore of the

1 Senate, in the case of any office or position within the
2 legislative branch; or

3 (C) by the Chief Justice of the United States, in
4 the case of any office or position within the judicial
5 branch.

6 (3) The rate of basic pay described in this paragraph is
7 the rate equal to the rate of basic pay payable for level III of
8 the Executive Schedule under section 5314 of title 5, United
9 States Code, as of September 30, 1989, increased by 3.6
10 percent.

11 ~~(197)(e) It is the sense of the Congress that funding~~
12 ~~for any pay increase under this section should not be provid-~~
13 ~~ed in a way that would be disruptive to the Federal work-~~
14 ~~force (such as if it would result in any involuntary separations~~
15 ~~or other adverse personnel actions) or compromise the quality~~
16 ~~or diminish the range of services provided by the Govern-~~
17 ~~ment.~~

18 SEC. ~~(198) 620~~ 617. Notwithstanding any other provi-
19 sion of law, no executive branch agency shall purchase, con-
20 struct, and/or lease any additional facilities, except within or
21 contiguous to existing locations to be used for the purpose of
22 conducting Federal law enforcement training without the ad-
23 vance approval of the House and Senate Committees on
24 Appropriations.

1 SEC. ~~(199) 621~~ 618. None of the funds appropriated
2 by this or any other Act may be expended by any Federal
3 agency to procure any product or service that is subject to
4 the provisions of Public Law 89-306 and that will be avail-
5 able under the procurement by the Administrator of General
6 Services known as "FTS2000" unless—

7 (1) such product or service is procured by the Ad-
8 ministrator of General Services as part of the procure-
9 ment known as "FTS2000"; or

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

12 (A) the agency's requirements for such pro-
13 curement are unique and cannot be satisfied by
14 property and service procured by the Administra-
15 tor of General Services as part of the procure-
16 ment known as "FTS2000"; and

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

21 SEC. ~~(200) 622~~ 619. (a) No department, agency, or
22 instrumentality of the United States receiving appropriated
23 funds under this Act for fiscal year 1990, or under any other
24 Act appropriating funds for fiscal year 1990, shall obligate or
25 expend any such funds, unless such department, agency, or

1 instrumentality has in place, and will continue to administer
2 in good faith, a written policy designed to ensure that all of
3 its workplaces are free from the illegal use, possession, or
4 distribution of controlled substances (as defined in the Con-
5 trolled Substances Act) by the officers and employees of such
6 department, agency, or instrumentality.

7 (b) No funds so appropriated to any such department,
8 agency, or instrumentality shall be available for payment in
9 connection with any grant, contract, or other agreement,
10 unless the recipient of such grant, contract or party to such
11 agreement, as the case may be, has in place and will continue
12 to administer in good faith a written policy, adopted by such
13 recipient, contractor, or party's board of directors or other
14 governing authority, satisfactory to the head of the depart-
15 ment, agency, or instrumentality making such payments, de-
16 signed to ensure that all of the workplaces of such recipient,
17 contractor, or party are free from the illegal use, possession,
18 or distribution of controlled substances (as defined in the Con-
19 trolled Substances Act) by the officers and employees of such
20 recipient, contractor, or party.

21 (201) SEC. 620. *When issuing statements, press re-*
22 *leases, requests for proposals, bid solicitations, and other doc-*
23 *uments describing projects or programs funded in whole or in*
24 *part with Federal money, all grantees receiving Federal*
25 *funds, including but not limited to State and local govern-*

1 ments, shall clearly state (1) the percentage of the total cost of
2 the program or project which will be financed with Federal
3 money, and (2) the dollar amount of Federal funds for the
4 project or program.

5 **(202)** SEC. 621. Notwithstanding section 1346 of title
6 31, United States Code, or section 608 of Public Law 100-
7 440, funds made available for fiscal year 1990 by this or any
8 other Act shall be available for the interagency funding of
9 national security and emergency preparedness telecommuni-
10 cations initiatives which benefit multiple Federal depart-
11 ments, agencies, or entities, as provided by Executive Order
12 Numbered 12472 (April 3, 1984).

13 **(203)** SEC. 622. (a) Section 3392 of title 5, United
14 States Code, is amended by adding at the end thereof the
15 following new subsection:

16 “(e)(1) The Senior Executive Service shall be a service
17 in which rank and rate of pay are based on the performance
18 of an individual and not on the position in which such indi-
19 vidual is employed.

20 “(2) The Office of Personnel Management, or any de-
21 partment or agency may not prescribe or enforce any regula-
22 tion that—

23 “(A) sets qualification or classification standards
24 for admission or service in the Senior Executive Serv-

1 *ice which is not based on the requirement of paragraph*
2 *(1); or*

3 *“(B) violates the requirement of paragraph (1) re-*
4 *lating to the status of any career appointee in the*
5 *Senior Executive Service.”*

6 *(b) Section 5383 of title 5, United States Code, is*
7 *amended by adding at the end thereof the following new sub-*
8 *sections:*

9 *“(e)(1) If a career appointee in the Senior Executive*
10 *Service is reassigned or transferred under section 3395, or*
11 *accepts an assignment under sections 3372 and 3373, such*
12 *appointee shall retain his rank and rate of pay regardless of*
13 *the designation of rate of pay and rank of the position to*
14 *which the appointee is transferred or assigned.*

15 *“(2) If any agency coerces or requires a career*
16 *appointee to accept a position described under para-*
17 *graph (1) at a lower rate of pay or rank, such employ-*
18 *ee may file a complaint with the Merit Systems Pro-*
19 *tection Board, Office of Special Counsel as a prohibit-*
20 *ed personnel practice.*

21 *“(f) The rate of pay of a career appointee in the Senior*
22 *Executive Service may not be reduced, unless such reduction*
23 *is based on the poor performance or misconduct of such ap-*
24 *pointee.”*

1 (c) Section 5384(c) of title 5, United States Code, is
2 amended by adding at the end thereof the following: "In the
3 case of performance awards paid by any agency under this
4 section to career appointees, any such award shall be based
5 on recommendations by a performance review board with a
6 membership that consists of more than one-half career ap-
7 pointees."

8 (d)(1) Chapter 57 of title 5, United States Code, is
9 amended by inserting after section 5724c the following new
10 section:

11 **"§ 5724d. Relocation bonuses for career appointees**

12 "Subject to regulation to the Office of Personnel Man-
13 agement, an agency may pay a relocation bonus of an
14 amount no less than 15 percent and no greater than 25 per-
15 cent of the annual compensation based on the basic rate of
16 pay of a career appointee in the Senior Executive Service to
17 such an appointee, if the agency determines that a bonus is
18 appropriate to attract highly qualified career appointees for a
19 position located in an area which is geographically undesir-
20 able because of local cost-of-living factors."

21 (2) The table of sections for chapter 57 of title 5, United
22 States Code, is amended by inserting after the item relating
23 to section 5724c the following:

 "5724d. Relocation bonuses for career appointees."

1 This Act may be cited as the “Treasury, Postal Service
2 and General Government Appropriations Act, 1990”.

Passed the House of Representatives July 28, 1989.

Attest: DONNARD K. ANDERSON,
Clerk.

Passed the Senate August 4 (legislative day, January 3), 1989.

Attest: WALTER J. STEWART,
Secretary.

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