

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, 1993, AND FOR OTHER PURPOSES

SEPTEMBER 28, 1992.—Ordered to be printed

Mr. ROYBAL, from the committee of conference,  
submitted the following

CONFERENCE REPORT

[To accompany H.R. 5488]

The Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5488) "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, 1993, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 19, 34, 43, 47, 48, 49, 51, 52, 57, 64, 69, 73, 75, 82, 83, 97, 101, 110, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 137, 142, 143, 144, 145, 147, 148, 149, 162, 163, 165, 166, and 175.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 9, 11, 12, 16, 17, 18, 21, 22, 24, 25, 26, 27, 28, 29, 32, 33, 35, 36, 38, 39, 40, 41, 42, 45, 50, 54, 56, 58, 62, 65, 66, 67, 71, 72, 76, 84, 85, 89, 90, 94, 98, 99, 113, 114, 115, 130, 146, 152, 155, 160, 164, 168, 170, 171, 172, 178, and 179.

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$3,064,000; and the Senate agreed to the same.

Amendment numbered 2:

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: 48; and the Senate agree to the same.



Amendment numbered 3:

That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$1,925,000; and the Senate agree to the same.

Amendment numbered 5:

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$71,202,000; and the Senate agree to the same.

Amendment numbered 6:

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$727,000; and the Senate agree to the same.

Amendment numbered 7:

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$33,408,000; and the Senate agree to the same.

Amendment numbered 8:

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: \$29,147,000, of which not to exceed \$1,300,000 shall remain available until expended for the *Inspectors General Auditor Training Institute*; and the Senate agree to the same.

Amendment numbered 10:

That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: : *Provided further, That the Federal Law Enforcement Training Center is authorized to provide short term medical services for students undergoing training at the Center*; \$47,158,000; and the Senate agree to the same.

Amendment numbered 13:

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$9,748,000; and the Senate agree to the same.

Amendment numbered 14:

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$366,372,000; and the Senate agree to the same.

Amendment numbered 15:



That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$22,000,000; and the Senate agree to the same.

Amendment numbered 20:

That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$1,315,917,000; and the Senate agree to the same.

Amendment numbered 23:

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows:

In lieu of the sum named in said amendment, insert the following: \$750,000; and the Senate agree to the same.

Amendment Numbered 30:

That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$53,001,000; and the Senate agree to the same.

Amendment Numbered 31:

That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$1,860,000; and the Senate agree to the same.

Amendment Numbered 37:

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows:

Retain the matter proposed, amended as follows: In lieu of the first sum named in said amendment, insert the following: \$3,835,347,000; and the Senate agree to the same.

Amendment Numbered 44:

That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$469,155,000; and the Senate agree to the same.

Amendment Numbered 46:

That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows:

*SEC. 101. Of the funds appropriated by this or any other Act to the Internal Revenue Service, amounts attributable to efficiency savings for fiscal year 1993 shall be identified as such by the Commissioner during that fiscal year: Provided, That in the fiscal year when the savings are realized, the amount of efficiency savings shall be non-recurred from the Internal Revenue Service budget*



*base: Provided further, That in fiscal year, 1993, the Internal Revenue Service shall identify persons found deserving of cash awards and reward such employees as authorized by sections 4501-4505 of title 5, United States Code: Provided further, That on an annual basis, the Internal Revenue Service shall report to the House and Senate Appropriations Committees on the status of the program.*

And the Senate agree to the same.

Amendment numbered 53:

That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following:

*SEC. 106. Notwithstanding any other provision of law, none of the funds appropriated by this or any other Act shall be used by the Secretary of the Treasury to direct bill a Treasury bureau for penalty mail costs incurred by another Treasury bureau without the advance approval of the House and Senate Committees on Appropriations.*

*SEC. 107. The Secretary of the Treasury is authorized to transfer all obligated and unobligated balances in the construction of Mint facilities and Mint expansion and improvements accounts in prior appropriations acts to the account for the salaries and expenses appropriation in this Act: Provided, That such transferred balances shall be used for expansion and improvements and shall be available until expended.*

*SEC. 108. Notwithstanding any other provision of this Title, the amount available for administrative expenses to pay any employee of the United States Customs Service is limited to \$25,000 per year.*

And the Senate agree to the same.

Amendment numbered 55:

That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$35,385,000; and the Senate agree to the same.

Amendment numbered 59:

That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$3,428,000; and the Senate agree to the same.

Amendment numbered 60:

That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$3,772,000; and the Senate agree to the same.

Amendment numbered 61:

That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment, as follows:



Retain the matter proposed, amended as follows: In lieu of the sum named in said amendment, insert the following: \$235,000; and the Senate agree to the same.

Amendment numbered 63:

That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$52,981,000; and the Senate agree to the same.

Amendment numbered 68:

That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following: : *Provided further, That after January 1, 1993, none of the funds appropriated or made available under this Act may be used for the payment of salaries or expenses for any Federal officer in the Office of National Drug Control Policy who is appointed by the President, by and with the advice and consent of the Senate, to make public appearances for political campaigns as defined under section 7324(a) of title 5, United States Code; and the Senate agree to the same.*

Amendment numbered 70:

That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

#### SPECIAL FORFEITURE FUND

##### (INCLUDING TRANSFER OF FUNDS)

*For activities authorized by Public Law 100-690, \$75,742,000, to be derived from deposits in the Special Forfeiture Fund; of which \$2,000,000, to remain available until expended, shall be transferred to the Drug Enforcement Administration for an expansion study of the El Paso Intelligence Center; of which \$2,000,000 shall be transferred to the Bureau of Justice Assistance for the activities of the District of Columbia Metropolitan Area Task Force; of which \$7,000,000, to remain available until expended, shall be transferred to the United States Border Patrol for helicopters and replacement vehicles; of which \$2,800,000, to remain available until expended, shall be transferred to the Financial Crimes Enforcement Network for software development; of which \$5,741,000, to remain available until expended, shall be transferred to the United States Customs Service for the procurement of marine assets; of which \$5,000,000, to remain available until expended, shall be transferred to the Federal Law Enforcement Training Center for design and construction of training facilities; of which \$2,500,000 shall be transferred to the United States Marshals Service for expenses and equipment related to the apprehension of fugitives; of which \$15,000,000, to remain available until expended, shall be transferred to the Counter-Drug Technology Assessment Center for counternarcotics research and development projects and shall be available for transfer to other Fed-*



eral agencies and departments; and of which \$33,701,000 shall be transferred to the Alcohol, Drug Abuse and Mental Health Administration, of which \$8,701,000 shall be made available for Community Partnership grants, of which \$15,300,000 shall be made available to the Office of Treatment Improvement for the drug treatment Capacity Expansion Program, of which \$4,700,000 shall be transferred to the San Francisco Department of Health, and of which \$5,000,000 shall be made available to the Office of Substance Abuse Prevention for the residential treatment program for mothers and children.

And the Senate agree to the same.

Amendment numbered 74:

That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$1,820,000; and the Senate agree to the same.

Amendment numbered 77:

That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$330,501,000; and the Senate agree to the same.

Amendment numbered 78:

That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$4,717,251,000; and the Senate agree to the same.

Amendment numbered 79:

That the House recede from its disagreement to the amendment of the Senate numbered 79, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$626,312,000; and the Senate agree to the same.

Amendment numbered 80:

That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

*New Construction:*

*Arizona:*

*Nogales, U.S. Border Patrol Sector headquarters, \$3,000,000*

*Sun City West, Post Office, \$5,000,000*

*Tucson, National Weather Service, U.S. Geological Survey, \$5,500,000*

*California:*

*San Francisco, U.S. Court of Appeals Annex, \$4,400,000*

*San Francisco, Federal Office Building, \$10,000,000*

*Santa Ana, Federal Building and U.S. Courthouse, \$2,500,000*

*District of Columbia:*



U.S. Army Corps of Engineers, headquarters,  
\$50,000,000

Federal Bureau of Investigation, field office,  
\$53,790,000

U.S. Secret Service, headquarters, \$150,569,000

White House Remote Delivery and Vehicle Maintenance Facilities, \$25,531,000

Florida:

Fort Myers, Federal Building and U.S. Courthouse,  
\$27,600,000

Hollywood, Federal Building, \$1,000,000

Tampa, U.S. Courthouse, \$8,948,000

Georgia:

Albany, U.S. Courthouse, \$6,000,000

Atlanta, Centers for Disease Control, site, acquisition and improvements, \$26,000,000

Atlanta, Centers for Disease Control, Laboratory, \$30,000,000

Atlanta, Centers for Disease Control, \$15,000,000

Hawaii:

Hilo, Federal Building, \$1,500,000

Illinois:

Chicago, Social Security Administration, District Office, \$4,000,000

Massachusetts:

Boston, U.S. Courthouse, \$20,000,000

Missouri:

Kansas City, Federal Building—U.S. Courthouse, \$5,721,000

Nevada:

Reno, Federal Building—U.S. Courthouse, \$35,000,000

New Hampshire:

Concord, Federal Building—U.S. Courthouse, \$36,576,000

New Jersey:

Newark, Parking Facility, \$9,000,000

New Mexico:

Albuquerque, Federal Building—U.S. Courthouse, \$3,118,000

New York:

Brooklyn, U.S. Courthouse, \$15,000,000

Long Island, Federal Building—U.S. Courthouse, \$5,200,000

North Dakota:

Fargo, Federal Building and U.S. Courthouse, \$23,000,000

Oregon:

Portland, Bonneville Power Building, claim, \$3,590,000

Pennsylvania:

Scranton, General Mail Facility, \$3,000,000

South Carolina:

Columbia, U.S. Courthouse annex, site acquisition, \$4,109,000

Texas:



*Laredo, Federal Building—U.S. Courthouse, \$3,000,000*  
 Vermont:  
*Highgate Springs, Border Station, \$250,000*  
 Washington:  
*Seattle, U.S. Courthouse, \$12,000,000*  
 West Virginia:  
*Beckley, Federal Building and U.S. Courthouse,  
 \$10,000,000*

*Nonprospectus construction projects, \$7,500,000; and the Senate agree to the same.*

Amendment numbered 81:

That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: *Provided, That of the funds provided for nonprospectus construction projects, \$5,000,000 shall remain available until expended for the acquisition, lease, construction and equipping of a flexiplace work telecommuting center in southern Maryland, the Eastern Shore of Maryland, and northwestern Virginia: Provided further,;* and the Senate agree to the same.

Amendment numbered 86:

That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment, as follows:

Restore the matter stricken by said amendment, amended to read as follows: *Capital Improvements of United States-Mexico Border Facilities, \$7,500,000, as follows:*

*Texas:*

*Ysleta, site acquisition and construction, \$7,500,000: Provided, That the Administrator of General Services shall make available not to exceed \$1,500,000 for hazardous waste facilities at the El Paso, Texas, Bridge of the Americas border facility; and not to exceed \$1,500,000 for hazardous waste facilities at the Ysleta, Texas, Zaragosa Bridge border facility from funds made available for these two line-item projects under the United States-Mexico Capital Improvements Program in Public Laws 101-136 and 101-509; and the Senate agree to the same.*

Amendment numbered 87:

That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: *\$273,300,000; and the Senate agree to the same.*

Amendment numbered 88:

That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: *\$1,130,871,000; and the Senate agree to the same.*

Amendment numbered 91:



That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$4,717,251,000; and the Senate agree to the same.

Amendment numbered 92:

That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$56,144,000; and the Senate agree to the same.

Amendment numbered 93:

That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$34,000,000; and the Senate agree to the same.

Amendment numbered 95:

That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$46,419,000; and the Senate agree to the same.

Amendment numbered 96:

That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$2,192,000; and the Senate agree to the same.

Amendment numbered 100:

That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment, as follows:

Restore the matter stricken, amended as follows: In lieu of "\$15,000,000" named in said amendment, insert the following: \$10,000,000; and the Senate agree to the same.

Amendment numbered 102:

That the House recede from its disagreement to the amendment of the Senate numbered 102, and agree to the same with an amendment, as follows:

Retain the matter proposed, amended as follows: In lieu of "SEC. 9" named in said amendment, insert the following: SEC. 11.; and the Senate agree to the same.

Amendment numbered 103:

That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment, as follows:

Retain the matter proposed, amended as follows: In lieu of "SEC. 10" named in said amendment, insert the following SEC. 12.; and the Senate agree to the same.

Amendment numbered 104:

That the House recede from its disagreement to the amendment of the Senate numbered 104, and agree to the same with an amendment, as follows:



Retain the matter proposed, amended as follows: In lieu of "SEC. 11," named in said amendment, insert the following: *SEC. 13.*; and the Senate agree to the same.

Amendment numbered 105:

That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment, as follows:

Retain the matter proposed, amended as follows: In lieu of "SEC. 12," named in said amendment, insert the following: *SEC. 14.*; and the Senate agree to the same.

Amendment numbered 106:

That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment, as follows:

Retain the matter proposed, amended as follows: In lieu of "SEC. 13." named in said amendment, insert the following: *SEC. 15.*; and before the last period included in said amendment, insert the following: : *Provided, That this section shall not take effect without the advance approval of the House Committee on Public Works and Transportation and the Senate Committee on Environment and Public Works;* and the Senate agree to the same.

Amendment numbered 107:

That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment, as follows:

Retain the matter proposed, amended as follows: In lieu of "SEC. 14." named in said amendment, insert the following: *SEC. 16.* and after the last period included in said amendment, insert as follows:

*SEC. 17. Notwithstanding any other provisions of law, the Administrator of General Services is authorized to proceed with the design and construction of a 500,000 occupiable square foot Court-house in Boston, Massachusetts, to accommodate the long-term space requirements of the U.S. Courts, subject to the availability of funds.*

*SEC. 18. Notwithstanding any other provision of law, the Administrator of General Services is authorized to enter into an inter-agency agreement with the United States Postal Service for the occupancy of a Federal office building of up to 1,000,000 occupiable square feet of space, to be constructed on a site owned by the United States Postal Service at 30th and Walnut Streets in the City of Philadelphia, Pennsylvania; the building shall be deemed United States Postal Service property and the cost of constructing such building is to be financed by the United States Postal Service using Postal Service funds or using funds borrowed by the Postal Service through the Federal Financing Bank; the term of the interagency agreement shall not exceed twenty years. The interagency agreement between the General Services Administration and the United States Postal Service shall not be sold or assigned to private parties or constitute a guarantee by the General Services Administration of any third party financing: *Provided, That this section shall not take effect without the advance approval of the House Committee on Public Works and Transportation and the Senate Committee on Environment and Public Works.**



*SEC. 19. The Laboratory to be located at the Centers for Disease Control, 1600 Clifton Road, Atlanta, Georgia, is hereby designated as the "Edward R. Roybal Laboratory". Any reference to such building in a law, map, regulation, document, record, or other paper of the United States shall be considered to be a reference to the "Edward R. Roybal Laboratory".*

*SEC. 20. The Campus to be located at the Centers for Disease Control, 1600 Clifton Road, Atlanta, Georgia, is hereby designated as the "Edward R. Roybal Campus". Any reference to such campus in a law, map, regulation, document, record, or other paper of the United States shall be considered to be a reference to the "Edward R. Roybal Campus".*

*SEC. 21. (a) The Federal building located at 501 West Ocean Boulevard in Long Beach, California, shall be known and designated as the "Glenn M. Anderson Federal Building".*

*(b) Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in subsection (a) shall be deemed to be a reference to the "Glenn M. Anderson Federal Building".*

*SEC. 22. (a) The United States Court of Appeals Building located at 125 South Grand Avenue in Pasadena, California, shall be known and designated as the "Richard H. Chambers United States Court of Appeals Building".*

*(b) Any reference in a law, map, regulation, document, paper, or other record of the United States to the courthouse referred to in subsection (a) shall be deemed to be a reference to the "Richard H. Chambers United States Court of Appeals Building".*

And the Senate agree to the same.

Amendment numbered 108:

That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: *\$165,045,000*; and the Senate agree to the same.

Amendment numbered 109:

That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: *\$5,000,000*; and the Senate agree to the same.

Amendment numbered 111:

That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: *\$119,000,000, of which not to exceed \$1,000,000 shall be made available for the establishment of health promotion and disease prevention programs for Federal employees; and the Senate agree to the same.*

Amendment numbered 112:

That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment, as follows:



In lieu of the sum proposed by said amendment, insert the following: \$86,032,000; and the Senate agree to the same.

Amendment numbered 116:

That the House recede from its disagreement to the amendment of the Senate numbered 116, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$6,500,000; and the Senate agree to the same.

Amendment numbered 117:

That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$24,450,000; and the Senate agree to the same.

Amendment numbered 118:

That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$7,952,000; and the Senate agree to the same.

Amendment numbered 119:

That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment, insert the following: \$21,647,000; and the Senate agree to the same.

Amendment numbered 131:

That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment, as follows:

In lieu of "514" named in said amendment, insert the following: 515; and the Senate agree to the same.

Amendment numbered 132:

That the House recede from its disagreement to the amendment of the Senate numbered 132, and agree to the same with an amendment, as follows:

In lieu of "515" named in said amendment, insert the following: 516; and the Senate agree to the same.

Amendment numbered 133:

That the House recede from its disagreement to the amendment of the Senate numbered 133, and agree to the same with an amendment, as follows:

In lieu of "516" named in said amendment, insert the following: 517; and the Senate agree to the same.

Amendment numbered 134:

That the House recede from its disagreement to the amendment of the Senate numbered 134, and agree to the same with an amendment, as follows:

In lieu of "517" named in said amendment, insert the following: 518; and the Senate agree to the same.

Amendment numbered 135:

That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment, as follows:



In lieu of "518" named in said amendment, insert the following: 519; and the Senate agree to the same.

Amendment numbered 136:

That the House recede from its disagreement to the amendment of the Senate numbered 136, and agree to the same with an amendment, as follows:

Restore the matter stricken, amended as follows: In lieu of the section number named in said amendment, insert the following: 520; and the Senate agree to the same.

Amendment numbered 138:

That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment, as follows:

In lieu of "520" named in said amendment, insert the following: 521; and the Senate agree to the same.

Amendment numbered 139:

That the House recede from its disagreement to the amendment of the Senate numbered 139, and agree to the same with an amendment, as follows:

In lieu of "521" named in said amendment, insert the following: 522; and the Senate agree to the same.

Amendment numbered 140:

That the House recede from its disagreement to the amendment of the Senate numbered 140, and agree to the same with an amendment, as follows:

In lieu of "522" named in said amendment, insert the following: 523; and the Senate agree to the same.

Amendment numbered 141:

That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment, as follows:

Retain the matter proposed, amended as follows: In lieu of section number named in said amendment, insert the following: 524; and the Senate agree to the same.

Amendment numbered 150:

That the House recede from its disagreement to the amendment of the Senate numbered 150, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following:

*SEC. 532. Notwithstanding any other provision of law, beginning October 1, 1992, and thereafter, no funds made available to the Office of Personnel Management may be used to prepare, promulgate, or implement any rules or regulations relating to the Combined Federal Campaign unless such rules or regulations include a Combined Federal Campaign brochure list and general designation option solely for international agencies, which list (listed by Federation in the case of affiliated agencies) and option shall include only those international agencies that elect in their annual application to be included under such list and option rather than under the national agencies list and option: Provided, That such limitation on the use of funds shall not apply to any activities related to the 1992 Combined Federal Campaign.*

And the Senate agree to the same.



Amendment numbered 151:

That the House recede from its disagreement to the amendment of the Senate numbered 151, and agree to the same with an amendment, as follows:

In lieu of "531" named in said amendment, insert the following: 533; and the Senate agree to the same.

Amendment numbered 153:

That the House recede from its disagreement to the amendment of the Senate numbered 153, and agree to the same with an amendment, as follows:

Restore the matter stricken, amended as follows: In lieu of "SEC. 533." named in said amendment, insert the following: "SEC. 534."; and the Senate agree to the same.

Amendment numbered 154:

That the House recede from its disagreement to the amendment of the Senate numbered 154, and agree to the same with an amendment, as follows:

Restore the matter stricken, amended as follows: In lieu of "SEC. 534" named in said amendment, insert the following: "SEC. 535."; and the Senate agree to the same.

Amendment numbered 156:

That the House recede from its disagreement to the amendment of the Senate numbered 156, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following:

*SEC. 536. By no later than April 15, 1993, the Director of the Secret Service shall contact each former President and the spouses of deceased former Presidents to advise such individuals of the costs incurred by the Secret Service for their protection, and identify and discuss potential threats and cost-effective protection alternatives: Provided, That by no later than June 1, 1993, the Director of the Secret Service shall provide a confidential briefing to the members of the House and Senate Committees on Appropriations on the results of such meetings.*

And the Senate agree to the same.

Amendment numbered 157:

That the House recede from its disagreement to the amendment of the Senate numbered 157, and agree to the same with an amendment, as follows:

Retain the matter proposed, amended to read as follows: In lieu of the first section number named in said amendment, insert the following: 537; and the Senate agree to the same.

Amendment numbered 158:

That the House recede from its disagreement to the amendment of the Senate numbered 158, and agree to the same with an amendment, as follows:

Retain the matter proposed, amended to read as follows: In lieu of the first section number named in said amendment, insert the following: 538; and the Senate agree to the same.

Amendment numbered 159:

That the House recede from its disagreement to the amendment of the Senate numbered 159, and agree to the same with an amendment, as follows:



Delete the matter proposed by said amendment, and on page 19, line 20 of the House engrossed bill, H.R. 5488, delete "\$200,000,000" and insert in lieu thereof the following: \$121,912,000; and the Senate agree to the same.

Amendment numbered 161:

That the House recede from its disagreement to the amendment of the Senate numbered 161, and agree to the same with an amendment, as follows:

Restore the matter stricken, amendment as follows: Before the last period in said amendment, insert the following: *and the President should issue an Executive Order mandating the procurement and use of FTS 2000*; and the Senate agree to the same.

Amendment numbered 167:

That the House recede from its disagreement to the amendment of the Senate numbered 167, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following:

*SEC. 627. Sense of the Congress.—It is the Sense of the Congress that—*; and the Senate agree to the same.

Amendment numbered 169:

That the House recede from its disagreement to the amendment of the Senate numbered 169, and agree to the same with an amendment, as follows:

In lieu of the matter stricken and inserted by said amendment, insert the following: , *the*; and the Senate agree to the same.

Amendment numbered 173:

That the House recede from its disagreement to the amendment of the Senate numbered 173, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following:

*SEC. 628. Section 16 of the Trading with the Enemy Act, 40 Stat. 425 (50 U.S.C. App. 16), as amended, is amended to read as follows:*

*"(a) Whoever shall willfully violate any of the provisions of this Act or of any license, rule, or regulation issued thereunder, and whoever shall willfully violate, neglect, or refuse to comply with any order of the President issued in compliance with the provisions of the Act shall, upon conviction, be fined not more than \$1,000,000 or if a natural person, be fined not more than \$100,000, or imprisoned for not more than ten years or both; and the officer, director, or agent of any corporation who knowingly participates in such violation shall, upon conviction, be fined not more than \$100,000 or imprisoned for not more than ten years or both.*

*"(b)(1) A civil penalty of not to exceed \$50,000 may be imposed by the Secretary of the Treasury on any person who violates any license, order, rule, or regulation issued in compliance with the provisions of this Act.*

*"(2) The penalties provided under this subsection may not be imposed for—*

*"(A) news gathering, research, or the export or import of, or transmission of, information or informational materials; or*



*“(B) clearly defined educational or religious activities, or activities of recognized human rights organizations, that are reasonably limited in frequency, duration, and number of participants.”*

*“(c) Upon conviction, any property, funds, securities, papers, or other articles or documents, or any vessel, together with tackle, apparel, furniture, and equipment, concerned in any violation of subsection (a) may be forfeited to the United States.”*

And the Senate agree to the same.

Amendment numbered 174:

That the House recede from its disagreement to the amendment of the Senate numbered 174, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following:

*SEC. 629. Section 206(a) of the International Emergency Economic Powers Act (50 U.S.C. 1705(a)) is amended by striking out “\$10,000” and inserting in lieu thereof, “\$50,000”.*

And the Senate agree to the same.

Amendment numbered 176:

That the House recede from its disagreement to the amendment of the Senate numbered 176, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following:

*SEC. 630. Title 42 U.S.C is amended by adding a new section as follows:*

***“§ 6962j. Preference for recycled toner cartridges***

*“(a) Notwithstanding any other provision of law, a Federal agency in conducting a procurement for toner cartridges for use in laser printers, photocopiers or microphotographic printers shall purchase recycled cartridges, unless the contracting or purchasing officer determines in writing that—*

*“(1) adequate market research establishes that recycled cartridges for the type of equipment used by the agency do not exist, or;*

*“(2) the price or life cycle cost offered for the recycled cartridge is higher than the original equipment manufacturer’s new cartridge, or;*

*“(3) recycled cartridges are not available in quantities needed within the timeframes required.*

*“(b) Nothing in this section shall prohibit the purchase of one newly manufactured cartridge (or a number equal to those normally supplied at the time of initial purchase) as part of an initial printer or copier acquisition.*

*“(c) For purposes of this section, ‘recycled cartridge’ means a laser printer, photocopier, or microphotographic toner cartridge which has been remanufactured in the United States by a small-business concern which has been certified by an independent laboratory to meet generally accepted industry standards. In the absence of an independent laboratory certification, a contracting officer may in his discretion rely on the agency’s past experience with the offered*



recycled cartridge as evidence that the offered product meets generally accepted industry standards.

“(d) For purposes of this section, ‘small-business concern’ has the meaning given such term in the Small Business Act (15 U.S.C. § 632(a)).

“(e) For purposes of this section, ‘independent laboratory’ means an independently owned engineering and product testing firm, whose primary business activity is not limited to the testing and certification of recycled cartridges.”

And the Senate agree to the same.

Amendment numbered 177:

That the House recede from its disagreement to the amendment of the Senate numbered 177, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following:

**SEC. 631. ALIEN SPECIES PREVENTION AND ENFORCEMENT.**

**(a) PESTS IN THE MAILS.—**

(1) **IN GENERAL.**—Subject to paragraph (2), the Secretary of Agriculture shall hereafter operate a program, under terms and conditions acceptable to the Postal Service, to protect Hawaii from the introduction of prohibited plants, plant pests, and injurious animals that may be contained in mail received in Hawaii, except that this subsection shall not apply to mail that originates and is intended for delivery outside the United States.

(2) **MEMORANDUM OF UNDERSTANDING.**—For the purpose of carrying out the program operated under paragraph (1), the Secretary of Agriculture shall enter into a memorandum of understanding or other agreement with the Secretary of the Interior relating to prohibited plants, plant pests, or injurious animals under the jurisdiction of the Department of the Interior.

(3) **REMEDIAL ACTION.**—If, pursuant to the program, mail is found to contain a prohibited plant, plant pest, or injurious animal, the Secretary shall—

(A) make a record of the prohibited plant, plant pest, or injurious animal found in the mail;

(B) take appropriate action to prevent the introduction of the prohibited material into Hawaii; and

(C) determine whether the facts and circumstances warrant seeking prosecution under a law prohibiting the conveyance of a plant, plant pest, or injurious animal.

(4) **DEFINITIONS.**—As used in this subsection:

(A) **INJURIOUS ANIMAL.**—The term “injurious animal” means an animal the importation or interstate shipment of which is prohibited by section 42 of title 18, United States Code.

(B) **PLANT.**—The term “plant” means a plant from any class of plants, or any other article or matter, the importation or interstate shipment of which is prohibited under the Act of August 20, 1912 (37 Stat. 315, chapter 308; 7 U.S.C. 151 et seq.) (commonly known as the “Plant Quarantine Act”).



(C) **PLANT PEST.**—The term “plant pest” means any organism or substance the importation or interstate shipment of which is prohibited under the Federal Plant Pest Act (7 U.S.C. 150aa et seq.).

(b) **COOPERATIVE AGREEMENTS WITH HAWAII TO ENFORCE CERTAIN AGRICULTURAL QUARANTINE LAWS.**—

(1) **AGREEMENT BETWEEN SECRETARY OF AGRICULTURE AND HAWAII.**—

(A) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Secretary of Agriculture shall offer to enter into a cooperative agreement with the State of Hawaii for a 2-year period to enforce in the State—

(i) the Act of August 20, 1912 (37 Stat. 315, chapter 308; 7 U.S.C. 151 et seq.) (commonly known as the “Plant Quarantine Act”);

(ii) the Federal Plant Pest Act (7 U.S.C. 150aa et seq.); and

(iii) the matter under the heading “ENFORCEMENT OF THE PLANT-QUARANTINE ACT:” of the Act of March 4, 1915 (38 Stat. 1113; 7 U.S.C. 166) (commonly known as the “Terminal Inspection Act”).

(B) **INSPECTION OF PLANTS AND PLANT PRODUCTS.**—The cooperative agreement shall establish a specific procedure for the submission and approval of the names of plants and plant products that the State of Hawaii elects to inspect under the provision of law referred to in subparagraph (A)(iii).

(C) **AUTHORITY.**—The Secretary shall carry out this paragraph under the authority provided by—

(i) section 102 of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 147a);

(ii) section 3 of the Act of May 29, 1884 (23 Stat. 32, chapter 60; 21 U.S.C. 114); and

(iii) section 11 of the Department of Agriculture Organic Act of 1956 (7 U.S.C. 114a).

(2) **AGREEMENT BETWEEN SECRETARY OF INTERIOR AND HAWAII.**—

(A) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Secretary of the Interior shall offer to enter into a cooperative agreement with the State of Hawaii for a 2-year period to enforce in the State the Lacey Act Amendments of 1981 (16 U.S.C. 3371 et seq.).

(B) **AUTHORITY.**—The Secretary shall use to carry out this paragraph the authority provided under section 3 of the Fish and Wildlife Improvement Act of 1978 (16 U.S.C. 742l).

(3) **AGREEMENT BETWEEN POSTAL SERVICE AND HAWAII.**—

(A) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Postal Service shall offer to enter into a cooperative agreement with the State of Hawaii for a 2-year period to enforce in the State, under terms and conditions acceptable to the Postal Service and in compliance with postal regulations, Public Law 100-574 and the amendments made by such Public Law.



(B) *AUTHORITY.*—The Postal Service shall use to carry out this paragraph the authority provided under section 3014 of title 39, United States Code.

(4) *COOPERATIVE PROGRAMS.*—Any program conducted jointly by the State of Hawaii and any Federal agency under this subsection that in any way affects the mail or the postal system of the United States shall comply with postal regulations and shall be conducted under terms and conditions acceptable to the Postal Service.

(5) *EXTENSION OF AGREEMENTS.*—A cooperative agreement entered into under this subsection may be extended by mutual consent of the parties to the agreement.

(c) *PUBLIC INFORMATION PROGRAM ON PROHIBITIONS AGAINST SHIPMENT OR TRANSPORTATION OF PLANT PESTS AND INJURIOUS ANIMALS.*—

(1) *IN GENERAL.*—The Postal Service, the Secretary of the Interior, and the Secretary of Agriculture shall jointly establish a public information program to inform the public on—

(A) the prohibitions against the shipment or transportation of plants, plants pests, and injurious animals; and

(B) the consequences of violating Federal laws designed to prevent the introduction of alien species into the State of Hawaii and other areas of the United States.

(2) *METHODS.*—In carrying out paragraph (1), the Postal Service and Secretaries may—

(A) use public service announcements, mail and other forms of distributing information, dial-up information services, and such other methods as will effectively communicate the information described in paragraph (1); and

(B) cooperate with State and private organizations to carry out the program established under this subsection.

(3) *STUDY.*—Not later than 1 year after the program established under subsection (a) commences, the Secretary of Agriculture, in cooperation with the Secretary of the Interior, the Postal Service, and the State of Hawaii, shall—

(A) conduct a study to determine the proportion of plant pests and injurious animals that are introduced into Hawaii by various modes of commerce; and

(B) report the results of the study to Congress.

(d) *NONMAILABLE PLANT PESTS AND INJURIOUS ANIMALS.*—

(1) *IN GENERAL.*—Chapter 30 of title 39, United States Code, is amended by adding at the end of the following new section:

**“§ 3015. Nonmailable plant pests and injurious animals**

“(a) *INJURIOUS ANIMALS.*—Any injurious animal, the importation or interstate shipment of which is prohibited pursuant to section 42 of title 18, constitutes nonmailable matter.

“(b) *PLANT PESTS.*—Any plant pest, the movement of which is prohibited pursuant to section 103 or 104 of the Federal Plant Pest Act (7 U.S.C. 150bb or 150cc), constitutes nonmailable matter.

“(c) *PLANTS.*—Any plant, article, or matter, the importation or interstate shipment of which is prohibited pursuant to the Act of August 20, 1912 (37 Stat. 315, chapter 308; 7 U.S.C. 151 et seq.) (com-



monly known as the 'Plant Quarantine Act'), constitutes nonmailable matter.

*"(d) ILLEGALLY TAKEN FISH, WILDLIFE, OR PLANTS.—Any fish, wildlife, or plant, the conveyance of which is prohibited pursuant to section 3 of the Lacey Act Amendments of 1981 (16 U.S.C. 3372), constitutes nonmailable matter."*

*(2) CONFORMING AMENDMENT.—The table of sections for chapter 30 of title 39 is amended by adding at the end the following new item:*

*"3015. Nonmailable plant pests and injurious animals."*

*(e) SHORT TITLE.—This section may be cited as the "Alien Species Prevention and Enforcement Act of 1992".*

And the Senate agree to the same.

Amendment numbered 180:

That the House recede from its disagreement to the amendment of the Senate numbered 180, and agree to the same with an amendment, as follows:

Retain the matter proposed by said amendment, amended as follows: Before the last period, insert the following: *: Provided further, That this section shall not take effect without the advance approval of the House Committee on Public Works and Transportation and the Senate Committee on Environment and Public Works; and the Senate agree to the same.*

Amendment numbered 181:

That the House recede from its disagreement to the amendment of the Senate numbered 181, and agree to the same with an amendment, as follows:

In lieu of the matter proposed by said amendment, insert the following:

**SEC. 635. COMMISSION ON THE SOCIAL SECURITY "NOTCH" ISSUE.**

*(a) ESTABLISHMENT.—There is established a Commission on the Social Security "Notch" Issue (in this section referred to as the "Commission").*

*(b) MEMBERSHIP.—The Commission shall be composed of 12 members as follows:*

*(1) 4 members appointed by the President from among officers or employees of the Executive Branch, private citizens of the United States, or both. Not more than 2 of the members appointed by the President shall be members of the same political party.*

*(2) 2 members appointed by the Majority Leader of the United States Senate, in consultation with the Chairman of the Committee on Finance of the United States Senate, from among members of the Senate, private citizens of the United States, or both.*

*(3) 2 members appointed by the Minority Leader of the United States Senate, in consultation with the Ranking Member of the Committee on Finance of the United States Senate, from among members of the Senate, private citizens of the United States, or both.*

*(4) 2 members appointed by the Speaker of the House of Representatives, in consultation with the Chairman of the Committee on Ways and Means of the House of Representatives,*



from among members of the House of Representatives, private citizens of the United States, or both.

(5) 2 members appointed by the Minority Leader of the House of Representatives, in consultation with the Ranking Member of the Committee on Ways and Means of the House of Representatives, from among members of the House of Representatives, private citizens of the United States, or both.

(c) **FUNCTIONS OF THE COMMISSION.**—

(1) **STUDY.**—The Commission shall conduct a comprehensive study of what has come to be known as the “notch” issue. The study shall examine the causes of the controversy, whether there are inequities in the treatment of social security beneficiaries born in different years, whether legislative action shall be taken, and the effect on social security trust funds of such legislative action.

(2) **FINDINGS AND CONCLUSIONS.**—The Commission shall transmit a report to the Congress not later than December 31, 1993. The report shall contain a detailed statement of the findings and conclusions of the Commission, together with any recommendations the Commission considers appropriate. Any recommendations which would increase social security expenditures would have to be accompanied by cost estimates and options for financing such recommendations.

(d) **CHAIRPERSON; MEETINGS.**—The President shall designate a Chairperson from among the membership. The Commission shall meet at the call of the Chairperson or a majority of its members.

(e) **PAY.**—Members of the Commission shall serve without compensation, except that members of the Commission who are private citizens of the United States shall be reimbursed for travel, subsistence, and other necessary expenses incurred in the performance of their duties as members of the Commission.

(f) **STAFF.**—

(1) **STAFF.**—Subject to rules prescribed by the Commission, the Chairperson may appoint and fix the pay of such personnel as the Chairperson considers appropriate.

(2) **STAFF OF DEPARTMENT OF HEALTH AND HUMAN SERVICES.**—Upon request of the Commission, the Secretary of Health and Human Services may detail, on a reimbursable basis, any of the personnel of the Department of Health and Human Services to the Commission to assist it in carrying out its duties under this section.

(g) **OBTAINING OFFICIAL DATA.**—The Commission may secure directly from any department or agency of the United States such information as is necessary and appropriate to enable it to carry out this section. Upon request of the Chairperson of the Commission, the head of that department or agency shall, to the extent permitted by law, furnish that information to the Commission.

(h) **TERMINATION.**—The Commission shall terminate 30 days after transmittal of its report to the Congress.

(i) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated \$2,000,000 for purposes of this section, to remain available until expended, but in no event beyond the date of termination provided in subsection (h).



*SEC. 636. Notwithstanding any other provision of law, the Secretary of Agriculture may enter into an agreement with the Washington Metropolitan Area Transit Authority to provide a total of 30 acres of land on which the Beltsville Agricultural Research Center is located at Beltsville, Maryland, and permit the Washington Metropolitan Area Transit Authority to utilize said land to design and construct wetland mitigation projects to replace wetlands eliminated by authorized construction by the Washington Metropolitan Area Transit Authority as required by the terms and conditions of any permit issued to the Washington Metropolitan Area Transit Authority by the United States Army, Corps of Engineers, pursuant to Section 404 of the Federal Water Pollution Control Act, 33 U.S.C. 1344: Provided, That title to such land shall remain vested in the United States of America: Provided further, That the Secretary shall dedicate a perpetual conservation easement with respect to such land prohibiting any filling, flooding, excavation, clear cutting, construction, removal of vegetation, or alteration of trees in areas delineated as created wetlands, except when authorized under Federal and State law: Provided further, That such land may be used in a manner not inconsistent with the perpetual conservation easement to further research, extension, or teaching programs in the food and agricultural sciences of the Department of Agriculture.*

*SEC. 637. Notwithstanding any other provision of law, the United States Customs Service pilot pre-clearance program authorized to be established in Aruba shall be extended through 1994.*

*SEC. 638. (a) This section may be cited as the "Treasury Forfeiture Fund Act of 1992".*

*(b)(1) Chapter 97 of title 31, United States Code, is amended by inserting after section 9702 the following new section:*

*"9703. Department of the Treasury Forfeiture Fund*

*"(a) IN GENERAL.—There is established in the Treasury of the United States a fund to be known as the 'Department of the Treasury Forfeiture Fund' (referred to in this section as the 'Fund'). The Fund shall be available to the Secretary, without fiscal year limitation, with respect to seizures and forfeitures made pursuant to any law (other than section 7301 and 7302 of the Internal Revenue Code of 1986) enforced or administered by the Department of Treasury or the United States Coast Guard for the following law enforcement purposes:*

*"(1)(A) Payment of all proper expenses of seizure (including investigative costs incurred by a Department of the Treasury law enforcement organization leading to seizure) or the proceedings of forfeiture and sale, including the expenses of detention, inventory, security, maintenance, advertisement, or disposal of the property, and if condemned by a court and a bond for such costs was not given, the costs as taxed by the court.*

*"(B) Payment for—*

*"(i) contract services;*

*"(ii) the employment of outside contractors to operate and manage properties or to provide other specialized services necessary to dispose of such properties in an effort to maximize the return from such properties; and*



“(iii) reimbursing any Federal, State, or local agency for any expenditures made to perform the functions described in this subparagraph.

“(C) Awards of compensation to informers under section 619 of the Tariff Act of 1930 (19 U.S.C. 1619).

“(D) Satisfaction of—

“(i) liens for freight, charges, and contributions in general average, notice of which has been filed with the appropriate Customs officer according to law; and

“(ii) subject to the discretion of the Secretary, other valid liens and mortgages against property that has been forfeited pursuant to any law enforced or administered by a Department of the Treasury law enforcement organization. To determine the validity of any such lien or mortgage, the amount of payment to be made, and to carry out the functions described in this subparagraph, the Secretary may employ and compensate attorneys and other personnel skilled in State real estate law.

“(E) Payment of amounts authorized by law with respect to remission and mitigation.

“(F) Payment of claims of parties in interest to property disposed of under section 612(b) of the Tariff Act of 1930 (19 U.S.C. 1612(b)), in the amounts applicable to such claims at the time of seizure.

“(G) Equitable sharing payments made to other Federal agencies, State and local law enforcement agencies, and foreign countries pursuant to section 616(c) of the Tariff Act of 1930 (19 U.S.C. 1616a(c)), section 981 of title 18, or subsection (h) of this section, and all costs related thereto.

“(H) Payment for services of experts and consultants needed by a Department of the Treasury law enforcement organization to carry out the organization’s duties relating to seizure and forfeiture.

“(2) At the discretion of the Secretary—

“(A) payment of awards for information or assistance leading to a civil or criminal forfeiture involving any Department of the Treasury law enforcement organization participating in the Fund;

“(B) purchases of evidence or information by—

“(i) a Department of the Treasury law enforcement organization with respect to—

“(I) a violation of section 1956 or 1957 of title 18 (relating to money laundering); or

“(II) a law, the violation of which may subject property to forfeiture under section 981 or 982 of title 18;

“(ii) the United States Customs Service with respect to drug smuggling or a violation of section 542 or 545 of title 18 (relating to fraudulent customs invoices or smuggling);

“(iii) the United States Secret Service with respect to a violation of—

“(I) section 1028, 1029, or 1030 of title 18;



“(II) any law of the United States relating to coins, obligations, or securities of the United States or of a foreign government; or

“(III) any law of the United States which the United States Secret Service is authorized to enforce relating to fraud or other criminal or unlawful activity in or against any Federally insured financial institution, the Resolution Trust Corporation, or the Federal Deposit Insurance Corporation;

“(iv) the United States Customs Service or the Internal Revenue Service with respect to a violation of chapter 53 of this title (relating to the Bank Secrecy Act); and

“(v) the Bureau of Alcohol, Tobacco and Firearms with respect to a violation of—

“(I) section 842(h) of title 18;

“(II) section 844 (d), (e), (f), (g), (h), or (i) of title 18; or

“(III) section 924(c) of title 18;

“(C) Payment of costs for publicizing awards available under section 619 of the Tariff Act of 1930 (19 U.S.C. 1619);

“(D) payment for equipment for any vessel, vehicle, or aircraft available for official use by a Department of the Treasury law enforcement organization to enable the vessel, vehicle, or aircraft to assist in law enforcement functions, and for other equipment directly related to seizure or forfeiture, including laboratory equipment, protective equipment, communications equipment, and the operation and maintenance costs of such equipment;

“(E) payment for equipment for any vessel, vehicle, or aircraft available for official use by a State or local law enforcement agency to enable the vessel, vehicle, or aircraft to assist in law enforcement functions if the vessel, vehicle, or aircraft will be used in joint law enforcement operations with a Department of the Treasury law enforcement organization;

“(F) payment of overtime salaries, travel, fuel, training, equipment, and other similar costs of State or local law enforcement officers that are incurred in joint law enforcement operations with a Department of the Treasury law enforcement organization;

“(G) reimbursement of private persons for expenses incurred by such persons in cooperating with a Department of the Treasury law enforcement organization in investigations and undercover law enforcement operations;

“(H) payment for training foreign law enforcement personnel with respect to seizure or forfeiture activities of the Department of the Treasury; and

“(I) payment made pursuant to guidelines promulgated by the Secretary, if such payment is necessary and directly related to seizure and forfeiture program expenses for—

“(i) the purchase or lease of automatic data processing system (not less than a majority of which use will be related to such program);



“(ii) training;

“(iii) printing; and

“(iv) contracting for services directly related to—

“(I) the identification of forfeitable assets;

“(II) the processing of and accounting for forfeitures; and

“(III) the storage, maintenance, protection, and destruction of controlled substances.

“(b) **LIMITATIONS.**—

“(1) Any payment made under subparagraph (D) or (E) of subsection (a)(1) with respect to a seizure or a forfeiture of property shall not exceed the value of the property at the time of the seizure.

“(2) Any payment made under subsection (a)(1)(G) with respect to a seizure or forfeiture of property shall not exceed the value of the property at the time of disposition.

“(3) The Secretary may exempt the procurement of contract services under the Fund from section 3709 of the Revised Statutes of the United States (41 U.S.C. 5), title III of the Federal Property and Administrative Service Act of 1949 (41 U.S.C. 251 et seq.), and other provisions of law as may be necessary to maintain the security and confidentiality of related criminal investigations.

“(4) The Secretary shall assure that any equitable sharing payment made to a State or local law enforcement agency pursuant to subsection (a)(1)(G) and any property transferred to a State or local law enforcement agency pursuant to subsection (h)—

“(A) has a value that bears a reasonable relationship to the degree of participation of the State or local agency in the law enforcement effort resulting in the forfeiture, taking into account the total value of all property forfeited and the total law enforcement effort with respect to the violation of law on which the forfeiture is based; and

“(B) will serve to encourage further cooperation between the recipient State or local agency and Federal law enforcement agencies.

“(5) Amounts transferred by the Attorney General pursuant to section 524(c)(1) of title 28, or by the Postmaster General pursuant to section 2003 of title 39, and deposited into the Fund pursuant to subsection (d), shall be available for Federal law enforcement related purposes of the Department of the Treasury law enforcement organizations.

“(c) **FUNDS AVAILABLE TO UNITED STATES COAST GUARD.**—

“(1) The Secretary shall make available to the United States Coast Guard, from funds appropriated under subsection (g)(2) in excess of \$10,000,000 for a fiscal year, an amount equal to the net proceeds in the Fund derived from seizures by the Coast Guard.

“(2) Funds made available under this subsection may be used to—

“(A) pay for equipment for any vessel, vehicle, or aircraft available for official use by the United States Coast



*Guard to enable the vessel, vehicle, or aircraft to assist in law enforcement functions;*

*“(B) pay for equipment for any vessel, vehicle, equipment, or aircraft available for official use by a State or local law enforcement agency to enable the vessel, vehicle, or aircraft to assist in law enforcement functions if the vessel, vehicle, or aircraft will be used in joint law enforcement operations with the United States Coast Guard;*

*“(C) pay for overtime salaries, travel, fuel, training, equipment, and other similar costs of State and local law enforcement officers that are incurred in joint law enforcement operations with the United States Coast Guard;*

*“(D) pay for expenses incurred in bringing vessels into compliance with applicable environmental laws prior to disposal by sinking.*

*“(d) DEPOSITS AND CREDITS.—*

*“(1) With respect to fiscal year 1993, there shall be deposited into or credited to the Fund—*

*“(A) all currency forfeited during fiscal year 1993, and all proceeds from forfeiture during fiscal year 1993, under any law enforced or administered by the United States Customs Service or the United States Coast Guard;*

*“(B) all income from investments made under subsection (e); and*

*“(C) all amounts representing the equitable share of the United States Customs Service or the United States Coast Guard from the forfeiture of property under any Federal, State, local, or foreign law.*

*“(2) With respect to fiscal years beginning after fiscal year 1993, there shall be deposited into or credited to the Fund—*

*“(A) all currency forfeited after fiscal year 1993, and all proceeds from forfeiture after fiscal year 1993, under any law (other than sections 7301 and 7302 of the Internal Revenue Code of 1986) enforced or administered by a Department of the Treasury law enforcement organization or the United States Coast Guard;*

*“(B) all income from investments made under subsection (e); and*

*“(C) all amounts representing the equitable share of a Department of the Treasury law enforcement organization or the United States Coast Guard from the forfeiture of property under any Federal, State, local, or foreign law.*

*“(e) INVESTMENTS.—Amounts in the Fund, and in any holding accounts associated with the Fund, which are not currently needed for the purposes of this section shall be kept on deposit or invested in obligations of, or guaranteed by, the United States and all earnings on such investments shall be deposited in the Fund.*

*“(f) REPORTS TO CONGRESS.—The Secretary shall transmit to the Congress, not later than February 1 of each year—*

*“(1) a report on—*

*“(A) the estimated total value of property forfeited with respect to which funds were not deposited in the Fund during the preceding fiscal year—*



“(i) under any law enforced or administered by the United States Customs Service or the United States Coast Guard, in the case of fiscal year 1993; and

“(ii) under any law enforced or administered by the Department of the Treasury law enforcement organizations or the United States Coast Guard, in the case of fiscal years beginning after 1993; and

“(B) the estimated total value of all such property transferred to any State or local law enforcement agency; and

“(2) a report on—

“(A) the balance of the Fund at the beginning of the preceding fiscal year;

“(B) liens and mortgages paid and the amount of money shared with Federal, State, local, and foreign law enforcement agencies during the preceding fiscal year;

“(C) the net amount realized from the operations of the Fund during the preceding fiscal year, the amount of seized cash being held as evidence, and the amount of money that has been carried over into the current fiscal year;

“(D) any defendant’s property, not forfeited at the end of the preceding fiscal year, if the equity in such property is valued at \$1,000,000 or more;

“(E) the total dollar value of uncontested seizures of monetary instruments having a value of over \$100,000 which, or the proceeds of which, have not been deposited into the Fund pursuant to subsection (d) within 120 days after seizure, as of the end of the preceding fiscal year;

“(F) the balance of the Fund at the end of the preceding fiscal year;

“(G) the net amount, if any, of the excess unobligated amounts remaining in the Fund at the end of the preceding fiscal year and available to the Secretary for Federal law enforcement related purposes;

“(H) a complete set of audited financial statements (including a balance sheet, income statement, and cash flow analysis) prepared in a manner consistent with the requirements of the Chief Financial Officers Act of 1990 (Public Law 101-576); and

“(I) an analysis of income and expenses showing the revenue received or lost—

“(i) by property category (such as general property, vehicles, vessel, aircraft, cash, and real property); and

“(ii) by type of disposition (such as sale, remission, cancellation, placement into official use, sharing with State and local agencies, and destruction).

“The Fund shall be subject to annual financial audits as authorized in the Chief Financial Officers Act of 1990 (Public Law 101-576).

“(g) APPROPRIATIONS.—

“(1) There are hereby appropriated from the Fund such sums as may be necessary to carry out the purposes described in subsection (a)(1).



*“(2) There are authorized to be appropriated from the Fund to carry out the purposes set forth in subsections (a)(2) and (c) not to exceed—*

*“(A) \$25,000,000 for fiscal year 1993; and*

*“(B) \$50,000,000 for each fiscal year after fiscal year 1993.*

*“(3)(A) Subject to subparagraphs (B) and (C), in each of fiscal years 1994 and 1995, the Secretary shall transfer from the Fund not more than \$10,000,000 to the Special Forfeiture Fund, established by section 6073 of the Anti-Drug Abuse Act of 1988 (21 U.S.C. 1509), for activities authorized under the Drug-Free Schools and Communities Act of 1986 (20 U.S.C. 3171 et seq.).*

*“(B) Transfers pursuant to subparagraph (A) shall be made only from excess unobligated amounts and only to the extent that, as determined by the Secretary, such transfers will not impair the future availability of amounts for the purposes described in subsection (a).*

*“(C) The Secretary of the Treasury shall reserve an amount not to exceed \$30,000,000 from the unobligated balances remaining in the Customs Forfeiture Fund on September 30, 1992, and such amount shall be transferred to the Fund on October 1, 1992, or, if later, the date that is 15 days after the date of the enactment of this section. Such amount shall be available for any expenses or activities authorized under this section. At the end of fiscal year 1993, and at the end of each fiscal year thereafter, the Secretary shall reserve in the Fund an amount not to exceed \$50,000,000 of the unobligated balances in the Fund, or, if the Secretary determines that a greater amount is necessary for asset specific expenses, an amount equal to not more than 10 percent of the total obligations from the Fund in the preceding fiscal year.*

*“(4)(A)(i) After reserving any amount authorized by paragraph (3)(C), any unobligated balances remaining in the Fund on September 30, 1993, shall be deposited into the general fund of the Treasury of the United States.*

*“(ii) Beginning in fiscal year 1994, and each fiscal year thereafter, the Secretary shall transfer to the Attorney General an amount agreed upon by the Secretary and the Attorney General (taking into account any amount transferred by the Secretary pursuant to paragraph (3)(A)). The amount transferred under this clause shall reflect the Department of the Treasury’s pro rata share of the amount required to be transferred by the Attorney General pursuant to section 524(c)(9)(B) of title 28.*

*“(B) After reserving any amount authorized by paragraph (3)(C) and after transferring any amount authorized by paragraph (3)(A), any unobligated balances remaining in the Fund on September 30, 1994, and on September 30, of each fiscal year thereafter, shall, subject to subparagraph (C), be available to the Secretary, without fiscal year limitation, for transfers pursuant to subparagraph (A)(ii) and for obligation or expenditure in connection with the law enforcement activities of any Federal agency or of a Department of the Treasury law enforcement organization.*



“(C) Any obligation or expenditure in excess of \$500,000 with respect to an unobligated balance described in subparagraph (B) may not be made by the Secretary unless the Appropriations Committees of both Houses of Congress are notified at least 15 days in advance of such obligation or expenditure.

“(h) **RETENTION OR TRANSFER OF PROPERTY.**—

“(1) The Secretary may, with respect to any property forfeited under any law (other than section 7301 or 7302 of the Internal Revenue Code of 1986) enforced or administered by the Department of the Treasury—

“(A) retain any of the property for official use; or

“(B) transfer any of the property to—

“(i) any other Federal agency; or

“(ii) any State or local law enforcement agency that participated directly or indirectly in the seizure or forfeiture of the property.

“(2) The Secretary may transfer any forfeited personal property or the proceeds of the sale of any forfeited personal or real property to any foreign country which participated directly or indirectly in the seizure or forfeiture of the property, if such a transfer—

“(A) is one with which the Secretary of State has agreed;

“(B) is authorized in an international agreement between the United States and the foreign country; and

“(C) is made to a country which, if applicable, has been certified under section 481(h) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(h)).

“(3) Nothing in this section shall affect the authority of the Secretary under section 981 of title 18 or section 616 of the Tariff Act of 1930 (19 U.S.C. 1616a).

“(i) **REGULATIONS.**—The Secretary may prescribe such rules and regulations as may be necessary to carry out this section.

“(j) **CUSTOMS FORFEITURE FUND.**—Notwithstanding any other provision of law—

“(1) during any period when forfeited currency and proceeds from forfeitures under any law (other than section 7301 or 7302 of the Internal Revenue Code of 1986) enforced or administered by the Department of the Treasury or the United States Coast Guard, are required to be deposited in the Fund pursuant to this section—

“(A) all moneys required to be deposited in the Customs Forfeiture Fund pursuant to section 613A of the Tariff Act of 1930 (19 U.S.C. 1613b) shall instead be deposited in the Fund; and

“(B) no deposits or withdrawals may be made to or from the Customs Forfeiture Fund pursuant to section 613A of the Tariff Act of 1930 (19 U.S.C. 1613b); and

“(2) any funds in the Customs Forfeiture Fund and any obligations of the Customs Forfeiture fund on the effective date of the Treasury Forfeiture Act of 1992, shall be transferred to the Fund and all administrative costs of such transfer shall be paid for out of the Fund.



*“(k) LIMITATION OF LIABILITY.—The United States shall not be liable in any action relating to property transferred under this section or under section 616 of the Tariff Act of 1930 (19 U.S.C. 1616a) if such action is based on an act or omission occurring after the transfer.*

*“(l) AUTHORITY TO WARRANT TITLE.—Following the completion of procedures for the forfeiture of property pursuant to any law enforced or administered by the Department of the Treasury, the Secretary is authorized, at the Secretary’s discretion, to warrant clear title to any subsequent purchaser or transferee of such forfeited property.*

*“(m) FORFEITED PROPERTY.—For purposes of this section and notwithstanding section 524(c)(11) of title 28 or any other law—*

*“(1) during fiscal year 1993, property and currency shall be deemed to be forfeited pursuant to a law enforced or administered by the United States Customs Service if it is forfeited pursuant to—*

*“(A) a judicial forfeiture proceeding when the underlying seizure was made by an officer of the United States Customs Service or the property was maintained by the United States Customs Service; or*

*“(B) A civil administrative forfeiture proceeding conducted by the United States Customs Service; and*

*“(2) after fiscal year 1993, property and currency shall be deemed to be forfeited pursuant to a law enforced or administered by a Department of the Treasury law enforcement organization if it is forfeited pursuant to—*

*“(A) a judicial forfeiture proceeding when the underlying seizure was made by an officer of a Department of the Treasury law enforcement organization or the property was maintained by a Department of the Treasury law enforcement organization; or*

*“(B) a civil administrative forfeiture proceeding conducted by a Department of the Treasury law enforcement organization.*

*“(n) TRANSFERS TO ATTORNEY GENERAL AND POSTMASTER GENERAL.—*

*“(1) The Secretary shall transfer from the Fund to the Attorney General for deposit in the Department of Justice Assets Forfeiture Fund amounts appropriate to reflect the degree of participation of participating Federal agencies in the law enforcement effort resulting in the forfeiture pursuant to laws enforced or administered by a Department of the Treasury law enforcement organization. For purposes of the preceding sentence, a ‘participating Federal agency’ is an agency that participates in the Department of Justice Assets Forfeiture Fund.*

*“(2) The Secretary shall transfer from the Fund to the Postmaster General for deposit in the Postal Service Fund amounts appropriate to reflect the degree of participation of the United States Postal Service in the law enforcement effort resulting in the forfeiture pursuant to laws enforced or administered by a Department of the Treasury law enforcement organization.*

*“(o) BUREAU OF ALCOHOL, TOBACCO AND FIREARMS.—*



*“(1) Except as provided in paragraph (2) and section 5872(b) of the Internal Revenue Code of 1986, the provisions of law relating to—*

*“(A) the seizure, summary and judicial forfeiture, and condemnation of property for violation of Customs laws,*

*“(B) the remission or mitigation of such forfeiture, and*

*“(C) the compromise of claims,*

*shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under any applicable law enforced or administered by the Bureau of Alcohol, Tobacco and Firearms.*

*“(2) For purposes of paragraph (1), duties that are imposed upon a Customs officer or any other person with respect to the seizure and forfeiture of property under the Customs laws of the United States shall be performed with respect to seizures and forfeitures of property under this section by such officers, agents, or any other person as may be authorized or designated for that purpose by the Secretary.*

*“(p) DEFINITIONS.—For purposes of this section—*

*“(1) DEPARTMENT OF THE TREASURY LAW ENFORCEMENT ORGANIZATION.—The term ‘Department of the Treasury law enforcement organization’ means the United States Customs Service, the United States Secret Service, the Bureau of Alcohol, Tobacco and Firearms, the Internal Revenue Service, the Federal Law Enforcement Training Center, the Financial Crimes Enforcement Network, and any other law enforcement component of the Department of the Treasury so designated by the Secretary.*

*“(2) SECRETARY.—The term ‘Secretary’ means the Secretary of the Treasury.”*

*(2) The table of sections for chapter 97 of title 31, United States Code, is amended by inserting after the item relating to section 9702 the following new item:*

*“9703. Department of the Treasury Forfeiture Fund.”*

*(c) Section 6073(b) of the Anti-Drug Abuse Act of 1988 (21 U.S.C. 1509(b)) is amended to read as follows:*

*“(b) DEPOSITS.—There may be transferred to and deposited into the Special Forfeiture Fund, amounts from—*

*“(1) the Department of Justice Assets Forfeiture Fund pursuant to section 524(c)(9) of title 28, United States Code; and*

*“(2) the Department of the Treasury Forfeiture Fund pursuant to section 9703(g)(3)(A) of title 31, United States Code.”*

*(d) Section 981(a)(1)(C) of title 18, United States Code, is amended—*

*(1) by inserting “471, 472, 473, 474, 476, 477, 478, 479, 480, 481, 485, 486, 487, 488, 501, 502, 510, 542, 545,” after “section 215,”;*

*(2) by inserting “842, 844,” after “656, 657,”; and*

*(3) by inserting “1028, 1029, 1030,” after “1007, 1014.”*

*(e) Section 982(a)(2) of title 18, United States Code, is amended to read as follows:*

*“(2) The court, in imposing sentence on a person convicted of a violation of, or a conspiracy to violate—*



“(A) section 215, 656, 657, 1005, 1006, 1007, 1014, 1341, 1343, or 1344 of this title, affecting a financial institution, or

“(B) section 471, 472, 473, 474, 476, 477, 478, 479, 480, 481, 485, 486, 487, 488, 501, 502, 510, 542, 545, 842, 844, 1028, 1029, or 1030 of this title,

shall order that the person forfeit to the United States any property constituting, or derived from, proceeds the person obtained directly or indirectly, as the result of such violation.”

(f) Section 524(c) of title 28, United States Code, is amended—

(1) in paragraph (1)—

(A) by amending subparagraph (A) to read as follows:

“(A) the payment, at the discretion of the Attorney General, of any expenses necessary to seize, detain, inventory, safeguard, maintain, advertise, sell, or dispose of property under seizure, detention, or forfeited pursuant to any law enforced or administered by the Department of Justice, or of any other necessary expense incident to the seizure, detention, forfeiture, or disposal of such property including—

“(i) payments for—

“(I) contract services;

“(II) the employment of outside contractors to operate and manage properties or provide other specialized services necessary to dispose of such properties in an effort to maximize the return from such properties; and

“(III) reimbursement of any Federal, State, or local agency for any expenditures made to perform the functions described in this clause;

“(ii) payments to reimburse any Federal agency participating in the Fund for investigative costs leading to seizures;

“(iii) payments for contracting for the services of experts and consultants needed by the Department of Justice to assist in carrying out duties related to asset seizure and forfeiture; and

“(iv) payments made pursuant to guidelines promulgated by the Attorney General if such payments are necessary and directly related to seizure and forfeiture program expenses for—

“(I) the purchase or lease of automatic data processing systems (not less than a majority of which use will be related to such program);

“(II) training;

“(III) printing;

“(IV) the storage, protection, and destruction of controlled substances; and

“(V) contracting for services directly related to the identification of forfeitable assets, and the processing of and accounting for forfeitures;”;

(B) by amending subparagraph (F) to read as follows:

“(F)(i) for equipping for law enforcement functions of any Government-owned or leased vessel, vehicle, or aircraft



available for official use by any Federal agency participating in the Fund;

“(ii) for equipping any vessel, vehicle, or aircraft available for official use by a State or local law enforcement agency to enable the vessel, vehicle, or aircraft to assist in law enforcement functions if the vessel, vehicle, or aircraft will be used in a joint law enforcement operation with a Federal agency participating in the Fund; and

“(iii) payments for other equipment directly related to seizure or forfeiture, including laboratory equipment, protective equipment, communications equipment, and the operation and maintenance costs of such equipment;”;

(C) by striking “and” at the end of subparagraph (G);

(D) by redesignating subparagraph (H) as subparagraph (I);

(E) by inserting after subparagraph (G) the following new subparagraph:

“(H) payment of overtime salaries, travel, fuel, training, equipment, and other similar costs of State or local law enforcement officers that are incurred in a joint law enforcement operation with a Federal law enforcement agency participating in the Fund;”;

(F) in the first sentence of the flush paragraph following subparagraph (I) (as redesignated by subparagraph (D))—

(i) by striking “(A)(ii)” and inserting “(A)(iv)”;

(ii) by striking “and (G)” and inserting “(G), and

(H)”;

(2) in paragraph (4)—

(A) by inserting “Federal,” in subparagraph (B) before “State”;

(B) by striking the period at the end of subparagraph (B) and inserting “; and”;

(C) by adding at the end thereof the following new subparagraph:

“(C) all amounts transferred by the Secretary of the Treasury pursuant to section 9703(g)(4)(A)(ii) of title 31.”;

(3) by amending paragraph (6)(B)(v) to read as follows:

“(v) any defendant’s property, not forfeited at the end of the preceding fiscal year, if the equity in such property is valued at \$1,000,000 or more; and”;

(4) in paragraph (9)(A)—

(A) by striking “(A)(ii)” and inserting “(A)(iv)”;

(B) by striking “and (G)” and inserting “(G), and (H)”;

(5) in paragraph (9)(E), by striking “to procure vehicles, equipment, and other capital investment items”;

(6) by striking paragraph (11) and inserting the following new paragraphs:

“(11) The Attorney General shall transfer from the Fund to the Secretary of the Treasury for deposit in the Department of the Treasury Forfeiture Fund amounts appropriate to reflect the degree of participation of the Department of the Treasury law enforcement organizations (described in section 9703(p) of title 31) in the law enforcement effort resulting in the forfeiture pur-



suant to laws enforced or administered by the Department of Justice.

“(12) For purposes of this subsection and notwithstanding section 9703 of title 31 or any other law, property is forfeited pursuant to a law enforced or administered by the Department of Justice if it is forfeited pursuant to—

“(A) a judicial forfeiture proceeding when the underlying seizure was made by an officer of a Federal law enforcement agency participating in the Department of Justice Assets Forfeiture Fund or the property was maintained by the United States Marshals Service; or

“(B) a civil administrative forfeiture proceeding conducted by a Department of Justice law enforcement component.”

(g) Section 2003 of title 39, United States Code, is amended—

(1) in subsection (b)—

(A) by striking “and” at the end of paragraph (6);

(B) by striking the period at the end of paragraph (7) and inserting “; and”; and

(C) by adding at the end thereof the following new paragraph:

“(8) any transfers from the Secretary of the Treasury from the Department of the Treasury Forfeiture Fund which shall be available to the Postmaster General only for Federal law enforcement related purposes.”; and

(2) in subsection (e)(1), by inserting after the first sentence the following new sentence: “The Postmaster General shall transfer from the Fund to the Secretary of the Treasury for deposit in the Department of the Treasury Forfeiture Fund amounts appropriate to reflect the degree of participation of Department of the Treasury law enforcement organizations (described in section 9703(p) of title 31) in the law enforcement effort resulting in the forfeiture pursuant to laws enforced or administered by the Postal Service.”

And the Senate agree to the same.

**EDWARD R. ROYBAL,  
STENY H. HOYER,  
NANCY PELOSI,  
RONALD D. COLEMAN,  
DAVID E. SKAGGS,  
PETER J. VISCLOSKY,  
JAMIE L. WHITTEN,  
FRANK R. WOLF**

(with the exception of Statement of Managers accompanying amendments 155 and 156),

**JIM LIGHTFOOT**

(with the exception of Statement of Managers accompanying amendments 155 and 156),

**HAL ROGERS**

(with the exception of Statement of Managers accompanying amendments 155 and 156),

**JOSEPH M. MCDADE**



(with the exception of Statement of Managers accompanying amendments 155 and 156),

*Managers on the Part of the House.*

DENNIS DECONCINI,  
BARBARA A. MIKULSKI,  
J.R. KERREY,  
ROBERT C. BYRD,  
PETE V. DOMENICI,  
ALFONSE M. D'AMATO,  
MARK O. HATFIELD,

*Managers on the Part of the Senate.*

TITLE I--DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

Amendment No. 2. Makes available out from the Treasury \$1,000,000 for the Office of Foreign Assets Control, increased to \$1,200,000 as proposed by the House and \$3,400,000 as proposed by the Senate.

Distribution of Foreign Iraq Assets

The conferees concur in the Department of Treasury's decision to deny payment from blocked accounts to U.S. companies that shipped goods to Iraq or otherwise performed their contractual obligations before the invasion based on letters of credit issued by Iraqi banks and advised by U.S. financial institutions. The conferees are also that Treasury, through the Office of Foreign Assets Control, has promulgated Iraqi Sanctions Regulations that allow U.S. financial institutions to collect from blocked Iraqi accounts the interest of credit that the U.S. financial institutions issued or contracted. The conferees urge the Secretary of Treasury to consider amending this ruling to order U.S. companies and financial institutions that have a right to payment from letters of credit issued for goods shipped to Iraq or otherwise performed prior to the invasion.

Accordingly, the conferees urge the Secretary to promptly examine the possibility of issuing letters of credit payment from blocked accounts to U.S. companies and financial institutions that have a right to payment from letters of credit issued by Iraqi banks and advised by U.S. financial institutions where the U.S. financial institutions have a right to payment from letters of credit issued or contracted by the U.S. financial institutions.







## JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and Senate at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5488) 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, 1993, and for other purposes, submit the following joint statement to the House and Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

### TITLE I—DEPARTMENT OF THE TREASURY

#### DEPARTMENTAL OFFICES

#### SALARIES AND EXPENSES

Amendment No. 1: Makes available not less than \$3,064,000 for the Office of Foreign Assets Control instead of \$2,522,000 as proposed by the House and \$3,546,000 as proposed by the Senate.

#### DISTRIBUTION OF FROZEN IRAQI ASSETS

The conferees question the Department of Treasury's decision to deny payment from blocked accounts to U.S. companies that shipped goods to Iraq or otherwise performed their contractual obligations before the invasion based on letters of credit issued by Iraqi banks and advised by U.S. financial institutions. The conferees note that Treasury, through its Office of Foreign Assets Control, has promulgated Iraqi Sanctions Regulations that allow U.S. financial institutions to collect from blocked Iraqi accounts for letters of credit that the U.S. financial institutions issued or confirmed. The conferees urge the Secretary of Treasury to consider extending this ruling to other U.S. companies besides financial institutions that have a right to payment based on letters of credit either for goods shipped to Iraq or contracts otherwise performed prior to the invasion.

Accordingly, the conferees instruct Treasury to promptly examine the possibility of issuing licenses that permit payment from blocked accounts to U.S. companies, including their domestic and international subsidiaries, based on letters of credit issued by Iraqi banks and advised by U.S. financial institutions where the U.S. company that is the beneficiary of the letter of credit shipped the goods as provided in the letter of credit or otherwise performed its contractual obligations prior to August 2, 1990.



The conferees recognize that Treasury is still resolving the issue of the treatment of the remaining frozen Iraqi assets. The conferees understand that Treasury is formulating legislation to establish a method of assessing claims and fairly distributing the remaining assets. The conferees direct the Department of Treasury to submit this legislation to the appropriate authorizing committees no later than February 3, 1993.

Amendment No. 2: Allows 48 full-time equivalent positions for the Office of Foreign Assets Control instead of 40 as proposed by the House and 55 as proposed by the Senate.

Amendment No. 3: Makes available \$1,925,000 for systems modernization requirements instead of \$1,971,000 as proposed by the House and \$1,879,000 as proposed by the Senate.

Amendment No. 4: Makes available \$490,000 for repairs and improvements to the Main Treasury Building and Annex as proposed by the Senate instead of \$320,000 as proposed by the House.

Amendment No. 5: Appropriates \$71,202,000 for salaries and expenses instead of \$68,238,000 as proposed by the House and \$71,702,000 as proposed by the Senate.

#### INTERNATIONAL AFFAIRS

Amendment No. 6: Makes available \$727,000 for systems modernization requirements instead of \$942,000 as proposed by the House and \$512,000 as proposed by the Senate.

Amendment No. 7: Appropriates \$33,408,000 for International Affairs instead of \$33,325,000 as proposed by the House and \$33,492,000 as proposed by the Senate.

#### OFFICE OF INSPECTOR GENERAL

##### SALARIES AND EXPENSES

Amendment No. 8: Appropriates \$29,147,000 for salaries and expenses instead of \$31,459,000 as proposed by the House and \$29,367,000 as proposed by the Senate. The amendment also provides up to \$1,300,000 for the Inspectors General Auditor Training Institute as proposed by the House.

#### FINANCIAL CRIMES ENFORCEMENT NETWORK

##### SALARIES AND EXPENSES

Amendment No. 9: Appropriates \$18,342,000 for salaries and expenses as proposed by the Senate instead of \$19,087,000 as proposed by the House.

#### FEDERAL LAW ENFORCEMENT TRAINING CENTER

##### SALARIES AND EXPENSES

Amendment No. 10: Appropriates \$47,158,000 for salaries and expenses instead of \$41,236,000 as proposed by the House and \$48,538,000 as proposed by the Senate. The amendment also restores language proposed by the House which directs the Federal Law Enforcement Training Center (FLETC) to provide short term medical services for students undergoing training at the Center.



The conferees have provided an additional \$4,222,000 for salaries and expenses of the FLETC in fiscal year 1993. These additional funds should be used as follows: \$1,844,000 for basic training expenses; \$1,630,000 for 21 additional FTEs to meet instruction demands; \$498,000 for operational support for the Marana, Arizona satellite facility; and \$250,000 for a new training program on gang prevention and education. The conferees expect FLETC to coordinate any training program on gang prevention with the Phoenix Police Department and the Bureau of Alcohol, Tobacco and Firearms prior to initiating such training at the southern Arizona satellite facility.

#### MEDICAL CARE

The conferees are agreed that the FLETC should provide short-term, primary medical services for students during their training. This medical care should be limited to first-aid and emergency medical services.

#### COORDINATION WITH DEPARTMENT OF JUSTICE

The conferees are committed to providing law enforcement training in the most efficient and cost-effective manner possible. The conferees do not support the relocation of Justice Department agencies' law enforcement training from FLETC, without the prior approval of the House and Senate Appropriations Committees.

In addition, the conferees understand that FLETC has various advanced, foreign, and State/local training courses and is expanding a number of specialized training facilities which may be of use to the Federal Bureau of Investigation and the Drug Enforcement Agency. The conferees encourage the Department of Justice to work with the Treasury Department and FLETC to broaden cooperation and coordination in a manner which can benefit the training of all law enforcement agencies.

#### REIMBURSEMENTS FOR TRAINING

FLETC has historically received reimbursements under the Economy Act for expenses of basic training which exceed amounts appropriated by the Congress, and for expenses of advanced training. It is the intent of the conferees that the FLETC continue to receive reimbursement for these costs, in order to respond to the critical needs for law enforcement training of Federal agencies.

#### ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

Amendment No. 11: Appropriates \$12,301,000 for the Federal Law Enforcement Center's Acquisition, Construction, Improvements, and Related Expenses as proposed by the Senate instead of \$10,886,000 as proposed by the House.



## FINANCIAL MANAGEMENT SERVICE

### SALARIES AND EXPENSES

Amendment No. 12: Appropriates \$214,069,000 for salaries and expenses as proposed by the Senate instead of \$214,146,000 as proposed by the House.

Amendment No. 13: Makes available \$9,748,000 for systems modernization initiatives instead of \$10,900,000 as proposed by the House and \$8,597,000 as proposed by the Senate.

## BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

### SALARIES AND EXPENSES

Amendment No. 14: Appropriates \$366,372,000 for salaries and expenses instead of \$355,419,000 as proposed by the House and \$371,324,000 as proposed by the Senate.

## DENVER, COLORADO, ACHILLES TASK FORCE

The conferees agree that \$1,000,000 was provided in H.R. 5620 making Supplemental Appropriations, transfers, and rescissions for the fiscal year ending September 30, 1992, and for other purposes, for the Achilles Task Force in the area of Denver, Colorado. The conferees expect that the funding provided in fiscal year 1993 will continue the operations initiated by this Achilles Task Force.

## YOUTH GANG INTERVENTION PROGRAMS

The conferees direct the Bureau of Alcohol, Tobacco and Firearms to make \$1,600,000, divided equally, available to establish youth gang intervention programs in Albuquerque, New Mexico, and Honolulu, Hawaii, respectively, patterned after the successful pilot program it initiated in fiscal year 1992.

## BALTIMORE, MARYLAND AND PHOENIX, ARIZONA, DIVISION OFFICES

The conferees direct that the Bureau of Alcohol, Tobacco and Firearms (BATF) establish Division Offices in Baltimore, Maryland and Phoenix, Arizona in recognition of the need for a heightened effort against violent criminals, gang activities, and firearms trafficking in those metropolitan areas. The conferees direct that these offices be staffed, funded, housed, and equipped in a manner consistent with other BATF Divisional Offices, and that staffing charts and implementation plans, to include the geographic area covered by each Division, be submitted to the Committees on Appropriations of the House and Senate within 90 days of the enactment of this Act.

Amendment No. 15: Makes available \$22,000,000 for enforcement of the Federal Alcohol Administration Act instead of \$19,000,000 as proposed by the House and \$25,000,000 as proposed by the Senate.

Amendment No. 16: Deletes language proposed by the House which would have made available \$650,000 for improvement of information retrieval systems at the National Firearms Tracing Center.



Amendment No. 17: Establishes a minimum level of 4,304 full-time equivalent positions for the Bureau as proposed by the Senate instead of 4,109 as proposed by the House.

Amendment No. 18: Establishes a minimum level of 1,440 full-time equivalent positions for the Armed Career Criminal Apprehension Program as proposed by the Senate instead of 1,127 as proposed by the House.

Amendment No. 19: Deletes language proposed by the Senate which would have allowed the retention and expenditure of funds for the Compliance Alcohol Program.

### U.S. CUSTOMS SERVICE

#### SALARIES AND EXPENSES

Amendment No. 20: Appropriates \$1,315,917,000 for salaries and expenses instead of \$1,331,070,000 as proposed by the House and \$1,326,417,000 as proposed by the Senate.

The conferees are providing an additional \$10,500,000 for the hiring, training, and equipping of an additional 300 full-time inspector positions during the last six months of fiscal year 1993. The conferees expect these positions to be allocated to meet the unfunded staffing requirements Customs has identified at the following new and expanded ports of entry: Los Indios, TX, 21 FTEs; Columbia, TX, 19 FTEs; Brownsville, TX, 10 FTEs; Rio Grande City, TX, 3 FTEs; El Paso, TX, 12 FTEs; Santa Teresa, NM, 17 FTEs; Douglas, AZ, 5 FTEs; Naco, AZ, 5 FTEs; and Nogales, AZ, 10 FTEs. The remaining positions shall be allocated to the highest priority Southwest land border ports requiring increased inspection staffing.

#### CUSTOMS ENFORCEMENT INTERNATIONAL OPERATIONS

The conferees are concerned that Customs enforcement operations in Central and South America are critically understaffed. Every indication is that the case load available in the Central and South American countries is unique and that the Customs Service must recognize this need. As a result, the conferees direct the Commissioner of Customs to fill the current agent position in the Montevideo, Uruguay office as a first priority. In addition, the Commissioner is directed to provide the Committees of Appropriations with yearly staffing reports for all overseas Customs Enforcement operations, including a justification statement when establishing a new or expanded overseas Enforcement office. The initial report shall be submitted to both Committees on Appropriations within 90 days of enactment of this Act. The conferees further direct the Customs Service to consider overseas Enforcement operations in the preparation of its agent allocation model which has been requested but not yet received.

Amendment No. 21: Establishes a minimum level of 17,871 full-time equivalent positions as proposed by the Senate instead of 17,411 as proposed by the House.

Amendment No. 22: Establishes a minimum level of 11,018 full-time equivalent positions for commercial operations activities as proposed by the Senate instead of 10,480 as proposed by the House.



Amendment No. 23: Makes available not less than \$750,000 for additional part-time and temporary positions in the Honolulu Customs District instead of \$1,000,000 as proposed by the Senate.

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

Amendment No. 24: Deletes language proposed by the House which would have provided authority for the hire, lease, and acquisition of certain equipment. This authority is provided in other provisions.

Amendment No. 25: Appropriates \$83,242,000 for operations and maintenance of Air and Marine Interdiction Programs as proposed by the Senate instead of \$136,783,000 as proposed by the House. It also provides for operational training and mission-related travel, and rental payments for facilities occupied by the program.

Amendment No. 26: Deletes House language which would have provided an appropriation of \$136,783,000 to remain available until expended.

**OPERATIONS AND MAINTENANCE, CUSTOMS P-3 DRUG INTERDICTION PROGRAM**

Amendment No. 27: Appropriates \$28,000,000 for the operation and maintenance modifications to spare parts and related equipment for Customs P-3 surveillance aircraft as proposed by the Senate.

**AIR AND MARINE INTERDICTION PROGRAMS, PROCUREMENT**

Amendment No. 28: Appropriates \$21,174,000 for air and marine interdiction programs as proposed by the Senate. The House had included this appropriation in another account.

**CUSTOMS FACILITIES, CONSTRUCTION, IMPROVEMENTS AND RELATED EXPENSES**

Amendment No. 29: Appropriates \$4,600,000 for Customs facilities, construction, improvements, and related expenses as proposed by the Senate. The House had included this appropriation in another account.

**CANINE ENFORCEMENT TRAINING CENTER**

Amendment number 29 appropriates \$4,600,000 to the United States Custom Service for improvements and new construction at the Canine Enforcement Training Center near Front Royal, Virginia. The present training center facilities were constructed in 1974 by renovating stables and barns that existed on the property in Shenandoah National Park. Completion of the expansion program will allow the Customs Service to provide training year round with reduced costs, increase the quality of a highly effective program, and continue to support other federal, state, and local law enforcement agencies.



## U.S. MINT

## SALARIES AND EXPENSES

Amendment No. 30: Appropriates \$53,001,000 for salaries and expenses instead of \$52,450,000 as proposed by the House and \$53,551,000 as proposed by the Senate.

Amendment No. 31: Makes available \$1,860,000 for expansion and improvements instead of \$2,085,000 as proposed by the House and \$1,635,000 as proposed by the Senate.

## BUREAU OF ENGRAVING AND PRINTING HIRING PRACTICES

The conferees are concerned over hiring practices of the Bureau of Engraving and Printing and the differences that exist between the Washington, D.C. plant and the Fort Worth, Texas plant. In Washington, positions have been filled with temporary employees that have recently been targeted for reductions, whereas in Fort Worth, permanent employees have been hired into apprenticeship positions. The conferees are concerned that temporary journey level plate printers in Washington are not being given the right to apply for the permanent positions in Texas. The conferees direct the Bureau to ensure that existing temporary employees in Washington be given the option of transferring, being detailed or applying for hire for permanent positions in Fort Worth for which they are qualified.

## BUREAU OF THE PUBLIC DEBT

## ADMINISTERING THE PUBLIC DEBT

Amendment No. 32: Appropriates \$194,643,000 for administering the public debt as proposed by the Senate instead of \$189,000,000 as proposed by the House.

## PAYMENT OF GOVERNMENT LOSSES IN SHIPMENT

Amendment No. 33: Inserts language as proposed by the Senate which establishes a new account and provides \$500,000 for "Payment of Government Losses in Shipment".

## INTERNAL REVENUE SERVICE

## ADMINISTRATION AND MANAGEMENT

Amendment No. 34: Appropriates \$157,368,000 for administration and management as proposed by the House instead of \$158,057,000 as proposed by the Senate.

## PROCESSING TAX RETURNS AND ASSISTANCE

Amendment No. 35: Appropriates \$1,634,298,000 for processing tax returns and assistance as proposed by the Senate instead of \$1,648,960,000 as proposed by the House.

Amendment No. 36: Makes available \$3,500,000 for the Tax Counseling for the Elderly Program as proposed by the Senate instead of \$3,100,000 as proposed by the House.



## TAX LAW ENFORCEMENT

Amendment No. 37: Appropriates \$3,835,347,000 for tax law enforcement instead of \$3,835,192,000 as proposed by the House and \$3,835,501,000 as proposed by the Senate. It also provides that not less than \$334,989,000 and 4,756 full-time equivalent positions shall be available for tax fraud investigations as proposed by the Senate.

## INFORMATION SYSTEMS

Amendment No. 38: Appropriates \$1,480,341,000 for information systems as proposed by the Senate instead of \$1,566,909,000 as proposed by the House.

Amendment No. 39: Makes available \$565,026,000 for tax systems modernization as proposed by the Senate instead of \$612,692,000 as proposed by the House.

Amendment No. 40: Makes available \$110,000,000 to remain available until expended for tax systems modernization as proposed by the Senate instead of \$125,000,000 as proposed by the House.

Amendment No. 41: Deletes language proposed by the House which restricted the obligation of funds.

## ADMINISTRATIVE PROVISION

## INTERNAL REVENUE SERVICE

Amendment No. 42: Establishes a ceiling of 4 percent transfer authority within the Internal Revenue Service as proposed by the Senate instead of 8 percent as proposed by the House.

Amendment No. 43: Restores House language which directs the implementation of a training program for training of employees in taxpayers rights, dealing courteously with taxpayers, and in cross-cultural relations.

## U.S. SECRET SERVICE

## SALARIES AND EXPENSES

Amendment No. 44: Appropriates \$469,155,000 for salaries and expenses instead of \$470,372,000 as proposed by the House and \$467,938,000 as proposed by the Senate.

Amendment No. 45: Inserts Senate language which provides that fiscal year 1993 funds shall be available for Presidential protection assistance reimbursements claimed in fiscal year 1992.

## DEPARTMENT OF THE TREASURY

## GENERAL PROVISIONS

Amendment No. 46: Modifies language proposed by the House and stricken by the Senate on collection and use of efficiency savings in the Internal Revenue Service.

Amendment No. 47: Inserts section number.

Amendment No. 48: Inserts section number.

Amendment No. 49: Inserts section number.

Amendment No. 50: Inserts Senate language which makes a technical change to this provision which authorizes the transfer of funds.



Amendment No. 51: Inserts section number.

Amendment No. 52: Deletes a provision proposed by the Senate which would have established line authority in the Criminal Investigation Division to the Assistant Commissioner for Criminal Investigation.

#### CRIMINAL INVESTIGATION DIVISION LINE AUTHORITY

The conferees are concerned that the Criminal Investigation Division (CID) of the Internal Revenue Service (IRS) has not been given the resources, authority, and attention it deserves.

Therefore the conferees direct the Department of the Treasury to conduct a study of CID management and report its findings and recommendations to the Committees on Appropriations of the House and Senate within nine months of the date of enactment of this legislation. The study committee should include among others, the Assistant Secretary for Management, the Assistant Secretary for Enforcement, the Commissioner of the Internal Revenue Service, the Commissioner of the Customs Service, the Assistant Commissioner of IRS for CID, and a representative from the U.S. Attorneys and the Office for National Drug Control Policy.

However, for fiscal year 1993, the conferees direct the Internal Revenue Service to develop and implement a plan for consistent and continued growth for CI resources to deal with tax, white collar crime, and money laundering responsibilities; Administratively Uncontrollable Overtime (AUO) for agents and all levels of CI managers nationwide, comparable to other Federal law enforcement agencies. Further, the conferees urge IRS to develop and implement a national policy regarding the use of firearms and enforcement vehicles; to allow CI special agents to initiate and participate in wiretaps under Title 31, U.S.C. and Title 18, U.S.C. money laundering investigations, and regarding policy and coordination of national and international cases by the Assistant Commissioner of CID.

The Department of the Treasury shall undertake a review of management positions in CI to determine which positions qualify for Senior Executive Service rank, and review the current IRS SES program which allows the placement of CI managers in nonenforcement positions.

Additionally, the Assistant IRS Commissioner for CI should be given authority to transfer resources as needed within and without the various districts and headquarters offices to meet enforcement needs of CI and to fill critical positions which become vacant. The Assistant Commissioner of CI shall be the deciding official in the selection of CI Division chiefs and top level CI management positions at the field and headquarters level.

Amendment No. 53: Modifies a provision proposed by the Senate which prohibits the Department of the Treasury from "direct billing" any of its bureaus for the postage costs of another Treasury bureau except under certain circumstances and adding, "without the advance approval of the House and Senate Committees on Appropriations."

This amendment also adds a new section which authorizes the Secretary of Treasury to transfer all obligated and unobligated bal-



ances in the construction of the Mint facilities and expansion and improvements accounts in prior appropriations acts to the account for salaries and expenses. Such transferred balances shall be used for expansion and improvements and shall be available until expended.

This amendment also adds a new section which changes the cap on United States Customs Service employees overtime pay from \$30,000 to \$25,000.

## TITLE II—U.S. POSTAL SERVICE

### HANDICAPPED ACCESSIBILITY OF THE HAGERSTOWN POST OFFICE

The main post office building in Hagerstown, Maryland, the County seat of Washington County, is not handicapped accessible. This Post Office is the one that offers unique services to area residents including services to April 15th tax filers, but its services are not all available to handicapped individuals since they are denied access to the lobby of the building.

This Post Office is located in the downtown area of Hagerstown, a location that is a particularly desirable residential area for individuals with physical handicaps due to the immediate availability of many community services which would otherwise be difficult for them to access. The need to make special arrangements to get transportation to other post office buildings in the area places an undue burden on disabled individuals.

The Hagerstown Post Office, constructed in 1935 and added to in 1964, has been determined by the Postal Service to be of historical significance. Under the Postal Service's own minimum requirements for accessibility to historic buildings, contained in *Standards for Facility Accessibility by the Physically Handicapped* (Section 4.1.7(2)), the Postal Service must make at least one accessible entrance to the building. This is possible for this building by constructing a ramp parallel to the street in front of the building, but the Postal Service has repeatedly declined to take action on this.

In keeping with the intent of the Architectural Barriers Act as amended in 1976, that all public buildings be handicapped accessible, the conferees urge the Postal Service to make the main post office building in Hagerstown, Maryland, handicapped accessible by no later than September 30, 1993.

### NEW YORK POSTAL DATA CENTER

The conferees have learned that the Postal Service announced its intention to close down the New York Postal Data Center early next year. The conferees feel that before this facility is closed, the Postal Service should justify this closure and requires the Postal Service to provide such justification within 60 days of enactment of this Act. This justification should include relocation costs, lease arrangements, alternatives to closure, other affected Centers, personnel considerations, and any projected cost savings.

### LONDON, KENTUCKY, POST OFFICE

The conferees are extremely concerned about a Post Office proposal to transfer the mail sorting and processing operations from



the London Post Office in Kentucky to Lexington, Kentucky. The London postal facility is a state-of-the-art facility, designed to process over 275,000 outgoing pieces of mail daily from southeastern Kentucky.

The conferees employ over 70 people, and the conferees are extremely concerned that the transfer of mail to Lexington would cause significant job loss in an area that is already economically depressed.

The conferees are opposed to the Post Office moving its mail sorting operation to Lexington, and urges the Postal Service to continue full operations for sorting mail for southeastern Kentucky at the London postal facility.

#### GENERAL MAIL FACILITY, WESTCHESTER COUNTY, NY

The conferees direct the U.S. Postal Service to fulfill its agreement with Westchester County to reimburse that county the sum of \$400,000 as agreed between Westchester County and the Postal Service when the agreement was reached to build the postal facility in Westchester County.

### TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT

#### OFFICE OF ADMINISTRATION

##### SALARIES AND EXPENSES

Amendment No. 54: Appropriates \$24,438,000 for salaries and expenses as proposed by the Senate instead of \$24,328,000 as proposed by the House.

#### THE WHITE HOUSE OFFICE

##### SALARIES AND EXPENSES

Amendment No. 55: Appropriates \$35,385,000 for salaries and expenses instead of \$34,885,000 as proposed by the House and \$36,281,000 as proposed by the Senate.

#### EXECUTIVE RESIDENCE AT THE WHITE HOUSE

##### OPERATING EXPENSES

Amendment No. 56: Appropriates \$7,598,000 for salaries and expenses as proposed by the Senate instead of \$7,499,000 as proposed by the House.

#### OFFICIAL RESIDENCE OF THE VICE PRESIDENT

##### OPERATING EXPENSES

Amendment No. 57: Appropriates \$324,000 for operating expenses as proposed by the House instead of \$337,000 as proposed by the Senate.



**SPECIAL ASSISTANCE TO THE PRESIDENT****SALARIES AND EXPENSES**

Amendment No. 58: Appropriates \$3,150,000 for salaries and expenses as proposed by the Senate instead of \$2,932,000 as proposed by the House.

**COUNCIL OF ECONOMIC ADVISERS****SALARIES AND EXPENSES**

Amendment No. 59: Appropriates \$3,428,000 for salaries and expenses instead of \$3,345,000 as proposed by the House and \$3,508,000 as proposed by the Senate.

**OFFICE OF POLICY DEVELOPMENT****SALARIES AND EXPENSES**

Amendment No. 60: Appropriates \$3,772,000 for salaries and expenses instead of \$3,701,000 as proposed by the House and \$3,842,000 as proposed by the Senate.

**NATIONAL CRITICAL MATERIALS COUNCIL****SALARIES AND EXPENSES**

Amendment No. 61: Modifies language proposed by the Senate to appropriate \$235,000 for salaries and expenses instead of \$247,000 as proposed by the Senate. The House did not provide any appropriation for this account.

**JUSTIFICATION REQUEST**

The conferees are concerned about an unnecessary and wasteful duplication of efforts between the National Critical Materials Council and other agencies of the federal government engaged in materials-related policy activities. The House, in fact, had acted to eliminate funding for the Council entirely. Therefore, the conferees direct the Administration to submit to the Committees on Appropriations of the House and Senate, with its budget submission for fiscal year 1994, its justification for maintaining the Council in addition to the other agencies engaged in materials-related policy activities, explicitly identifying those functions and responsibilities of the Council which cannot reasonably be carried out by such other agencies. Unless an extremely strong case is made to support continuation of the Council, the conferees expect funding for the Council to be eliminated in fiscal year 1994.

**NATIONAL SECURITY COUNCIL****SALARIES AND EXPENSES**

Amendment No. 62: Appropriates \$6,118,000 for salaries and expenses as proposed by the Senate instead of \$5,971,000 as proposed by the House.



**OFFICE OF MANAGEMENT AND BUDGET**

**SALARIES AND EXPENSES**

Amendment No. 63: Appropriates \$52,981,000 for salaries and expenses instead of \$51,934,000 as proposed by the House and \$54,011,000 as proposed by the Senate.

**SUPPORT TO THE PRESIDENT AND VICE PRESIDENT**

The House report included a direction to the Office of Management and Budget (OMB) to submit a report to the House Appropriations Committee, not later than August 10, 1992, identifying all federal agencies which provides staff and/or financial support to the Presidential and Vice Presidential complexes. The OMB has not responded to the Committee's direction.

The conferees understand that the response has been prepared by OMB but has not been cleared by the White House for reporting to the Committee.

The conferees agree that the report which has been prepared in response to the House report language shall be submitted to the Committees on Appropriations of the House and Senate within 15 days of enactment of this Act.

**OFFICE OF FEDERAL PROCUREMENT POLICY**

**SALARIES AND EXPENSES**

Amendment No. 64: Appropriates \$3,058,000 for salaries and expenses as proposed by the House instead of \$3,208,000 as proposed by the Senate.

**OFFICE OF NATIONAL DRUG CONTROL POLICY**

**SALARIES AND EXPENSES**

**(INCLUDING TRANSFER OF FUNDS)**

Amendment No. 65: Appropriates \$103,348,000, of which \$900,000 and five full-time equivalent positions shall be available for the Counter-Drug Technology Assessment Center as proposed by the Senate, instead of \$66,348,000 as proposed by the House.

**FULL-TIME EQUIVALENT POSITIONS**

The conferees are agreed that the full-time equivalent positions for ONDCP shall be 112 instead of 130 as proposed by the House and 100 as proposed by the Senate.

Amendment No. 66: Makes available \$86,000,000 for High Intensity Drug Trafficking Areas as proposed by the Senate instead of \$50,000,000 as proposed by the House.

Amendment No. 67: Deletes language proposed by the House and inserts language proposed by the Senate. This language mandates the transfer of \$36,000,000 to State and local drug control entities for activities which are consistent with the approved strategy for each High Intensity Drug Trafficking Area (HIDTA); limits funds for the Southwest Border HIDTA to those activities approved by the Joint Command Group of Operation Alliance and the Assist-



ant Secretary of the Department of the Treasury (Enforcement); reduces by 20 percent, the number of non-career Senior Executive Service (SES) positions and Schedule "C" positions, and prohibits the conversion of these positions to career civil service or career SES.

Amendment No. 68: Modifies language proposed by the Senate which prohibits the use of funds for payment of salaries or expenses for any Federal officer in ONDCP who is appointed by the President, with the advice and consent of the Senate, to make public appearances for political campaigns.

**COUNTER-DRUG TECHNOLOGY ASSESSMENT CENTER, RESEARCH AND DEVELOPMENT PROGRAM**

(INCLUDING TRANSFERS)

Amendment No. 69: Deletes language proposed by the Senate which would have appropriated \$20,000,000 to the Counter-Drug Technology Assessment Center, Research and Development program. Funds are appropriated for this activity in amendment number 70.

**SPECIAL FORFEITURE FUND**

(INCLUDING TRANSFER OF FUNDS)

Amendment No. 70: Deletes language proposed by the House and modifies language proposed by the Senate. This amendment provides \$75,742,000 for activities authorized by Public Law 100-690 to be derived from deposits in the Special Forfeiture Fund instead of \$60,251,000 as proposed by the House and \$82,542,000 as proposed by the Senate.

**SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES (ADAMHA/SAMSA) TRANSFER**

Because of the emergency situation that currently exists in San Francisco, the conferees agreed to earmark \$4,700,000 of the funds made available under transfer to ADAMHA/SAMSA to the San Francisco Department of Public Health only for substance abuse treatment programs to reduce waiting lists and lessen the threat of HIV transmission.

**UNANTICIPATED NEEDS**

Amendment No. 71: Appropriates \$1,000,000 for unanticipated needs as proposed by the Senate instead of \$800,000 as proposed by the House.

Amendment No. 72: Deletes language proposed by the House which would have reduced each account under this title by 5.7 percent.



## TITLE IV—INDEPENDENT AGENCIES

### ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

#### SALARIES AND EXPENSES

Amendment No. 73: Appropriates \$2,314,000 for salaries and expenses as proposed by the House instead of \$2,327,000 as proposed by the Senate.

### ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

#### SALARIES AND EXPENSES

Amendment No. 74: Appropriates \$1,820,000 for salaries and expenses instead of \$1,891,000 as proposed by the House and \$1,330,000 as proposed by the Senate. The conferees agree that \$500,000 is provided in this appropriation for a study to be performed by the National Association of Counties.

### COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

#### SALARIES AND EXPENSES

Amendment No. 75: Appropriates \$1,653,000 for salaries and expenses and changes the name of the appropriation as proposed by the House instead of \$1,653,000 and no name change as proposed by the Senate.

### FEDERAL ELECTION COMMISSION

#### SALARIES AND EXPENSES

Amendment No. 76: Appropriates \$21,031,000 for salaries and expenses as proposed by the Senate instead of \$20,531,000 as proposed by the House.

### GENERAL SERVICES ADMINISTRATION

#### FEDERAL BUILDINGS FUND

##### (LIMITATIONS ON AVAILABILITY OF REVENUE)

Amendment No. 77: Appropriates \$330,501,000 into the Federal Buildings Fund instead of \$402,040,000 as proposed by the House and \$353,516,000 as proposed by the Senate.

Amendment No. 78: Establishes a total limitation of \$4,717,251,000 for the Federal Buildings Fund instead of \$4,820,209,000 as proposed by the House and \$4,713,808,000 as proposed by the Senate.

Amendment No. 79: Establishes a limitation of \$626,312,000 for construction instead of \$684,952,000 as proposed by the House and \$670,377,000 as proposed by the Senate.

Amendment No. 80: Deletes language proposed by the House and modifies language proposed by the Senate which provides funding related to the construction of certain buildings and facilities.



**SCRANTON, PENNSYLVANIA, GENERAL MAIL FACILITY**

The conferees are aware of the Postal Service's current plans to expand the Scranton, Pennsylvania General Mail Facility by not less than 30,000 square feet. This sorely needed expansion will accommodate automation equipment as well as improve the mail operations in northeastern Pennsylvania. The conferees have included \$3,000,000 to accommodate this expansion. Finally, the conferees direct the Postal Service not to move any postal service operations from Scranton.

**NEWARK, NEW JERSEY, PARKING FACILITY**

The conferees have provided \$9,000,000 for a new parking facility for Federal office space requirements in the City of Newark, New Jersey. The conferees expect that GSA will be provided parking spaces without charge for Federal needs proportionate to its share of contributions towards the cost of this project.

**LONDON, KENTUCKY, U.S. FEDERAL COURTS**

The conferees urge GSA to complete the study of the space requirements and construction of a new building for the U.S. Federal Courts in London, Kentucky and the additional space requirements for several federal agencies in the London, Kentucky area. GSA has indicated that the project for all of the agencies' needs in London could be accomplished under the prospectus threshold. Therefore, the conferees urge GSA to move expeditiously with this project.

**BOSTON, MASSACHUSETTS, COURTHOUSE**

The conferees have agreed to provide an additional \$20,000,000 to permit design and construction of a 500,000 occupiable square foot Courthouse in Boston, Massachusetts to accommodate the long-term requirements of the U.S. Courts. Although the initial concept was for a 400,000 occupiable square foot facility, the Courts have identified the need for an additional 100,000 square feet to provide for their 30 year requirements. The conferees direct the General Services Administration to construct the larger facility. The conferees understand that the construction contract for this project is scheduled for award in the Spring of 1994. If additional funds which the conferees understand may total \$19,000,000, are needed for construction of the larger Courthouse, the conferees direct that either a reprogramming request be submitted to Congress for approval or that the additional funds be requested as a construction line item in the fiscal year 1994 President's Budget.

**RENO, NEVADA, FEDERAL BUILDING/COURTHOUSE**

The conferees are in agreement that this project scope should include the total amount of \$37,489,000 for construction of a new Federal Building/Courthouse for Reno, Nevada. This is the amount required to construct a building as planned and approved by the General Services Administration and the U.S. Courts. For contrac-



tual purposes, it is not necessary to fully fund this project at this time.

#### BROOKLYN, NEW YORK, COURTHOUSE

The conferees intend that the funds provided to the General Services Administration be used to continue the design and preconstruction activities related to the construction of a new United States Courthouse facility in Brooklyn, New York. The project will require a substantial renovation of the current United States Post Office building at Cadman Plaza to turn it into a Court facility. It is the conferees intent that any renovation plans be consistent with the historic character of the Post Office building and shall not include major additions to the current Post Office structure. It is the further intent of the conferees that in developing plans for this project, the General Services Administration shall fully utilize space available in the current Emanuel Celler Federal Building and the current United States Courthouse.

#### INTERNATIONAL CULTURAL AND TRADE CENTER

None of these funds may be used to move or facilitate the movement into the Federal Triangle Building of any federal agency, or unit thereof, whose mission is inconsistent with the provisions of Public Law 100-113. The General Services Administration shall submit a housing plan, as required by Public Law 100-113, to the Senate Committee on Environment and Public Works and the House Committee on Public Works and Transportation by March 1, 1993, which provides for the inclusion of federal agencies, or units thereof, in this facility which have trade or culture as their mission.

Amendment No. 81: Modifies language proposed by the House and stricken by the Senate which provides \$5,000,000 for the acquisition, lease, construction, and equipping of a flexiplace work telecommuting center in southern Maryland, the Eastern Shore of Maryland, and in northwestern Virginia.

#### HAGERSTOWN, MARYLAND, TELECOMMUTING CENTER

The conferees are aware that the General Services Administration and the Office of Personnel Management have been working on developing a telecommuting center in Hagerstown, Maryland. The conferees are very pleased with the work done to date on the Hagerstown facility and direct GSA and OPM to continue these efforts within the funds provided and open this facility as soon as possible

Amendment No. 82: Deletes language proposed by the Senate.

#### FOOD AND DRUG ADMINISTRATION FACILITIES

The Senate included bill language directing GSA to acquire land for the construction of consolidated facilities for the Food and Drug Administration's Center for Biologics Evaluation and Research (CBER), Center for Devices and Radiological Health (CDRH), and Center for Drug Evaluation and Research (CDER) in Montgomery County, Maryland, and for the Center for Veterinary Medicine



(CVM) and the Center for Food Safety and Applied Nutrition (CFSAN) in Prince George's County, Maryland. Following the adoption of that language by the Senate Appropriations Committee, the Office of Management and Budget sent to Congress on July 29, 1992 a plan to meet FDA's housing needs.

Based upon agreements reached with the Administration, the conferees have deleted the Senate language from the bill. The conferees note that OMB has made the following commitment:

If government-owned land has not been identified fully to accommodate the needs identified in the July 29 plan for CDRH and CDER by October 27, 1992, 90 days after the plan was presented to you, GSA will proceed with solicitations to purchase private land in Montgomery County. Similarly, if government-owned land has not been identified by October 27, 1992, to accommodate CBER's needs identified in the July 29 plan, GSA will proceed with solicitations to lease space and/or purchase private land in Montgomery County.

As the plan stated, the remainder of the funds for this project will be provided in 1994 and 1995. While only the President can commit to include funding in a future budget, it is our intention to seek at least partial further funding of the plan as part of the 1994 budget.

The conferees have further been assured by OMB that, if existing federal land cannot be identified to accommodate CDER and CDRH, no less than 129 acres will be purchased in Montgomery County to house these two centers, and that an amount adequate to meet the needs of CBER will be purchased in Montgomery County, if CBER's needs cannot be accommodated in part or in whole on existing federal land or leased space. GSA shall work with FDA, Prince George's County Government and the U.S. Department of Agriculture in preparing a plan for consolidating CVM and consolidating CFSAN, using government-owned land, leased space, or a combination thereof.

Amendment No. 83: Restores language proposed by the House which directs the Secretary of Commerce to provide permanent easements, as agreed between the Department and the City of Boulder, Colorado.

Amendment No. 84: Inserts language proposed by the Senate which rescinds funds appropriated for the Department of Transportation headquarters site.

Amendment No. 85: Establishes a limitation of \$594,066,000 for repairs and alterations as proposed by the Senate instead of \$583,255,000 as proposed by the House.

Amendment No. 86: Modifies a provision proposed by the House and stricken by the Senate regarding Capital Improvements of the United States Mexico Border facilities.

#### EL PASO PORTS OF ENTRY PROJECTS

The conferees have agreed to a general provision which requires the General Services Administration to provide up to \$1,500,000 for a hazardous materials containment facility at the



Bridge of the Americas and up to \$1,500,000 for a hazardous materials containment facility at Ysleta/Zaragosa from funds already made available for facilities at these two ports. The conferees have also provided \$7,500,000 for site acquisition and construction at Ysleta/Zaragosa, its availability for obligation contingent upon receipt of a report from GSA and the appropriate Federal inspection agencies, by no later than June 1, 1993, recommending the need for these projects.

In approving these amounts, the conferees fully expect GSA to plan, design, and construct hazardous materials containment facilities at both Bridge of the Americas and Ysleta/Zaragosa that will meet current and future requirements at these ports of entry. The conferees expect that no less than \$700,000 shall be made available for each of the hazardous materials containment facilities in order to accommodate the expected increase in Federal inspection agency requirements in the future.

With regard to the site acquisition and construction funding approved by the conferees, the conferees fully expect GSA and the Federal inspection agencies to include input from State and local officials and from the border trade and enforcement community in the report to be submitted to the Committees on Appropriations of the House and Senate. The conferees also fully expect GSA to obtain significant input from the local and regional officials of the Federal inspection agencies that will be assisting in the preparation of this report. The conferees further expect the analysis by GSA, the Federal inspection agencies, and the border officials to give the site acquisition and construction proposal every possible consideration for future needs.

#### SOUTHWEST BORDER STATION CAPITAL IMPROVEMENT PROGRAM

The conferees note that both the House and Senate have included language in their respective reports that call for a long-term analysis of the capital improvement requirements for border stations and other facilities along the United States-Mexico border. The House Report (102-618) includes a directive to General Services Administration (GSA), in cooperation with Customs and other Federal inspection agencies, to coordinate a 5-year plan to identify and implement a Southwest Border Station Capital Improvement Program.

The conferees agree that the GSA, in cooperation with U.S. Customs; the other Federal border inspection agencies; and the Department of State, with direct input from affected border community representatives, including state and local officials; private industry; and the border trade community, shall coordinate a five-year plan which identifies and implements another Southwest Border Station Capital Improvement Program to begin in fiscal year 1994. The conferees further agree that such a plan shall include an estimate of costs of each facility and identify milestones to achieve the completion of the projects. The conferees expect the Plan to be completed and submitted to the Committees on Appropriations of the House and Senate by no later than April 1, 1993.



Amendment No. 87: Establishes a limitation of \$273,300,000 for minor repairs and alterations instead of \$256,489,000 as proposed by the House and \$280,800,000 as proposed by the Senate.

Amendment No. 88: Establishes a limitation of \$1,130,871,000 for real property operations instead of \$1,170,000,000 as proposed by the House and \$1,073,363,000 as proposed by the Senate.

Amendment No. 89: Establishes a limitation of \$179,930,000 for design and construction services as proposed by the Senate instead of \$195,930,000 as proposed by the House.

#### NATIONAL SCIENCE FOUNDATION

During these difficult fiscal times when conserving all our resources is crucial, the conferees are concerned by the National Science Foundation's continued resistance to its planned relocation. Congress appropriated \$7,000,000 in fiscal year 1992 for this relocation to a site selected by the General Services Administration (GSA) and accepted by the Foundation. A failure by the Foundation to utilize these and other resources available to it for this move will result in unnecessary costs to the Foundation, the GSA, and the taxpayers; such a failure would be unacceptable and could jeopardize resources available to the Foundation in the future.

Amendment No. 90: Deletes House language listing buildings which may proceed without an approved prospectus and inserts Senate language which provides that projects listed in this Act may proceed without approved prospectuses.

Amendment No. 91: Establishes a total limitation on the Federal Buildings Fund of \$4,717,251,000 instead of \$4,820,209,000 as proposed by the House and \$4,713,808,000 as proposed by the Senate.

#### FEDERAL SUPPLY SERVICE

##### OPERATING EXPENSES

Amendment No. 92: Appropriates \$56,144,000 for operating expenses instead of \$56,070,000 as proposed by the House and \$56,217,000 as proposed by the Senate.

#### SECURITY STANDARDS FOR CONTAINERS, VAULTS, OR LOCKS

The conferees are concerned about any attempt to weaken security standards for containers, vaults, or locks. The conferees direct that material of a top secret, secret, or confidential nature should be stored in containers and with self-powered locks that meet existing General Services Administration (GSA), federal government wide standards. The conferees direct that GSA not alter the authority or composition of the Interagency Advisory Committee on Security Equipment (IACSE) or otherwise undermine existing directives for current GSA, federal government wide, standards for physical security equipment established by the IACSE on or before March 31, 1993.



## GENERAL MANAGEMENT AND ADMINISTRATION

### SALARIES AND EXPENSES

Amendment No. 93: Appropriates \$34,000,000 for salaries and expenses instead of \$31,155,000 as proposed by the House and \$34,747,000 as proposed by the Senate.

### PATENT AND TRADEMARK OFFICE RENTAL RATES

Last year, the General Services Administration (GSA) was directed to conduct a reappraisal of the 1992 rental rates to be assessed to the Patent and Trademark Office (PTO) for space leased in Crystal City, Arlington, Virginia. As a result of the reappraisal, rent rates charged PTO were adjusted downward by \$4,800,000.

The conferees fully expect the 1992 appraisal to establish the base rate from which annual adjustments will be made during the remaining four years of the five year rent cycle, and expect that any increases will be made in accordance with the existing law regarding the appraisal of Federal space.

Amendment No. 94: Deletes language proposed by the House which would have included mandated funding for major equipment acquisitions and systems development projects.

### INFORMATION RESOURCES MANAGEMENT SERVICE

#### OPERATING EXPENSES

Amendment No. 95: Appropriates \$46,419,000 for operating expenses instead of \$45,787,000 as proposed by the House and \$47,051,000 as proposed by the Senate.

### ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

Amendment No. 96: Appropriates \$2,192,000 for allowances and office staff instead of \$2,183,000 as proposed by the House and \$2,200,000 as proposed by the Senate.

### EXPENSES, PRESIDENTIAL TRANSITION

Amendment No. 97: Restores language proposed by the House and stricken by the Senate which provides \$5,000,000 for expenses of Presidential Transition.

An appropriation of \$5,000,000 is provided for expenses of a Presidential Transition pursuant to the Presidential Transition Act of 1963, as amended, in the event it should occur as a result of the 1992 Presidential election. It is recognized that in providing suitable office space for the transition there will be no charge against the appropriation for any Federally-provided space if such space is available.

## GENERAL SERVICES ADMINISTRATION

### GENERAL PROVISIONS

Amendment No. 98: Deletes a provision proposed by the House which would have provided a mechanism for reimbursement of certain expenses of persons attending child care training, conferences,



or other meetings in connection with the provision of child care services. This issue is addressed in amendment number 146.

Amendment No. 99: Inserts language proposed by the Senate which authorizes GSA to acquire certain lands associated with the Chamblee, Georgia Federal building.

Amendment No. 100: Modifies language proposed by the House and stricken by the Senate which provides authority to increase the office space of the Federal Office Building in San Francisco from 430,000 to 475,000 square feet and authorizes an additional \$10,000,000 for that purpose.

Amendment No. 101: Restores language proposed by the House and stricken by the Senate which directs the transfer of land from the United States to the Deganawidah-Quetzalcoatl University.

Amendment No. 102: Inserts a provision proposed by the Senate which authorizes GSA to deposit funds from the Detroit International Bridge Company in the Federal buildings fund and to apply these funds to acquire land and construct facilities at the new Ambassador Bridge border station in Detroit, Michigan.

Amendment No. 103: Inserts a provision proposed by the Senate which authorizes the Administrator of the General Services Administration to construct a new courthouse in Fargo, North Dakota and exchange certain lands in Fargo, North Dakota, for the purposes of a new Federal courthouse.

Amendment No. 104: Inserts a provision proposed by the Senate which authorizes GSA to use funds received from energy and recycling rebates under certain circumstances.

Amendment No. 105: Inserts a provision proposed by the Senate which authorizes the General Services Administration to proceed with alterations of space in the Jacob Weinberger Federal Building subject to the availability of funds.

Amendment No. 106: Inserts a provision proposed by the Senate which authorizes the General Services Administration to enter into an operating lease for office space in Atlanta, Georgia under certain conditions.

Amendment No. 107: Inserts a provision proposed by the Senate which requires the Administrator of General Services to re-program \$3,000,000 for modification of the pavilion at the Foley Square Federal Building in New York and to undertake other activities with respect to the Negro burial ground.

This amendment also inserts a new provision which authorizes the Administrator of General Services to proceed with the design and construction of a courthouse in Boston, Massachusetts.

This amendment also inserts a new provision which authorizes the Administrator of General Services to enter into an interagency agreement with the Postal Service for a Federal office building in Philadelphia, Pennsylvania. The conferees are agreed that the terms and conditions of this section shall not take effect without the advance approval of the House Committee on Public Works and Transportation and the Senate Committee on Environment and Public Works.

This amendment also inserts a new provision which names the Laboratory at the Centers for Disease Control in Atlanta, Georgia for Congressman Edward R. Roybal of California.



This amendment also inserts a new provision which names the Campus at the Centers for Disease Control in Atlanta, Georgia for Congressman Edward R. Roybal of California.

This amendment also inserts a new provision which names a Federal Building in Long Beach, California for Congressman Glenn M. Anderson of California.

This amendment also inserts a new provision which names a Federal building in Pasadena, California for Judge Richard H. Chamber.

## NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

### OPERATING EXPENSES

Amendment No. 108: Appropriates \$165,045,000 for operating expenses instead of \$163,045,000 as proposed by the House and \$167,045,000 as proposed by the Senate.

Amendment No. 109: Makes available \$5,000,000 for allocations and grants for historical publications and records instead of \$4,000,000 as proposed by the House and \$6,000,000 as proposed by the Senate.

## OFFICE OF GOVERNMENT ETHICS

### SALARIES AND EXPENSES

Amendment No. 110: Appropriates \$8,265,000 for salaries and expenses as proposed by the House instead of \$8,365,000 as proposed by the Senate.

## OFFICE OF PERSONNEL MANAGEMENT

### SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

Amendment No. 111: Appropriates \$119,000,000 for salaries and expenses instead of \$117,593,000 as proposed by the House and \$120,069,000 as proposed by the Senate.

This amendment also modifies language proposed by the Senate which provides funds for the establishment of health promotion and disease prevention.

## CONCERN OVER PROPOSALS TO REDUCE FEDERAL PAY

The conferees are very concerned over proposals by the President to reduce the pay of certain Federal employees by five percent. In most cases, legislation would be required to accomplish such a reduction. For certain Federal employees, however, the President has the unilateral ability to accomplish such a reduction in pay. Whereas the conferees hold that it is certainly the President's right to seek legislation to accomplish this end, the conferees do not believe it is appropriate to single out selective groups for such reductions in pay through unilateral action by the Executive Branch. The conferees had intended to include in this Bill language which would suspend the authority to reduce pay without legislative action. The conferees have been assured by the Administration, however, that no such unilateral reduction in pay or benefits



shall occur either in this fiscal year or in the coming fiscal year and that any reductions would only occur as a result of legislation passed by the Congress and signed by the President. Based upon this commitment by the President, the conferees have not included legislation in this year's conference report.

#### PALMER CHIROPRACTIC UNIVERSITY

The conferees concur with the language contained in Senate Report 102-353 regarding a collaborative study by the Consortium for Chiropractic Research, Palmer Chiropractic University and the Office of Personnel Management to examine how chiropractic medicine might be able to reduce the prevalence and cost of lower back dysfunction among Federal employees within the Federal Employees Health Benefits Program.

Amendment No. 112: Makes available \$86,032,000 for administrative expenses instead of \$87,032,000 as proposed by the House and \$83,039,000 as proposed by the Senate.

Amendment No. 113: Deletes language proposed by the House which would have provided \$1,012,000 for establishment of a toll-free telephone line.

#### BOYERS, PENNSYLVANIA, RETIREMENT INFORMATION OFFICE

The conferees direct the OPM to provide up to \$1,000,000 in the Office of Personnel Management's Retirement and Insurance Group account and direct OPM to use funds to open a Retirement Information Office at its Operations Center in Boyers, Pennsylvania. This is the amount identified by OPM as necessary to establish this office. According to OPM estimates, the establishment of this center would double the agency's existing capacity to respond to telephone inquiries from Federal retirees and their survivors.

Amendment No. 114: Makes available \$616,000 for the National Advisory Council on the Public Service as proposed by the Senate instead of \$270,000 as proposed by the House.

#### OFFICE OF INSPECTOR GENERAL

##### SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

Amendment No. 115: Appropriates \$4,227,000 for salaries and expenses as proposed by the Senate instead of \$4,528,000 as proposed by the House.

Amendment No. 116: Makes available \$6,500,000 for administrative expenses instead of \$6,956,000 as proposed by the House and \$6,105,000 as proposed by the Senate.

#### MERIT SYSTEMS PROTECTION BOARD

##### SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

Amendment No. 117: Appropriates \$24,450,000 for salaries and expenses instead of \$24,850,000 as proposed by the House and \$24,398,000 as proposed by the Senate.



## OFFICE OF SPECIAL COUNSEL

## SALARIES AND EXPENSES

Amendment No. 118: Appropriates \$7,952,000 for salaries and expenses instead of \$7,949,000 as proposed by the House and \$7,962,000 as proposed by the Senate.

## FEDERAL LABOR RELATIONS AUTHORITY

## SALARIES AND EXPENSES

Amendment No. 119: Appropriates \$21,647,000 for salaries and expenses instead of \$21,637,000 as proposed by the House and \$21,657,000 as proposed by the Senate.

## U.S. TAX COURT

## SALARIES AND EXPENSES

Amendment No. 120: Appropriates \$32,435,000 for salaries and expenses as proposed by the House instead of \$33,500,000 as proposed by the Senate.

The conferees have taken this action because the Senate has already confirmed the appointment of new judges for the Tax Court. However, the conferees remain concerned about the increasing number of judges and the decreasing number of backlog cases. It does not seem reasonable to nominate new judges when the backlog of cases is decreasing. Therefore, the conferees agree that the Tax Court shall, with its fiscal year 1994 budget request, provide the Committees on Appropriations of the House and Senate, an analysis on the number of backlog cases and the complexity of those cases.

## TITLE V—GENERAL PROVISIONS

## THIS ACT

Amendment No. 121: Restores a provision proposed by the House and stricken by the Senate which prohibits the closing of an office in Sacramento, California.

Amendment Nos. 122-129: Inserts section numbers.

Amendment No. 130: Deletes a provision proposed by the House which provided that GSA acquire space for the United States Courts in Tacoma, Washington, at the site of the Union Station in Tacoma, Washington. This action has been completed.

Amendment Nos. 131-135: Inserts section numbers.

Amendment No. 136: Restores a provision proposed by the House and stricken by the Senate which prohibits the withdrawal of the designation of Front Royal, Virginia, as a Customs Service Port of Entry.

Amendment No. 137: Deletes a provision proposed by the Senate which would have authorized the collection of certain fees from alcohol beverage manufacturers for certain label and testing procedures.

Amendment Nos. 138-140: Inserts section numbers.



Amendment No. 141: Inserts a provision proposed by the Senate which requires absorption of the Federal employee cost-of-living adjustment within the amounts provided for each agency.

Amendment Nos. 142-145: Inserts section numbers.

Amendment No. 146: Inserts a provision proposed by the Senate which will allow Federal agencies to enter into a consortium with private organizations or individuals in an effort to reduce both tuition costs and staff turnover in Federal child care centers.

Amendment Nos. 147-148: Inserts section number.

Amendment No. 149: Restores a provision proposed by the House and stricken by the Senate which addresses the conveyance of land to Anne Arundel County, Maryland.

Amendment No. 150: Modifies a provision proposed by the Senate which prohibits the Office of Personnel Management from using funds to prepare, promulgate, or implement any regulations relating to the Combined Federal Campaign without the inclusion of a brochure which lists and provides options on certain international agencies.

Amendment No. 151: Inserts section number.

Amendment No. 152: Inserts a provision proposed by the Senate which changes a location designation.

Amendment No. 153: Restores a provision proposed by the House and stricken by the Senate which requires certification of closed captioned commercials by Presidential and Vice Presidential candidates before receiving funds from the Federal Election Commission.

Amendment No. 154: Restores a provision proposed by the House and stricken by the Senate which increases penalties for transporting, importing, and failing to mark goods made with forced labor.

Amendment No. 155: Deletes a provision proposed by the House which provided that none of the funds made available could be used to fund the Council on Competitiveness or any successor organization.

It is the position of the conferees that under the Administrative Procedures Act comments from all concerned parties pertaining to pending regulatory actions of the federal government are to be made available for public review; that the Council on Competitiveness has intervened in the regulatory process without authority from Congress, and refuses to disclose comments and communications it considers affecting such regulatory actions, or the facts and evidence upon which its interventions are based; and that the Council's refusal to cooperate with congressional committees conducting legitimate inquiries into its activities impedes the responsibilities of the Congress to oversee the expenditure of public funds.

Further, it is the position of the conferees that: (1) The Council, when it determines to undertake substantial revision of a pending regulatory action, should establish a public docket for each regulatory action it seeks to revise, which shall be made available to the public and be available for copying; and promptly include in the public docket and transmit to the head of the agency conducting the regulatory action each communication concerning any regulatory action of an agency that occurs between the Council and any person who is not an employee of the Council, other than the



President or the Vice President; (2) each substantive written revision in a regulatory action which is made or proposed by an employee of the Council should be submitted by the head of the Council in writing to the head of the agency conducting the regulatory action, with a statement of the reasons for such change or proposed change; (3) the term "Council" is intended to include the Council on Competitiveness or such other similar reviewing agency established within the Executive Office of the President.

Amendment No. 156: Modifies a provision proposed by the Senate which concerns Secret Service protection for former Presidents and their families.

The conferees are concerned about the costs to the American taxpayer of providing Secret Service protection in perpetuity to former Presidents, their families, and spouses of deceased former Presidents. In fiscal year 1993, estimated costs for this protection are expected to reach \$15,000,000 and will increase beyond this amount if there is a new President in the White House in 1993. The conferees are convinced that there are many viable alternatives to the current protection which could be provided which will ensure a commensurate level of security for former Presidents and their families at much lower costs to the taxpayer. In August of 1985, former President Nixon dropped his Secret Service protection for a private security contractor. The former President estimates that his entire security costs this year will be in the range of \$120,000. President Nixon estimates that as a result, he has saved the Federal Treasury \$21,000,000 to date. However, the Executive branch has not shown any interest in pursuing cost-effective changes to the current protection program. In some cases, the conferees have been informed that former Presidents are not even aware of the costs of their protection by the agency. Therefore, the conferees have included a provision in the bill which requires the Director of the Secret Service to meet with each former President and the spouses of deceased former Presidents to explain its costs for each protective detail, the threat assessments for each protectee, identify and discuss feasible less-costly alternatives with these protectees, and provide the Committees on Appropriations of the House and Senate with a confidential briefing on the results of the meetings. The conferees expect these meetings to be concluded by no later than April 15, 1993 and briefings provided to the members should be completed by no later than June 1, 1993.

Amendment No. 157: Inserts a provision proposed by the Senate which authorizes modifications to the Federal employees health benefits program to clarify coverage for self-referrals for individuals enrolled in certain health membership plans.

Amendment No. 158: Inserts a provision proposed by the Senate which prohibits proposed Internal Revenue Service moves of certain employees in New York.

Amendment No. 159: Deletes a provision proposed by the Senate which reduces funding for a variety of accounts. This amendment also reduces the amount appropriated to the Postal Service for revenue forgone to \$121,912,000. The conferees realize that the provision for revenue forgone appropriations is only an interim measure and that permanent legislative reform is needed. Any permanent legislative reform of the revenue forgone appro-



priations authorization must be fair to the Postal Service, require all mailers, both for-profit and non-profit, to assume a fair and reasonable share of the Postal Service's institutional costs and reflect the social benefits of non-profit organizations.

#### TITLE VI—GENERAL PROVISIONS DEPARTMENTS, AGENCIES, AND CORPORATIONS

Amendment No. 160: Inserts language proposed by the Senate which clarifies the meaning of the word "office".

Amendment No. 161: Modifies a provision proposed by the House and stricken by the Senate which concerns the FTS2000 use and procurement.

The conferees have agreed to continue the language carried in this Act for several years mandating the use of FTS2000 for the procurement of any product or service that is subject to the provisions of Public Law 89-306, under conditions set forth therein.

The conferees are also agreed that the President should issue an Executive Order to that effect.

Amendment Nos. 162-163: Inserts section numbers.

Amendment No. 164: Changes section number as proposed by the Senate.

Amendment Nos. 165-166: Inserts section numbers.

Amendment No. 167: Deletes language proposed by the House and stricken by the Senate which expresses a Sense of the House resolution and inserts language proposed by the Senate which changes the resolution to a Sense of the Congress.

Amendment No. 168: Deletes the word "the" proposed by the House.

Amendment No. 169: Deletes language proposed by the House and stricken by the Senate which concerns a resolution of the House and inserts Senate language.

Amendment No. 170: Inserts language proposed by the Senate which includes the "United States Senate", in the proposed resolution.

Amendment No. 171: Deletes a provision proposed by the House and stricken by the Senate which expressed a Sense of the House Resolution that it is inappropriate for the Postal Service to provide customers with free trips to Barcelona, Spain, during the 1992 Summer Olympics.

Amendment No. 172: Deletes a provision proposed by the House and stricken by the Senate which would have limited funds available for any certificate of label approved which authorized the use of the name, "Crazy Horse". This is addressed in amendment number 179.

Amendment No. 173: Modifies a provision proposed by the Senate which concerns violations of the Trading with the Enemy Act.

Amendment No. 174: Modifies a provision proposed by the Senate which concerns penalties under the International Emergency Economic Powers Act.

Amendment No. 175: Deletes a provision proposed by the Senate which would have authorized law enforcement authority for special agents of the Office of Foreign Assets Control.



Amendment No. 176: Modifies a provision proposed by the Senate which is intended to promote recycling of toner cartridges and Government purchases of recycled cartridges. With the growing use of laser printers and photocopy machines throughout the government, an increasingly large number of nonbiodegradable toner cartridges are used and discarded by the Government. The conferees have received reports that millions of cubic feet of plastic toner cartridges are scrapped and thrown into landfills each year. However, industry has developed methods for recycling and re-manufacturing these cartridges so that they may be reused and print thousands of additional pages. These recycled cartridges are priced substantially below the market prices for new cartridges.

The General Services Administration has authorized the use of recycled toner cartridges and included the recycled products as part of the Federal supply schedule. This section is intended to take an additional step by establishing a preference for the purchase of recycled cartridges in executive branch acquisitions.

Under this provision, all executive branch agencies shall purchase recycled toner cartridges to meet needs for laser printers, copiers, and microphotographic printers unless one of two exceptions apply. If the contracting officer determines after adequate market research that none, or an insufficient quantity of recycled cartridges is available to meet its minimum needs, new cartridges may be purchased. With this exception the conferees recognize that there may be some printer or copier application for which there is not an existing recycled cartridge technology. In such cases, the agency will have to purchase new manufactured cartridges.

The second exception which could apply to the recycled cartridges preference is based on price. If the contracting officer determines that the price or life cycle cost offered for the recycled cartridge suitable for the Government's needs is higher than the lowest priced newly manufactured cartridge which meets the Government's needs, the preference will not apply. For purposes of this exception, the contracting officer's determination shall be made on the basis of the proposals received for the particular cartridge procurement.

The conferees also recognize in some cases, the only available recycled cartridges may not meet generally accepted industry standards for quality. It is not the intent of this provision to promote the acquisition of substandard quality products. Therefore, the legislation restricts the preference to only those recycled cartridge products manufactured in the United States by a small business which has been evaluated by an independent laboratory (such as Torrey Pines Research or Underwriters Laboratory) and certified to meet generally accepted industry standards. Such evaluation would involve testing recycled cartridge products for printer quality performance, long-term wear resistant and other functional characteristics as well as inspection of the vendor's facilities and manufacturing process to assure conformance to industry standards.

The conferees also recognized that in some cases, newly manufactured toner cartridges are bundled into the initial acquisitions of printers and copiers. This provision is not intended to apply to the inclusion of newly manufactured cartridges included with a printer



or copier as part of an initial purchase package. However, this provision is intended to apply to all subsequent purchases of toner cartridges for use on printers and copiers.

The conferees emphasize to all agencies that because of this recycling effort, empty toner cartridges do have value and must be returned for recycling purposes. Methods for collecting and returning the cartridges to be remanufactured should be provided by the vendor conducting the recycling.

Amendment No. 177: Modifies a provision proposed by the Senate which directs the Secretary of Agriculture to implement a program to protect Hawaii from the introduction of prohibited plants and pests sent through the mail.

This provision would require that a program be instituted to identify pests entering Hawaii through the mails.

During the 100th Congress, legislation was enacted to prevent the dissemination of pests through the mails. Under the current program, mail leaving Hawaii can be examined, but mail bound for Hawaii is not. This section of the bill would turn the existing one-way inspection into a two-way program.

The Postal Service and the Department of Agriculture are to carry out the inspection program using amounts appropriated or otherwise available to the agencies. The conferees intend that the volume of mail bound for Hawaii inspected under the new program be proportionate to the volume of Hawaii mail bound for the mainland that was inspected during the period in calendar year 1990 that the P.L. 100-574 program commenced, after any differences in incoming and outgoing mail volumes are taken into account.

Amendment No. 178: Inserts a provision proposed by the Senate which prohibits the use of funds for the relocation of a Department of Justice office in Arizona.

Amendment No. 179: Inserts a provision proposed by the Senate which directs the Bureau of Alcohol, Tobacco, and Firearms to deny any application for certificate of label approval which authorizes the use of the name "Crazy Horse". The amendment makes an exception for those labels which have been permanently affixed or were ordered on or before September 15, 1992.

Amendment No. 180: Modifies a provision proposed by the Senate which authorizes the Administrator of the General Services to enter into a contract with the Greater Orlando Aviation Authority under certain circumstances with prior Congressional approval.

Amendment No. 181: Modifies a provision proposed by the Senate which establishes the "Social Security Notch Fairness Investigatory Commission Act of 1992".

This amendment also inserts a new provision which authorizes the utilization of Beltsville Agricultural Research Center land for the construction of Wetlands mitigation projects under certain conditions.

This amendment also inserts a new provision which addresses the U.S. Customs Service pilot pre-clearance program in Aruba.

This amendment also inserts a new provision which establishes in the Department of the Treasury an asset forfeiture fund to be administered by the Secretary of the Treasury. The Fund is patterned after the Department of Justice Assets Forfeiture Fund (28 U.S.C. 524(c)) and the Customs Forfeiture Fund (19 U.S.C. 1613 b).



The Fund shall be available to the Secretary of the Treasury to pay or reimburse certain costs and expenses related to seizures and forfeitures that occur pursuant to the Department of the Treasury's law enforcement activities. Participating Treasury law enforcement organizations include the United States Customs Service, United States Secret Service, the Internal Revenue Service (IRS) (except pursuant to sections 7301 or 7302 of the Internal Revenue Code), the Bureau of Alcohol, Tobacco and Firearms (BATF), the Financial Crimes Enforcement Network, and the Federal Law Enforcement Training Center. In addition, the United States Coast Guard would participate in the Treasury Forfeiture Fund just as it now participates in the Customs Forfeiture Fund.

Currently, under 19 U.S.C. 1613b, the proceeds from assets seized and forfeited from investigations by Customs Service officials are deposited into the Customs Forfeiture Fund. For all other Department of the Treasury law enforcement bureaus, proceeds from seized and forfeited assets are deposited into the Department of Justice Assets Forfeiture Fund, 28 U.S.C. 524(c), or into the general fund of the United States Treasury. Under current law, any transfers made from the Department of Justice Fund to the Department of the Treasury law enforcement bureaus, except for the Customs Service and except for uncapped, nondiscriminatory expenses, are made at the discretion of the Department of Justice, subject to certain statutory restrictions.

Just as the Customs Service and the Department of Justice currently have a permanent indefinite appropriation to pay certain costs related to seizure and forfeiture, the Treasury Fund will be available for similar expenses with the same fiscal limitations. Moreover, most of the authorized uses of the Fund exist in substance for the Customs Forfeiture Fund and the Department of Justice Assets Forfeiture Fund and are merely extended to the other bureaus and offices that will participate in the Treasury Fund. Where examples of authorized uses are listed, the lists are non-exclusive.

The language also contains technical and conforming amendments to the Department of Justice Assets Forfeiture Fund to ensure that the authorized uses of both forfeiture funds are substantially identical.

The conferees believe that the establishment of the Treasury Forfeiture Fund will provide the Secretary of the Treasury with the tools and mechanisms necessary to manage properly the law enforcement activities under the Treasury Secretary's jurisdiction. The conferees are convinced that this language, which consolidates all forfeiture and seizure activities Treasury Department law enforcement organizations are responsible for under a single and appropriate chain of command within the Department of the Treasury, will result in increased efficiencies and improved accountability.

#### CONFERENCE TOTAL—WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 1993 recommended by the Committee of Conference, with compari-



sons to the fiscal year 1992 amount, the 1993 budget estimates, and the House and Senate bills for 1993 follow:

New budget (Obligational) authority, fiscal year 1992 .....	\$19,902,355,000
Budget estimates of new (obligational) authority, fiscal year 1993.....	22,374,481,000
House bill, fiscal year 1993 .....	22,727,049,000
Senate bill, fiscal year 1993 .....	22,667,042,000
Conference agreement, fiscal year 1993 .....	22,562,042
Conference agreement compared with:	
New budget (obligational) authority, fiscal year 1992.....	+2,659,687
Budget estimates of new (obligational) authority, fiscal year 1993 .....	+187,561
House bill, fiscal year 1993.....	-165,007
Senate bill, fiscal year 1993.....	-105,000

EDWARD R. ROYBAL,  
STENY H. HOYER,  
NANCY PELOSI,  
RONALD D. COLEMAN,  
DAVID E. SKAGGS,  
PETER J. VISCLOSKY,  
JAMIE L. WHITTEN,  
FRANK R. WOLF

(with the exception of Statement of Managers accompanying amendments 155 and 156),

JIM LIGHTFOOT

(with the exception of Statement of Managers accompanying amendments 155 and 156),

HAL ROGERS

(with the exception of Statement of Managers accompanying amendments 155 and 156),

JOSEPH M. McDADE

(with the exception of Statement of Managers accompanying amendments 155 and 156),

*Managers on the Part of the House.*

DENNIS DECONCINI,  
BARBARA A. MIKULSKI,  
J.R. KERREY,  
ROBERT C. BYRD,  
PETE V. DOMENICI,  
ALFONSE M. D'AMATO,  
MARK O. HATFIELD,

*Managers on the Part of the Senate.*

○

SMITHSONIAN INSTITUTION LIBRARIES



3 9088 01760 9058