AN ACT

Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1989, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
3 That the following sums are appropriated, out of any money
4 in the Treasury not otherwise appropriated, for the Treasury
5 Department, the United States Postal Service, the Executive
6 Office of the President, and certain Independent Agencies,
7 for the fiscal year ending September 30, 1989, and for other
8 purposes, namely:
TITLE I

(1) OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; not to exceed $22,000 for official reception and representation expenses; not to exceed $200,000 for unforeseen emergencies of a confidential nature; to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate; not to exceed $573,000, to remain available until expended, for repairs and improvements to the Main Treasury Building and Annex; $50,618,000.

INTERNATIONAL AFFAIRS

For necessary expenses of the international affairs function of the Office of the Secretary; hire of passenger motor vehicles; maintenance; repairs, and improvements of; and purchase of commercial insurance policies for, real properties leased or owned overseas; when necessary for the performance of official business; not to exceed $2,000,000 for official travel expenses; and not to exceed $73,000 for official reception and representation expenses; $24,063,000.

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DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs and improvements of, and purchase of commercial insurance policies for real properties leased or owned overseas, when necessary for the performance of official business; not to exceed $95,000 for official reception and representation expenses; not to exceed $200,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate; not to exceed $573,000 to remain available until expended, for repairs and improvements to the Main Treasury Building and Annex, $83,000,000.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, as a bureau of the Department of the Treasury, including purchase (not to exceed fifteen for police-type use) and hire of passenger motor vehicles; for expenses for student athletic and related activities; uniforms without regard to the general purchase price limitation for
the current fiscal year; the conducting of and participating in firearms matches and presentation of awards; for community relations in support of law enforcement training; not to exceed $2,000,000 for major maintenance and facility improvements, and related equipment for the Federal Law Enforcement Training Center to remain available until expended; not to exceed $5,000 for official reception and representation expenses; room and board for student interns; and services as authorized by 5 U.S.C. 3109: Provided; That funds appropriated in this account shall be available for State and local government law enforcement training on a space-available basis; training of foreign law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation; acceptance of gifts; training of private sector security officials on a space available basis with reimbursement of actual costs to this appropriation; travel expenses of non-Federal personnel to attend State and local course development meetings at the Center: Provided further; That the Federal Law Enforcement Training Center shall hire and maintain an average of not less than 325 direct full-time equivalent positions for fiscal year 1989; $31,018,000.

For necessary expenses of the Federal Law Enforcement Training Center, as a bureau of the Department of the Treasury, including purchase (not to exceed fifteen for police-
and hire of passenger motor vehicles; for expenses for student athletic and related activities; uniforms without regard to the general purchase price limitation for the current fiscal year; the conducting of and participating in firearms matches and presentation of awards; for public awareness and enhancing community support of law enforcement training; not to exceed $5,000 for official reception and representation expenses; room and board for student interns; and services as authorized by 5 U.S.C. 3109: Provided, That the Center is authorized the acceptance of gifts: Provided further, That funds appropriated in this account shall be available for State and local government law enforcement training on a space-available basis; training of foreign law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation; training of private sector security officials on a space-available basis with reimbursement of actual costs to this appropriation; travel expenses of non-Federal personnel to attend State and local course development meetings at the Center: Provided further, That the Federal Law Enforcement Training Center shall hire up to and maintain an average of not less than 425 direct full-time equivalent positions for fiscal year 1989; $34,664,000: Provided further, That none of the funds appropriated under this heading shall be used to reduce the level of advanced training
or other training activities of the Federal Law Enforcement Training Center at Marana, Arizona.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For acquisition, construction, improvements, and related expenses (to include design, equipment, furnishings, and other such costs) for the Federal Law Enforcement Training Center, $25,000,000 to remain available until expended:

Provided, That of this amount, $7,000,000 shall remain available for the acquisition, renovation, and adaptation of the former Artesia Christian College campus in Artesia, New Mexico, as a facility of the Federal Law Enforcement Training Center: Provided further, That $18,000,000 shall be available for the first phase of implementation of the Master Plan for the expansion of the Federal Law Enforcement Training Center at Glynco, Georgia, and for on-going maintenance, facility improvements, and related equipment: Provided further, That the Master Plan for the Federal Law Enforcement Training Center shall make provision for construction of an advanced firearms training range for participating agencies with specialized firearms training requirements.
FINANCIAL MANAGEMENT SERVICE

Salaries and Expenses

For necessary expenses of the Financial Management Service, \((3)\$280,461,000\) \(\$276,000,000\), of which not to exceed \((4)\$11,737,000\) \(\$14,737,000\), shall remain available until expended for systems modernization initiatives.

(5) Payment of Government Losses in Shipment

For payment of Government losses in shipment, in accordance with section 2 of the Act approved July 8, 1927 (40 U.S.C. 722) \(\$960,000\); to remain available until expended.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

Salaries and Expenses

For necessary expenses of the Bureau of Alcohol, Tobacco and Firearms, including purchase of not to exceed five hundred vehicles for police-type use for replacement only \((6)\) without regard to the general purchase price limitation for the current fiscal year; and hire of passenger motor vehicles; hire of aircraft; and services of expert witnesses at such rates as may be determined by the Director; not to exceed \(\$5,000\) for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement; provision of laboratory assistance to State and local agencies, with or without reimbursement; \((7)\$221,002,000\) \(\$240,000,000\), of which
1 (8) $15,000,000 $20,000,000 shall be available solely for
2 the enforcement of the Federal Alcohol Administration Act
3 during fiscal year 1989, and of which not to exceed
4 $1,000,000 shall be available for the payment of attorneys'
5 fees as provided by 18 U.S.C. 924(d)(2): Provided, That no
6 funds appropriated herein shall be available for administrative
7 expenses in connection with consolidating or centralizing
8 within the Department of the Treasury the records of re-
9 ceipts and disposition of firearms maintained by Federal fire-
10 arms licensees or for issuing or carrying out any provisions of
11 the proposed rules of the Department of the Treasury,
12 Bureau of Alcohol, Tobacco and Firearms, on Firearms Reg-
13 ulations, as published in the Federal Register, volume 43,
14 number 55, of March 21, 1978: Provided further, That none
15 of the funds appropriated herein shall be available for explo-
16 sive identification or detection tagging research, develop-
17 ment, or implementation: Provided further, That not to
18 exceed $300,000 shall be available for research and develop-
19 ment of an explosive identification and detection device: Pro-
20 vided further, That funds made available under this Act shall
21 be used to maintain a base level of (9) 3,451 3,701 full-time
22 equivalent positions for fiscal year 1989 (10), of which no
23 fewer than 543 full-time equivalent positions shall be allocat-
24 ed for the Armed Career Criminal Apprehension Pro-
25 gram (11): Provided further, That not to exceed $2,500,000
shall be available until expended for the purchase of a main-
frame processor and associated hardware and software for
special occupational and excise tax processing, and $300,000
shall be available until expended for the development and im-
plementation of a secure communications and intelligence
facility.

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Customs
Service, including purchase of up to one thousand motor ve-
hicles for replacement only, including nine hundred and
ninety for police-type use and commercial operations; hire of
passenger motor vehicles; not to exceed $110,000 for official
reception and representation expenses, including $100,000 to
be available only for the Customs Cooperation Council meet-
ing; and awards of compensation to informers, as authorized
by any Act enforced by the United States Customs Service;
(12) $1,004,821,000 $1,046,000,000; (13) of which such
sums as become available in the Customs User Fee Account,
except sums subject to section 13031(f)(3) of the Consolidat-
ed Omnibus Reconciliation Act of 1985, as amended (19
U.S.C. 58c(f)(3)), shall be derived from that Account; of the
total, not to exceed $150,000 shall be available for payment
for rental space in connection with preclearance operations,
and not to exceed $4,000,000, to remain available until ex-
pended, for research: Provided, That uniforms may be pur-
chased without regard to the general purchase price limita-
tion for the current fiscal year: Provided further, That none
of the funds made available by this Act shall be available for
administrative expenses to pay any employee overtime pay in
an amount in excess of $25,000: Provided further, That the
Commissioner or his designee may waive this limitation in
individual cases in order to prevent excessive costs or to meet
emergency requirements of the Service (14): Provided fur-
ther, That none of the funds made available by this Act may
be used for administrative expenses in connection with the
proposed redirection of the Equal Employment Opportunity
Program: Provided further, That none of the funds made
available by this Act shall be available for administrative ex-
penses to reduce the number of Customs Service regions
below seven during fiscal year 1989: Provided further, That
the United States Customs Service shall hire and maintain an
average of not less than (15) 16,599 16,799 full-time
equivalent positions in fiscal year 1989 (16): Provided fur-
ther, That all of the additional full-time equivalent positions
made available by this Act for the United States Customs
Service over the full-time equivalent positions level of 16,099
contained in the President's budget for fiscal year 1989 shall
be allocated only for commercial operations of the Customs
Service in fiscal year 1989: Provided further, That none of
the funds made available in this or any other Act may be
used to fund more than nine hundred positions in the Head-
quarters staff of the United States Customs Service in the
fiscal year ending September 30, 1989: Provided further,
That no funds appropriated by this Act may be used to
reduce to single eight-hour shifts at airports and that all cur-
rent services as provided by the Customs Service shall con-
tinue through September 30, 1989: Provided further, That
not less than $300,000 shall be expended for additional part-
time and temporary positions in the Honolulu Customs
District.

Operation and Maintenance, Air Interdiction
Program
For expenses, not otherwise provided for, necessary for
the hire, lease, acquisition (transfer or acquisition from any
other agency), operation and maintenance of aircraft, and
other related equipment of the Air Program;
$132,262,000 $142,262,000, to remain available until
expended: Provided, That no aircraft or other related equip-
ment, shall be transferred on a permanent basis to any
other Federal agency, Department, or office outside of the
Department of the Treasury during fiscal year 1989.
CUSTOMS FORFEITURE FUND

(LIMITATION ON AVAILABILITY OF DEPOSITS)

For necessary expenses of the Customs Forfeiture Fund, not to exceed $10,000,000, as authorized by Public Law 98–573, to be derived from deposits in the Fund.

CUSTOMS SERVICES AT SMALL AIRPORTS

(TO BE DERIVED FROM FEES COLLECTED)

Such sums as may be necessary, not to exceed $1,588,000, for expenses for the provision of Customs services at certain small airports designated by the Secretary of the Treasury, including expenditures for the salaries and expenses of individuals employed to provide such services, to be derived from fees collected by the Secretary of the Treasury pursuant to section 236 of Public Law 98–573 for each of these airports, and to remain available until expended.

UNITED STATES MINT

SALARIES AND EXPENSES

For necessary expenses of the United States Mint; (19) $47,869,000 $46,000,000, of which $665,000 shall remain available until expended for research and development projects.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public debt issues of the United States; (20) $242,840,000
$219,430,000, of which not to exceed $700,000 (21) shall be available for expenses of the National Economic Commission.

(22) Payment of Government Losses in Shipment

For payment of Government losses in shipment, in accordance with section 2 of the Act approved July 8, 1937 (40 U.S.C. 722) $960,000, to remain available until expended.

Internal Revenue Service

Salaries and Expenses

For necessary expenses of the Internal Revenue Service, not otherwise provided; for executive direction and management services, and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; (23) $94,547,000 $87,165,000, of which not to exceed $25,000 for official reception and representation expenses and of which not to exceed $500,000 shall remain available until expended, for research.

Processing Tax Returns

For necessary expenses of the Internal Revenue Service not otherwise provided for; including processing tax returns; revenue accounting; computer services; and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; (24) $1,850,134,000
$1,691,076,000, of which not to exceed $80,000,000 shall
remain available until expended for systems modernization
initiatives: Provided, That, of the total amount appropriated
under this heading, $22,900,000 shall be available for the

EXAMINATIONS AND APPEALS

For necessary expenses of the Internal Revenue Service
for determining and establishing tax liabilities; employee
plans and exempt organizations; tax litigation; hire of
passenger motor vehicles (31 U.S.C. 1343(b)); and services
as authorized by 5 U.S.C. 3109, at such rates as may
be determined by the Commissioner; (25) $1,864,819,000
$1,849,581,000.

INVESTIGATION, COLLECTION, AND TAXPAYER SERVICE

For necessary expenses of the Internal Revenue Service
for investigation and enforcement activities; including pur-
chase (not to exceed four hundred and fifty-one for replace-
ment only, for police-type use) and hire of passenger motor
vehicles (31 U.S.C. 1343(b)); securing unfiled tax returns;
collecting unpaid accounts; examining selected employment
and excise tax returns; technical rulings; enforcement litiga-
tion; providing assistance to taxpayers; and services as au-
thorized by 5 U.S.C. 3109, at such rates as may be deter-
mined by the Commissioner: Provided, That notwithstanding
any other provision of the Act, none of the funds made avail-
able by this Act shall be used to reduce the number of positions allocated to taxpayer service activities below fiscal year 1984 levels, or to reduce the number of positions allocated to any other direct taxpayer assistance functions below fiscal year 1984 levels, including, but not limited to Internal Revenue Service toll-free telephone tax law assistance and walk-in assistance available at Internal Revenue Service field offices: *Provided further*, That the Internal Revenue Service shall fund the Tax Counseling for the Elderly Program at **(26)$2,650,000 $2,850,000**. The Internal Revenue Service shall absorb within existing funds the administrative costs of the program in order that the full **(27)$2,650,000 $2,850,000** can be devoted to program requirements; **(28)$1,400,225,000 $1,431,058,000**.

**Administrative Provisions—Internal Revenue Service**

**Section 1.** Not to exceed 4 per centum of any appropriation made available to the Internal Revenue Service for the current fiscal year by this Act may be transferred to any other Internal Revenue Service appropriation.

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

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret
Service, including purchase (not to exceed three hundred and
forty-three vehicles for police-type use for replacement only
(29) without regard to the general purchase limitation for
the current fiscal year) and hire of passenger motor vehicles;
hire of aircraft; training and assistance requested by State
and local governments, which may be provided without reim-
bursement; services of expert witnesses at such rates as may
be determined by the Director; rental of buildings in the Dis-
trict of Columbia, and fencing, lighting, guard booths, and
other facilities on private or other property not in Govern-
ment ownership or control, as may be necessary to perform
protective functions; the conducting of and participating in
firearms matches and presentation of awards and for travel of
Secret Service employees on protective missions without
regard to the limitations on such expenditures in this or any
other Act: Provided, That approval is obtained in advance
from the House and Senate Committees on Appropriations;
for repairs, alterations, and minor construction at the James
J. Rowley Secret Service Training Center; for research and
development; for making grants to conduct behavioral re-
search in support of protective research and operations; not
to exceed $12,500 for official reception and representation
expenses; for payment in advance for commercial accommo-
dations as may be necessary to perform protective functions;
and for uniforms without regard to the general purchase
price limitation for the current fiscal year;
(30)$362,000,000 $354,500,000, of which $2,500,000
shall remain available until expended for continued construc-
tion at the James J. Rowley Secret Service Training Center,
and of which $7,126,000 shall be available for Presidential
candidate protective activities pursuant to 18 U.S.C.
3056(a)(7).

DEPARTMENT OF THE TREASURY—GENERAL
PROVISIONS

Section 101. Appropriations to the Treasury Depart-
ment in this Act shall be available for uniforms or allowances
therefor, as authorized by law (5 U.S.C. 5901), including
maintenance, repairs, and cleaning; purchase of insurance for
official motor vehicles operated in foreign countries; entering
into contracts with the Department of State for the furnish-
ing of health and medical services to employees and their
dependents serving in foreign countries; and services as
authorized by 5 U.S.C. 3109.

Sec. 102. None of the funds appropriated by this title
shall be used in connection with the collection of any under-
1 payment of any tax imposed by the Internal Revenue Code of
2 1954 unless the conduct of officers and employees of the In-
3 ternal Revenue Service in connection with such collection
4 complies with subsection (a) of section 805 (relating to com-
5 munications in connection with debt collection), and section
6 806 (relating to harassment or abuse), of the Fair Debt
8 Sec. 103. Not to exceed 2 per centum of any appropria-
9 tions in this Act for the Department of the Treasury may be
10 transferred between such appropriations. However, no such
11 appropriation shall be increased or decreased by more than 1
12 per centum and any such proposed transfers shall be ap-
13 proved in advance by the Committees on Appropriations of
14 the House and Senate.
15 Sec. 104. None of the funds made available by this Act
16 may be used to place the United States Secret Service, the
17 United States Customs Service, or the Bureau of Alcohol,
18 Tobacco and Firearms under the operation, oversight, or ju-
19 risdiction of the Inspector General of the Department of the
20 Treasury.
21 This title may be cited as the “Treasury Department
22 Appropriations Act, 1989”.
TITLE II

POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsection (c) of section 2401 of title 39, United States Code; $436,417,000: Provided, That mail for overseas voting and mail for the blind shall continue to be free: Provided further, That six-day delivery and rural delivery of mail shall continue at not less than the 1983 level: Provided further, That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: Provided further, That none of the funds provided in this Act shall be used to consolidate or close small rural and other small post offices in the fiscal year ending on September 30, 1989.

(31) SENSE OF SENATE PROVISION

It is the sense of the Senate that no funds appropriated under this Act or made available by 39 U.S.C. 2401(a) be used by the United States Postal Service to implement Phase II of the contract between the United States Postal Service
and Perot Systems until forty-five days after the General Accounting Office reports to Congress on the Perot Systems sole source contract and that the General Accounting Office report to Congress within forty-five days of the adoption of this amendment.

(32) United States Postal Service—

Administrative Provision

Section 1. Funds made available to the United States Postal Service pursuant to section 2401(a) of title 39; United States Code, shall be used hereafter to continue full postal service to the people of Holly Springs proper, including upgrading, remodeling, and improving the United States Post Office building located at 110 North Memphis Street, Holly Springs, Mississippi.

This title may be cited as the "Postal Service Appropriation Act, 1989".

Title III

Executive Office of the President

Compensation of the President

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102; $250,000: Provided, That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31 of the United
States Code: *Provided further*, That none of the funds made available for official expenses shall be considered as taxable to the President.

**OFFICE OF ADMINISTRATION**

**SALARIES AND EXPENSES**

For necessary expenses of the Office of Administration; **(33)** $16,800,000 $16,800,000, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles.

**THE WHITE HOUSE OFFICE**

**SALARIES AND EXPENSES**

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; including subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); not to exceed $20,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President; $27,950,000.
EXECUTIVE RESIDENCE AT THE WHITE HOUSE

Operating Expenses

For the care, maintenance, repair and alteration, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President; $5,698,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109–110, 112–114.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

Operating Expenses

For the care, maintenance, repair and alteration, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the official residence of the Vice President, the hire of passenger motor vehicles, and not to exceed $75,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate; $258,000: Provided, That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

SPECIAL ASSISTANCE TO THE PRESIDENT

Salaries and Expenses

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions, services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as
authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles; $2,199,000.

COUNCIL OF ECONOMIC ADVISERS

Salaries and Expenses

For necessary expenses of the Council in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021); $2,787,000.

OFFICE OF POLICY DEVELOPMENT

Salaries and Expenses

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109, and 3 U.S.C. 107; $3,000,000.

NATIONAL CRITICAL MATERIALS COUNCIL

Salaries and Expenses

For necessary expenses of the National Critical Materials Council, including activities as authorized by Public Law 98–373; (34) $178,000 $300,000.

NATIONAL SECURITY COUNCIL

Salaries and Expenses

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109; $5,100,000.
OFFICE OF MANAGEMENT AND BUDGET

Salaries and Expenses

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles, services as authorized by 5 U.S.C. 3109; (35) $39,700,000 $39,500,000, of which not to exceed $4,500,000 shall be available to carry out the provisions of 44 U.S.C., chapter 35: Provided, That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made except as otherwise provided by law: Provided further, That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): Provided further, That none of the funds made available for the Office of Management and Budget by this Act may be expended for the (36) review altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committee on Appropriations or the Committee on Veterans' Affairs or their subcommittees: Provided further, That this proviso shall not apply to printed hearings released by the Committee on Appropriations or the Committee on Veterans' Affairs: Provided further, That none of the funds
made available by this Act or any other Act shall be used to reduce the scope or publication frequency of statistical data relative to the operations and production of the alcoholic beverage and tobacco industries below fiscal year 1985 levels: Provided further, That none of the funds appropriated by this Act shall be available to the Office of Management and Budget for revising, curtailing or otherwise amending the administrative and/or regulatory methodology employed by the Bureau of Alcohol, Tobacco and Firearms to assure compliance with section 205, title 27 of the United States Code (Federal Alcohol Administration Act) or with regulations, rulings or forms promulgated thereunder (37): Provided further, That none of the funds appropriated by this Act for the Office of Management and Budget shall be used by the Director or other official or employee of the Office of Management and Budget to prevent or delay the obligation or expenditure of funds identified in either an appropriations bill or in the accompanying reports except for proposed rescissions as permitted by title X of Public Law 93–344, as amended.

OFFICE OF FEDERAL PROCUREMENT POLICY

SALARIES AND EXPENSES

For expenses of the Office of Federal Procurement Policy, including services as authorized by 5 U.S.C. 3109; $2,353,000.
UNANTICIPATED NEEDS

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

This title may be cited as the "Executive Office Appropriations Act, 1989".

EXPENSES OF MANAGEMENT IMPROVEMENT

For expenses necessary to improve the management of Executive agencies by providing a consolidated Federal budget and financial information system, under the direction of the Office of Management and Budget, and to provide a comprehensive office automation system, including equipment and software, for the Office of Management and Budget, $2,950,000, to remain available until expended.

TITLE IV—INDEPENDENT AGENCIES

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

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

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

For expenses necessary to carry out the provisions of the Advisory Commission on Intergovernmental Relations Act of 1959, as amended (42 U.S.C. 4271–79); (40) $1,275,000 $1,040,000, and additional amounts not to exceed $200,000, collected from the sale of publications shall be credited to and used for the purposes of this appropriation.

(41) ADVISORY COMMITTEE ON FEDERAL PAY

For necessary expenses of the Advisory Committee on Federal Pay, established by 5 U.S.C. 5306; $205,000.

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

For necessary expenses of the Committee for Purchase From the Blind and Other Severely Handicapped established by the Act of June 23, 1971, Public Law 92–28, $862,000.
FEDERAL ELECTION COMMISSION

Salaries and Expenses

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended; $15,433,000.

GENERAL SERVICES ADMINISTRATION

Federal Buildings Fund

Limitations on Availability of Revenue

The revenues and collections deposited into the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)), shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving Government agencies (including space adjustments) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings and moving; repair and alteration of federally owned buildings, including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; conversion and extension of federally
owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, taxes, and any other obligations for public buildings acquired by purchase contract, in the aggregate amount of (42) $2,052,403,000 $3,026,103,000, of which (1) not to exceed (43) $92,100,000 $137,147,000 shall remain available until expended for construction of additional projects at locations and at maximum construction improvement costs (including funds for sites and expenses) as follows:

New Construction:

Connecticut:

Bridgeport, Federal Building, Courthouse Annex, $4,138,000

Hartford, Federal Building, Courthouse Annex, $6,612,000

Florida:

Lakeland, Federal Building, $15,000,000

Illinois:

Champaign-Urbana, Federal Building, Courthouse, $8,316,000

Louisiana:

Baton Rouge, Federal Building, Courthouse, to be constructed on a site donated by the City of Baton Rouge, $16,758,000
Michigan:

Detroit, Ambassador Bridge Cargo Inspection Facility, $10,197,000

Minnesota:

International Falls, Border Station, Site, $260,000

New Jersey:

Camden, U.S. Post Office, Courthouse Annex, $18,728,000

Newark, Martin Luther King, Jr., Federal Building, Site and Design (parking facility), $250,000

Paterson, Federal Building, $6,552,000

Trenton, Federal Building, Courthouse Annex, $25,939,000

(47) New Mexico:

Albuquerque, Grant to the University of New Mexico, Zimmerman Library, Repair and Extension, $5,000,000

(48) New York, The Martha Graham Center of Contemporary Dance, $7,000,000

South Carolina:

Columbia, Federal Building and Courthouse Claim, $100,000
Virgin Islands:

St. Croix, Federal Building, Courthouse,

$8,827,000

Construction Projects, less than $500,000,

$2,470,000:

(49) Other selected purchases including options to purchase, $1,000,000:

Provided, That each of the immediately foregoing limits of costs on new construction projects may be exceeded to the extent that savings are effected in other such projects, but by not to exceed 10 per centum: Provided further, That all funds for direct construction projects shall expire on September 30, 1990, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: Provided further, That claims against the Government of less than $100,000 arising from direct construction projects, acquisitions of buildings and purchase contract projects pursuant to Public Law 92–313, be liquidated with prior notification to the Committees on Appropriations of the House and Senate to the extent savings are effected in other such projects; (2) not to exceed (50) $550,673,000 $517,424,000 which shall remain available until expended, for repairs and alterations: Provided further, That funds in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount by project
as follows, except each project may be increased by an
amount not to exceed 10 per centum unless advance approval
is obtained from the Committees on Appropriations of the
House and Senate for a greater amount:

Repairs and Alterations:

Alaska:
Juneau, Federal Building, Post Office,
Courthouse, $24,700,000

Alabama:
Montgomery, Federal Building, Courthouse,
$515,000

Arkansas:
Pine Bluff, Federal Building, Post Office,
Courthouse, $2,084,000

California:
(51) County of Los Angeles; for a grant for
Senior Citizens Health Center renovation;
$1,000,000
(52) California State University at East
Los Angeles for a grant to establish a center;
$800,000
(53) San Francisco, 450 Golden Gate
Avenue, Federal Building, Courthouse,
$20,000,000
Santa Ana, Federal Building, $1,406,000
San Diego, Federal Building, $1,742,000

District of Columbia:

Mary Switzer Federal Building, $502,000

Commerce Building, $2,457,000

Interstate Commerce Building, $526,000

Health and Human Services, $1,395,000

U.S. Customs Building, $754,000

Internal Revenue Service, $2,179,000

Housing and Urban Development,

$1,221,000

Hubert H. Humphrey Federal Building,

$606,000

(54) Ariel Ries Federal Building, New Post Office, $29,000,000

(55) General Accounting Office,

$12,000,000

(56) GSA Headquarters, $23,000,000

(57) James V. Forrestal Building,

$19,970,000

Florida:

Jacksonville, Federal Building, $6,889,000

Miami, Federal Building, $1,415,000

Hawaii:

Honolulu, Kalanianole Federal Building,

$5,680,000
Kentucky:
Louisville, Post Office, Courthouse, Customhouse, $9,435,000

Louisiana:
New Orleans, Boggs Federal Building, Courthouse, $10,245,000
New Orleans, Customhouse, $1,672,000

Maryland:
Avondale, Interior (Bureau of Mines),
(58) $6,000,000 $6,500,000
Woodlawn, SSA Complex $7,030,000
Baltimore, Garmatz Federal Building, Courthouse, $800,000
Suitland, Federal Building, #3, $1,926,000
Suitland, Federal Building, #4, $817,000
Baltimore, Fallon Federal Building, $6,901,000

Massachusetts:
Boston, John F. Kennedy Federal Building, $10,000,000

Boston, McCormack Federal Building, Courthouse, $3,000,000

Missouri:
Overland, Federal Archives and Records Center, $3,059,000
Mississippi:

Jackson, Eastland Post Office, Courthouse, $2,143,000

New Jersey:

Newark, Rodino Federal Building, $5,201,000

Trenton, Federal Building, Courthouse $1,417,000

New Mexico:

Albuquerque, Chavez Federal Building, Courthouse, $3,207,000

Albuquerque, Federal Building, $1,967,000

New York:

Brooklyn, Cellar Federal Building, $16,000,000

Rochester, Keating Federal Building, $6,800,000

New York, United States Mission to the United Nations, $4,300,000

North Carolina:

Asheville, Grove Arcade Federal Building, $2,900,000

Ohio:

Cleveland, Celebrezze Federal Building, $5,836,000
Pennsylvania:

Philadelphia, Green Federal Building, $1,200,000

Philadelphia, SSA Computer Center, $950,000

South Carolina:

Charleston, Rivers Federal Building, $1,275,000

Tennessee:

Memphis, Davis Federal Building, $9,466,000

Texas:

Austin, Federal Building, $3,241,000

Austin, Internal Revenue Service Center, $3,282,000

Austin, Post Office, Courthouse, $7,995,000

Houston, Casey Federal Building, Courthouse, $8,008,000

Lubbock, Federal Building, Courthouse, $3,674,000

Utah:

Salt Lake City, Post Office, Courthouse, $2,543,000
Virginia:
McLean, Central Intelligence Agency, Headquarters, $2,336,000
McLean, Central Intelligence Agency Printing Plant, $746,000
Reston, J.W. Powell Federal Building, $1,336,000
Arlington, Heating Plant, $593,000
Richmond, Annex, $3,287,000

Vermont:
Burlington, Federal Building Post Office, Courthouse, $4,100,000

Wisconsin:
Milwaukee, Federal Building, Courthouse, $7,586,000

(60) Capital Improvements of United States-Mexico
Border Facilities, $28,678,000, as follows:
Nogales, AZ
Mariposa, $102,500
Calexico, CA
R & A, $6,292,805
San Ysidro, CA
Signs/security, $1,048,855
Columbus, NM, $225,000
Brownsville, TX
Gateway Bridge
Security, $218,000

Expand Lanes, $1,253,865

R & A, $2,870,065

B & M Bridge, $3,227,000

Del Rio, TX

Expand Lanes, $1,075,000

Eagle Pass, TX $4,050,000

El Pase, TX

Ysleta, $2,700,000

Bridge of the Americas, $1,000,000

Hidalgo, TX, $1,110,410

Laredo, TX

Convent Street, $2,500,000

Capital Improvements of United States-Mexico Border Facilities, $75,799,000 as follows:

Arizona:

Douglas, AZ

New facility/R&A/Safety, $1,476,000

Lukeville, AZ

R&A/Safety, $412,000

Naco, AZ

New facility/R&A/Safety, $577,000

Nogales, AZ

Grande Ave./Morley Gate, New station/

R&A/Safety, $4,354,000
Mariposa, R&A, $1,343,000

Sasabe, AZ

New facility/R&A/Safety, $639,000

San Luis, AZ

R&A/Safety, $898,000

California:

Andrade, CA

New station/R&A/Safety, $817,000

Calexico, CA

New station/R&A/Safety, $8,680,000

San Ysidro/Otay Mesa, CA

New facility/Otay Mesa, $1,298,000

Safety, San Ysidro/Otay Mesa, $4,809,000

R&A/Signs/Security/Commercial lot improvements, $8,914,000

Tecate, CA

New station/R&A, $1,550,000

New Mexico:

Antelope Wells, NM

Security/Housing, $285,000

Columbus, NM

Security, $425,000

Santa Teresa, NM

New station, $3,000,000
Texas:

Amastad Dam, TX

R&A, $150,000

Brownsville, TX

Gateway Bridge, Security/R&A/Lane expansion/New Bridge, $10,402,000

B&M Bridge, Replace station, $3,227,000

Los Indios, Replace station, $190,000

Del Rio, TX

Security/Lane expansion, $1,075,000

Eagle Pass, TX

Security/R&A, $4,050,000

El Paso, TX

Bridge of the Americas, Design/R&A/

Import Lot Paving, $3,058,000

Paso del Norte, Extension/R&A, $1,150,000

Ysleta, Design/Construction, $2,700,000

Fabens, TX

Site acquisition/Security, $800,000

Falcon Dam, TX

R&A, $310,000

Hidalgo, TX

Safety/Design/R&A, $1,110,000
Laredo, TX

Juarez-Lincoln Bridge, Site/Design/R&A, $3,000,000

New bridge, $500,000

Convent Street, Design upgrade, $2,650,000

Presidio, TX

Security/Housing, $1,000,000

Progresso, TX

Security/R&A, $400,000

Roma, TX

Safety, $550,000

Minor Repairs and Alterations, (61) $212,780,000

$194,780,000 (62), of which up to $2,000,000 shall be

made available to fund a pilot project establishing safe areas-
of-refuge from fire for the disabled in six existing Federal

buildings in the United States (63): Provided, That by no

later than July 30, 1989, the Administrator of General Serv-

ices shall assess the level of unobligated balances, if any, in

the Federal Buildings Fund and request reprogramming of

such balances, not to exceed $10,000,000, to provide addi-

tional funding for United States-Mexico Border Facility

projects: Provided further, That additional projects for which

prospectuses have been fully approved may be funded under

this category only if advance approval is obtained from the

Committees on Appropriations of the House and Senate:

Provided further, That all funds for repairs and alterations
1 prospectus projects shall expire on September 30, 1990, and
2 remain in the Federal Buildings Fund except funds for
3 projects as to which funds for design or other funds have been
4 obligated in whole or in part prior to such date; (3) not to
5 exceed (64) $142,450,000 $133,000,000 for payment on
6 purchase contracts entered into prior to July 1,
7 1975; (4) not to exceed (65) $1,200,000,000
8 $1,177,532,000 for rental of space; (5) not to exceed
9 (66) $881,708,000 $882,000,000 for real property oper-
10 ations; (6) not to exceed (67) $49,740,000 $49,000,000 for
11 program direction and centralized services; and (7) not to
12 exceed (68) $136,000,000 $130,000,000 for design and
13 construction services which shall remain available until ex-
14 pended: Provided further, That obligations of funds for lease,
15 lease purchase, or installment purchase public buildings
16 projects authorized in (69) the fiscal year 1988 Continuing
17 Resolution Public Law 100–202 for the General Services
18 Administration at Oakland, California and San Francisco,
19 California, and for the Environmental Protection Agency and
20 Department of Transportation shall be limited to the current
21 fiscal year for which payments are due without regard to 31
22 U.S.C. 1341(a)(1)(B): Provided further, That for the purposes
23 of this authorization, buildings constructed pursuant to the
25 356), the Public Buildings Amendments of 1972 (40 U.S.C.
and buildings under the control of another department or agency where alterations of such buildings are required in connection with the moving of such other department or agency from buildings then, or thereafter to be, under the control of the General Services Administration shall be considered to be federally owned buildings: Provided further, That none of the funds available to the General Services Administration with the exception of those for Capital Improvements for United States-Mexico Border Facilities; (70) Memphis, Tennessee, Internal Revenue Service Center; Avondale, Maryland, Interior Department (Bureau of Mines) (71) Baton Rouge, Louisiana, Federal Building/Courthouse; and Lakeland, Florida, Federal Building shall be available for expenses in connection with any construction, repair, alteration, and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, as amended, has not been approved, except that necessary funds may be expended for each project for required expenses in connection with the development of a proposed prospectus: Provided further, That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Committees on Appropriations of the House and Senate: Provided further, That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Proper-
ty and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)(6)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, as amended, shall be available from such revenues and collections: Provided further, That revenues and collections and any other sums accruing to this fund during fiscal year 1989 excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)(6)) in excess of (72) $3,052,402,000 $3,026,103,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriation Acts.

FEDERAL SUPPLY SERVICE

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, necessary for property management activities, utilization of excess and disposal of surplus personal property, rehabilitation of personal property, transportation management activities, transportation audits by in-house personnel, procurement, and other related supply management activities, including services as authorized by 5 U.S.C. 3109; (73) $47,820,000 $47,000,000.
1. **Federal Property Resources Service**

2. **Operating Expenses**

3. **(Including Transfer of Funds)**

4. For expenses, not otherwise provided for, necessary for carrying out the functions of the Administrator with respect to utilization of excess real property; the disposal of surplus real property, the utilization survey, deed compliance inspection, appraisal, environmental and cultural analysis, and land use planning functions pertaining to excess and surplus real property; (74) $12,100,000 $12,000,000 to be derived from proceeds from transfers of excess real property and disposal of surplus real property and related personal property, subject to the provisions of the Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 4601–5).

5. **Real Property Relocation**

6. For expenses not otherwise provided for, (75) $16,000,000 $10,000,000, to remain available until expended, necessary for carrying out the functions of the Administrator with respect to relocation of Federal agencies from property which has been determined by the Administrator to be other than optimally utilized under the provisions of section 210(e) of the Federal Property and Administrative Services Act of 1949, as amended: Provided, That such relocations shall only be undertaken when the estimated proceeds from the disposition of the original facilities approximate the appraised fair market value of such new facilities and exceed
the estimated costs of relocation. Relocation costs include exp-
enses for and associated with acquisition of sites and facili-
ties, and expenses of moving or repurchasing equipment and personal property. These funds may be used for payments to other Federal entities to accomplish the relocation functions:

Provided further, That nothing in this paragraph shall be construed as relieving the Administrator of General Services or the head of any other Federal agency from any obligation or restriction under the Public Buildings Act of 1959 (including any obligation concerning submission and approval of a prospectus), the Federal Property and Administrative Services Act of 1949, as amended, or any other Federal law, or as authorizing the Administrator of General Services or the head of any other Federal agency to take actions inconsistent with statutory obligations or restrictions placed upon the Admin-
istrator of General Services or such agency head with respect to authority to acquire or dispose of real prop-
erty (76): Provided further, That notwithstanding any pro-
vision of this or any other Act, not more than $1,500,000 of the appropriations made available under the heading "Real Property Relocation" by this Act or by Public Law 100–202, shall be available to pay for the relocation costs associated with the facility at Loran Station, Makahuena Point, Island of Kauai, Hawaii: Provided further, That upon relocation, such property shall be sold by the Administrator of General
Services at not less than the estimated fair market value through a competitive public sale.

General Management and Administration

Salaries and Expenses

For necessary expenses of agency management of activities under the control of the General Services Administration, and general administrative and staff support services not otherwise provided for; for providing accounting, records management, and other support incident to adjudication of Indian Tribal Claims by the United States Court of Claims, and services authorized by 5 U.S.C. 3109; $122,774,000, of which $800,000 shall be available only for, and is hereby specifically earmarked for personnel and associated costs in support of Congressional District and Senate State offices: Provided, That this appropriation shall be available, subject to reimbursement by the applicable agency, for services performed for other agencies pursuant to subsections (a) and (b) of section 1535 of title 31, United States Code.

Information Resources Management Service

Operating Expenses

For expenses authorized by law, not otherwise provided for, necessary for carrying out Government-wide and internal responsibilities relating to automated data management, telecommunications, information resources management, and related activities, including services as authorized by 5 U.S.C.
3109; and for the Information Security Oversight Office estab-
slished pursuant to Executive Order 12356; (77) $30,000,000 $33,000,000.

Offi ce of Inspector General

For necessary expenses of the Office of Inspector Gen-
eral; (78) $25,400,000 $25,000,000: Provided, That not to
exceed $10,000 shall be available for payment for informa-
tion and detection of fraud against the Government, including
payment for recovery of stolen Government property.

Allowances and Office Staff for Former

Presidents

For carrying out the provisions of the Act of August 25,
1958, as amended (3 U.S.C. 102 note), and Public Law 95–
138; (79) $1,431,000 $1,400,000: Provided, That the Ad-
ministrator of General Services shall transfer to the Secre-
tary of the Treasury such sums as may be necessary to carry
out the provisions of such Acts.

Expenses, Presidential Transition

For expenses necessary to carry out the provisions of
the Presidential Transition Act of 1963, as amended (3
U.S.C. 102, note), $3,000,000: Provided, That the availabil-
ity of these funds shall be in accordance with sections 3(b)
and 4 of the Act.
NATIONAL DEFENSE STOCKPILE TRANSACTION FUND

For the fiscal year ending September 30, 1989, in addition to the funds previously appropriated to the National Defense Stockpile Transaction Fund, notwithstanding the provisions of 50 U.S.C. 98h, there is hereby appropriated (80) $18,000,000 $27,000,000 to the Fund, to remain available until expended, the amounts to be allocated for the following projects:

(81) University of Hawaii at Manoa pursuant to 50 U.S.C. 98a and 98g(a), for a grant to construct and equip a strategic materials research facility; $15,000,000;

University of Texas at El Paso pursuant to 50 U.S.C. 98a and g for a grant to study and facilitate the development, transfer, and installation of strategic materials technologies among American industries; $3,000,000.

University of Hawaii at Manoa pursuant to 50 U.S.C. 98a and 98g(a), for a grant to construct and equip a strategic materials research facility, $10,000,000;

Loyola College in Maryland pursuant to 50 U.S.C. 98a and 98g(a), for a grant to pay the federal share of the cost of construction and equipment, including approaches and appurtenances and costs already
incurred, of a Center for Advanced Information and
Resource Management Studies, $4,000,000;

University of Idaho pursuant to 50 U.S.C. 98a
and 98g(a), for a grant to construct and equip a Strate-
getic Research and Environmental Laboratory,
$4,000,000; and

University of Utah pursuant to 50 U.S.C. 98a
and 98g(a)(2)(C) for a grant to pay the Federal share
of the cost of construction and equipment for a Center
for Biomedical Polymers, $9,000,000.

GENERAL SERVICES ADMINISTRATION—

GENERAL PROVISIONS

Section 1. The appropriate appropriation or fund
available to the General Services Administration shall be
credited with the cost of operation, protection, maintenance,
upkeep, repair, and improvement, included as part of rentals
received from Government corporations pursuant to law (40

Sec. 2. Funds available to the General Services Admin-
istration shall be available for the hire of passenger motor
vehicles.

Sec. 3. Not to exceed 1 per centum of funds made
available in appropriations for operating expenses and sala-
ries and expenses, during the current fiscal year, may be
transferred between such appropriations for mandatory pro-
gram requirements. Any transfers proposed shall be submitted promptly to the Committees on Appropriations of the House and Senate for approval.

Sec. 4. Funds in the Federal Buildings Fund made available for fiscal year 1989 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary for mandatory program requirements. Any transfers proposed shall be submitted promptly to the Committees on Appropriations of the House and Senate for approval.

Sec. 5. Funds hereafter made available to the General Services Administration for the payment of rent shall be available for the purpose of leasing, for periods not to exceed thirty years, space in buildings erected on land owned by the United States.

Sec. 6. The Administrator of General Services shall proceed with the site selection and design for construction of a facility of not less than 182,000 usable square feet for the Social Security Administration in Wilkes-Barre, Pennsylvania, pursuant to section 115 of the joint resolution entitled, "A Joint Resolution making continuing appropriations for the fiscal year 1987 and for other purposes", approved October 30, 1986 (100 Stat. 3341-49; Public Law 99-591).
Sec. (84) 7 6. Notwithstanding any provisions of this Act or any other Act in any fiscal year, the Administrator of General Services is authorized and directed to charge the Department of the Interior for (85) design and alterations to the Avondale, Maryland property at rates so as to recover the approximate applicable cost incurred by General Services Administration in providing such alterations, and the Department of the Interior is authorized to repay such charges out of any appropriation available to the department and the payments shall be deposited in the fund established by 40 USC 490(6).

(86) Sec. 8. (a) LEASE-PURCHASE AGREEMENT.—

The Administrator of General Services shall acquire from the State of Tennessee or a political subdivision thereof by lease-purchase a building to house the Internal Revenue Service Center in Memphis, Tennessee, and such other Federal agencies as may be appropriate.

(b) LIMITATIONS.—

(1) Size.—The building to be acquired under subsection (a) may not exceed 600,000 gross square feet in size plus such additional space as may be necessary for parking.

(2) Cost.—The total cost of the lease-purchase agreement under this section to the United States may
not exceed $36,000,000, plus reasonable interest
thereon, as well as operating costs, if applicable.

(3) **Term.**—The term of the lease-purchase
agreement under this section may not exceed thirty
years. The agreement shall provide that ownership of
the building will vest in the United States on or before
the end of such term.

(4) **Obligation of Funds.**—Obligations of funds
under this section shall be limited to the current fiscal
year for which payments are due without regard to
section 1341(a)(1)(B) of title 21, United States Code.

(c) **Sale of Leasehold Interest.**—The Adminis-
trator of General Services shall sell any leasehold or other
interest which the United States has in the building which is
providing office space for Internal Revenue Service Center in
Memphis, Tennessee, and shall deposit the proceeds from
such sale in the Federal Buildings Fund established by sec-
tion 240(f) of the Federal Property and Administrative
Services Act of 1949.

(87) **Sec. 9.** The General Services Administration is
directed to construct under their lease-purchase authority, a
40,000 net sq. ft. office building at the CDC campus in
Chamblee, Georgia, designed with funds which Congress
provided the Center for Disease Control in the FY87 Depart-
ment of Labor, Health and Human Services, and Education,
1 and Related Agencies Appropriations, and shall be acquired
2 without regard to the provisions of the Public Buildings Act
3 of 1959 regarding prospectus approval by lease-purchase
4 contracts entered into by the General Services Administra-
5 tion prior to their construcution using funds appropriated an-
6 nually to GSA from the Federal Buildings Fund for the
7 rental of space which shall hereafter be available for this pur-
8 pose. The contracts shall provide for the payment of the pur-
9 chase price and reasonable interest thereon by lease or in-
10 stallment payments over a period not to exceed 30 years.
11 The contracts shall further provide that title to the buildings
12 shall vest in the United States at or before expiration of the
13 contract term upon fulfillment of the terms and conditions of
14 the contracts. The Federal Buildings Fund shall be reim-
15 bursed from the annual appropriation to the Centers for Dis-
16 ease Control-Disease Control, Research, and Training (or
17 any other appropriation hereafter made available to the CDC
18 for construction of research facilities) and such appropriations
19 shall hereafter be available for the purpose of reimbursing the
20 Federal Buildings Fund. Obligations of funds under these
21 transactions shall be limited to the current fiscal year for
22 which payments are due without regard to 31 U.S.C. 1502
23 and 1341(a)(1)(B).
24
25 (88) Sec. 7. The Administrator of General Services
26 is authorized and directed to hire up to and maintain an
annual average of not less than 1000 full-time equivalent positions for Federal Protective Officers. This shall be accomplished by increasing existing staff levels at the end of fiscal year 1988 at a rate of not less than 50 positions per year until the full-time equivalency of 1000 is attained by not later than fiscal year 1992.

(89) Sec. 8. Notwithstanding any other provision of law, the Administrator of General Services is hereafter authorized to transfer from the available resources of the Federal Buildings Fund, in accordance with such rules and procedures as may be established by the Office of Management and Budget and the Department of the Treasury, such amounts as are necessary to repay the principal amount of agency borrowings from the Federal Financing Bank.

(90) Sec. 9. Notwithstanding any other provision of law, the General Services Administration is hereby authorized to sell, at competitive bid, the Federal Building located at 124 South Tennessee Avenue in Lakeland, Florida, and to deposit such proceeds into the Federal Buildings Fund.

(91) Sec. 10. None of the funds appropriated by this Act may be obligated or expended in any way for the purpose of the sale, excessing, surplusing, or disposal of lands in the vicinity of Bull Shoals Lake, Arkansas, administered by the Corps of Engineers, Department of the Army, without the specific approval of the Congress.
Sec. 11. None of the funds appropriated by this Act may be obligated or expended in any way for the purpose of the sale, excessing, surplusing, or disposal of lands in the vicinity of Norfork Lake, Arkansas, administered by the Corps of Engineers, Department of the Army, without the specific approval of the Congress.

NATIONAL ARCHIVES AND RECORDS

ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with National Archives and Records Administration and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, and for the hire of passenger motor vehicles, $125,962,000 $117,862,000, of which $4,000,000 shall be available for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, as amended, and shall remain available until expended, and of which $4,100,000 shall remain available until expended for continuation of construction at the John F. Kennedy Library in Boston Massachusetts: Provided, That notwithstanding the provisions of 31 U.S.C. 1341(a)(1) or any other provisions of law, the Archivist of the United States is authorized, pursuant to 44 U.S.C. 2903, to enter into a contract for construction and related services for a new National Archives facility in Prince...
George's County, Maryland, on a site provided, without charge, to the United States by the University of Maryland or the State of Maryland, which site may be transferred to the United States by less than fee simple estate, but shall remain available to the United States so long as it shall be used as a National Archives facility. The contract shall provide, by lease or installment payments payable out of annual appropriations over a period not to exceed thirty years, for the payment of the purchase price and associated costs, which shall not exceed $205,000,000 plus escalation to the midpoint of construction, and reasonable interest thereon. The contract shall further provide that title to the building shall vest in the United States at or before the expiration of the contract term upon fulfillment of the terms and conditions of the contract.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, medical examinations performed for veterans by private physicians on a fee basis, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor ve-
hicles, not to exceed $2,500 for official reception and repre-
sentation expenses, and advances for reimbursements to ap-
plicable funds of the Office of Personnel Management and the
Federal Bureau of Investigation for expenses incurred under
Executive Order 10422 of January 9, 1953, as amended;
(97)$107,477,000 $108,977,000, of which $170,000 shall
be for the salaries, administrative support and for other ex-
penses of the Commission on Executive, Legislative and Ju-
dicial Salaries; (98)$1,000,000 shall be made available for
the establishment of Federal health promotion and disease
prevention programs for Federal employees; (99) and
(100)$500,000 shall be made available for implementation
of the Combined Federal Campaign in fiscal year 1989; in
addition to $77,017,000 for administrative expenses, includ-
ing direct procurement of health benefits printing, for the re-
tirement and insurance programs, of which $7,000,000 shall
be for costs incurred in implementing the recordkeeping
system of the Federal Employees Retirement System, to be
transferred from the appropriate trust funds of the Office of
Personnel Management in the amounts determined by the
Office of Personnel Management without regard to other
statutes: Provided, That the provisions of this appropriation
shall not affect the authority to use applicable trust funds as
provided by section 8348(a)(1)(B) of title 5, U.S.C.: Provided
further, That no part of this appropriation shall be available
for salaries and expenses of the Legal Examining Unit of the
Office of Personnel Management established pursuant to Ex-
cutive Order 9358 of July 1, 1943, or any successor unit of
like purpose: Provided further, That the President’s Commis-
sion on White House Fellows, established by Executive
Order 11183 of October 3, 1964, may, during the fiscal
year ending September 30, 1989, accept donations of money,
property, and personal services in connection with the devel-
opment of a publicity brochure to provide information about
the White House Fellows, except that no such donations
shall be accepted for travel or reimbursement of travel ex-
penses, or for the salaries of employees of such Commission.

REVOLVING FUND

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

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES

HEALTH BENEFITS

For payment of Government contributions with respect
to retired employees, as authorized by chapter 89 of title 5,
United States Code, and the Retired Federal Employees
Health Benefits Act (74 Stat. 849), as amended,
$2,374,414,000, to remain available until expended.
PAYMENT TO CIVIL SERVICE RETIREMENT AND

Disability Fund

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, $4,858,668,000: Provided, That annuities authorized by the Act of May 29, 1944, as amended (22 U.S.C. 3682(e)), August 19, 1950, as amended (33 U.S.C. 771–75), may hereafter be paid out of the Civil Service Retirement and Disability Fund.

MERIT SYSTEMS PROTECTION BOARD

Salaries and Expenses

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles; $20,488,800, together with not to exceed $1,400,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.
OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of the Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978 (Public Law 95-454), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; (101) $4,761,000 $5,000,000.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, including hire of experts and consultants, hire of passenger motor vehicles, rental of conference rooms in the District of Columbia and elsewhere; $17,540,000: Provided, That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government Service, and compensation as authorized by 5 U.S.C. 3109.
For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109; $29,345,000: Provided, That travel expenses of the judges shall be paid upon the written certificate of the judge; and in addition, $1,225,000 shall be available only for installation of a chiller/air conditioning system in the United States Tax Court Headquarters Building in the District of Columbia, to remain available until expended.

This title may be cited as the "Independent Agencies Appropriations Act, 1989".

TITLE V—GENERAL PROVISIONS

SECTION 501. Where appropriations in this Act are expendable for travel expenses of employees and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amount set forth therefor in the budget estimates submitted for the appropriations: Provided, That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards of the Selective Service System; to travel performed directly in connection with care and treatment of medical beneficiaries of the Veterans' Administration; to travel of the Office of Personnel Management in carrying out its observation re-
sponsibilities of the Voting Rights Act; or to payments to
interagency motor pools where separately set forth in the
budget schedules.

Sec. 502. No part of any appropriations contained in
this Act shall be available to pay the salary of any person
filling a position, other than a temporary position, formerly
held by an employee who has left to enter the Armed Forces
of the United States and has satisfactorily completed his
period of active military or naval service and has within
ninety days after his release from such service or from hospi-
talization continuing after discharge for a period of not more
than one year made application for restoration to his former
position and has been certified by the Office of Personnel
Management as still qualified to perform the duties of his
former position and has not been restored thereto.

Sec. 503. No part of any appropriation made available
in this Act shall be used for the purchase or sale of real
estate or for the purpose of establishing new offices inside or
outside the District of Columbia: Provided, That this limita-
tion shall not apply to programs which have been approved
by the Congress and appropriations made therefor.

Sec. 504. No part of any appropriation contained in this
Act shall remain available for obligation beyond the current
fiscal year unless expressly so provided herein.
Sec. 505. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

Sec. 506. No part of any appropriation contained in this Act shall be available for the procurement of, or for the payment of, the salary of any person engaged in the procurement of any hand or measuring tool(s) not produced in the United States or its possessions except to the extent that the Administrator of General Services or his designee shall determine that a satisfactory quality and sufficient quantity of hand or measuring tools produced in the United States or its possessions cannot be procured as and when needed from sources in the United States and its possessions, or except in accordance with procedures prescribed by section 6-104.4(b) of Armed Services Procurement Regulation dated January 1, 1969, as such regulation existed on June 15, 1970: Provided, That a factor of 75 per centum in lieu of 50 per centum shall be used for evaluating foreign source end products against a domestic source end product. This section shall be applicable to all solicitations for bids opened after its enactment.
Sec. (103) 506 507. None of the funds made available to the General Services Administration pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949 shall be obligated or expended after the date of enactment of this Act for the procurement by contract of any service which, before such date, was performed by individuals in their capacity as employees of the General Services Administration in any position of guards, elevator operators, messengers, and custodians, except that such funds may be obligated or expended for the procurement by contract of the covered services with sheltered workshops employing the severely handicapped under Public Law 92–28.

Sec. (104) 507 508. No funds appropriated in this Act shall be available for administrative expenses in connection with implementing or enforcing any provisions of the rule TD ATF–66 issued June 13, 1980, by the Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms on labeling and advertising of wine, distilled spirits, and malt beverages, except if the expenditure of such funds, is necessary to comply with a final order of the Federal court system.

Sec. (105) 508 509. None of the funds appropriated or made available by this Act shall be used to competitively procure electric utility service, except where such procurement is expressly authorized by the Federal Power Act or by State law or regulation.
Sec. 509. None of the funds appropriated in this Act may be used for administrative expenses to close the Federal Information Center of the General Services Administra-
tion located in Sacramento, California.

Sec. 510. None of the funds made available by this Act for the Department of the Treasury may be used for the pur-
pose of eliminating any existing requirement for sureties on customs bonds.

Sec. 511. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the 1930 Tariff Act.

Sec. 512. None of the funds made available by this Act shall be available for the purpose of transferring control over the Federal Law Enforcement Training Center located at Glynco, Georgia, and Marana, Arizona, out of the Treasury Department.

Sec. 513. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

Sec. 514. No part of any appropriation contained in this Act shall be available for the payment of the salary of any
officer or employee of the United States Postal Service, who—

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

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

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

Sec. (109) 516 515. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefit program which provides any benefits or coverage for abortions.

Sec. (110) 517 516. The provision of section (111) 518 515 shall not apply where the life of the mother would be endangered if the fetus were carried to term.

(112) Sec. 518. No later than October 1, 1989, the Administrator of General Services, or any Federal officer assuming the Administrator's responsibilities with respect to management of the stockpile, shall use all funds authorized and appropriated before January 1, 1985 from the National
1. Defense Stockpile Transaction Fund to evaluate, test, relocate, upgrade or purchase stockpile materials to meet National Defense Stockpile goals and specifications in effect on October 1, 1984.

(113) Sec. 517. No part of any appropriation contained in this Act shall be available for the procurement of, or for the payment of, the salary of any person engaged in the procurement of stainless steel flatware not produced in the United States or its possessions, except to the extent that the Administrator of General Services or his designee shall determine that a satisfactory quality and sufficient quantity of stainless steel flatware produced in the United States or its possessions, cannot be procured as and when needed from sources in the United States or its possessions or except in accordance with procedures provided by section 6-104.4(b) of Armed Services Procurement Regulations, dated January 1, 1969. This section shall be applicable to all solicitations for bids issued after its enactment.

(114) Sec. 519. None of the funds appropriated by this Act may be used to establish on a permanent basis any test or program of the “port of arrival immediate release and enforcement determination.”

Sec. (115) 520 518. None of the funds appropriated by this Act may be used to solicit bids, lease space, or enter
into any contract to close or consolidate executive seminar
centers for the Office of Personnel Management.

(116) Sec. 521. Not later than October 1, 1989, of
the amounts made available pursuant to section 518 of the
Treasury, Postal Service and General Government Appro-
priations Act, 1987, as incorporated in section 101(m) of
Public Laws 99–500 and 99–591, not less than $1,000,000
shall be obligated for a pilot project to upgrade technologically
obsolete cobalt deposited in the National Defense Stock-
pile. The funds used in this section for upgrading shall not
exceed $2,000,000.

(117) Sec. 522. The Administrator of General Serv-
ices, under section 210(h) of the Federal Property and Ad-
ministrative Services Act of 1949, as amended, shall acquire,
by means of a lease of up to 20 years duration, space for the
United States Courts in Tacoma, Washington; at the site of
Union Station, Tacoma, Washington.

Sec. (118)523 519. Funds under this Act shall be
available as authorized by sections 4501–4506 of title 5,
United States Code, when the achievement involved is certi-
fied, or when an award for such achievement is otherwise
payable, in accordance with such sections. Such funds may
not be used for any purpose with respect to which the preced-
ing sentence relates beyond fiscal year 1989.
Sec. 524 520. (a) Notwithstanding any other provision of law, during fiscal year 1989, the authority to establish higher rates of pay under section 5303 of title 5, United States Code, may—

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

(2) in addition to the circumstance described in the first sentence of subsection (a) of section 5303 of title 5, U.S.C., be exercised based on—

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

(i) by individuals outside the Government; or

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

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

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

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

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

(b)(1) A rate of pay established during fiscal year 1989 through the exercise of any additional authority under subsection (a) of section 5303 of title 5, U.S.C.—

(A) shall be subject to revision or adjustment,

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

(C) shall otherwise be treated,

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

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

c (c) Any additional authority under this section may, during fiscal year 1989, be exercised only to the extent that amounts otherwise appropriated under this Act for purposes of section 5303 of title 5, United States Code, are available.

Sec. (120) 525 521. None of the funds available in this Act may be used to contract out positions or downgrade the position classification of the Bureau of Engraving and Printing Police Force.

(121) Sec. 522. Such sums as may be necessary for fiscal year 1989 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

(122) Sec. 523. (a)(1) Notwithstanding any other provision of this Act, no department, agency, or instrumentality of the United States Government receiving appropriated funds under this Act for fiscal year 1989, shall, during fiscal year 1989, obligate and expend funds for consulting services involving management and professional services; special studies and analyses; technical assistance; and management review of program funded organizations; in excess of an amount equal to 85 percent of the amount obligated and expended by such department, agency, or instrumentality for such services during fiscal year 1987.
(2) Notwithstanding any other provision of this Act, no department, agency, or instrumentality of the United States Government receiving appropriated funds under this Act for fiscal year 1989, shall, during fiscal year 1989, obligate and expend funds for consulting services involving management and support services for research and development activities; engineering development and operational systems development; technical representatives; training; quality control, testing, and inspection services; specialized medical services; and public relations; in excess of an amount equal to 95 percent of the amount obligated and expended by such department, agency, or instrumentality for such services during fiscal year 1987.

(3) The term "consulting services" shall be defined consistent with the provision of OMB Circular A–120.

(b) The Director of the Office of Management and Budget shall take such action as may be necessary, through budget instructions or otherwise, to direct each department, agency, and instrumentality of the United States to comply with the provisions of section 1114 of title 31, United States Code.

(c) All savings to any department, agency, or instrumentality which result from the application of subsection (a), shall be used for the 4 percent increase in rates of pay in
such department, agency, or instrumentality made under this Act.

TITLE VI—GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

Section 601. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses and ambulances), is hereby fixed at $6,600 except station wagons for which the maximum shall be $7,600: Provided, That these limits may be exceeded by not to exceed $2,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: Provided further, That the limits set forth in this section shall not apply to electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976.

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

Sec. 603. Unless otherwise specified during the current fiscal year no part of any appropriation contained in this or
any other Act shall be used to pay the compensation of any
officer or employee of the Government of the United States
(including any agency the majority of the stock of which is
owned by the Government of the United States) whose post
of duty is in the continental United States unless such person
(1) is a citizen of the United States, (2) is a person in the
service of the United States on the date of enactment of this
Act, who, being eligible for citizenship, has filed a declaration
of intention to become a citizen of the United States prior to
such date and is actually residing in the United States, (3) is
a person who owes allegiance to the United States, (4) is an
alien from Cuba, Poland, South Vietnam, or the Baltic coun-
tries lawfully admitted to the United States for permanent
residence, or (5) South Vietnamese, Cambodian, and Laotian
refugees paroled in the United States after January 1, 1975:
Provided, That for the purpose of this section, an affidavit
signed by any such person shall be considered prima facie
evidence that the requirements of this section with respect to
his status have been complied with: Provided further, That
any person making a false affidavit shall be guilty of a felony,
and, upon conviction, shall be fined no more than $4,000 or
imprisoned for not more than one year, or both: Provided
further, That the above penal clause shall be in addition to,
and not in substitution for any other provisions of existing
law: Provided further, That any payment made to any officer
1 or employee contrary to the provisions of this section shall be
2 recoverable in action by the Federal Government. This sec-
3 tion shall not apply to citizens of Ireland, Israel, the Republic
4 of the Philippines or to nationals of those countries allied
5 with the United States in the current defense effort, or to
6 temporary employment of translators, or to temporary em-
7 ployment in the field service (not to exceed sixty days) as a
8 result of emergencies.
9 Sec. 604. Appropriations available to any department
10 or agency during the current fiscal year for necessary ex-
11 penses, including maintenance or operating expenses, shall
12 also be available for payment to the General Services Admin-
13 istration for charges for space and services and those ex-
14 penses of renovation and alteration of buildings and facilities
15 which constitute public improvements performed in accord-
16 ance with the Public Buildings Act of 1959 (73 Stat. 749),
17 the Public Buildings Amendments of 1972 (86 Stat. 216), or
18 other applicable law.
19 Sec. 605. Funds made available by this or any other
20 Act for administrative expenses in the current fiscal year of
21 the corporations and agencies subject to chapter 91 of title
22 31, United States Code, shall be available, in addition to ob-
23 jects for which such funds are otherwise available, for rent in
24 the District of Columbia; services in accordance with 5
25 U.S.C. 3109; and the objects specified under this head, all
the provisions of which shall be applicable to the expenditure
of such funds unless otherwise specified in the Act by which
they are made available: Provided, That in the event any
functions budgeted as administrative expenses are subse-
quently transferred to or paid from other funds, the limita-
tions on administrative expenses shall be correspondingly
reduced.

Sec. 606. No part of any appropriation for the current
fiscal year contained in this or any other Act shall be paid to
any person for the filling of any position for which he or she
has been nominated after the Senate has voted not to ap-
prove the nomination of said person.

Sec. 607. Pursuant to section 1415 of the Act of
July 15, 1952 (66 Stat. 662), foreign credits (including cur-
rencias) owed to or owned by the United States may be used
by Federal agencies for any purpose for which appropriations
are made for the current fiscal year (including the carrying
out of Acts requiring or authorizing the use of such credits),
only when reimbursement therefor is made to the Treasury
from applicable appropriations of the agency concerned: Pro-
vided, That such credits received as exchanged allowances or
proceeds of sales of personal property may be used in whole
or part payment for acquisition of similar items, to the extent
and in the manner authorized by law, without reimbursement
to the Treasury.
SEC. 608. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards, commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 609. Funds made available by this or any other Act to (1) the General Services Administration, including the fund created by the Public Building Amendments of 1972 (86 Stat. 216), and (2) the “Postal Service Fund” (39 U.S.C. 2003), shall be available for employment of guards for all buildings and areas owned or occupied by the United States or the Postal Service and under the charge and control of the General Services Administration or the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948 (62 Stat. 281; 40 U.S.C. 318), but shall not be restricted to certain Federal property as otherwise required by the proviso contained in said section and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948 (62 Stat. 281; 40 U.S.C. 318a, 318b), attaching thereto penal conse-
quences under the authority and within the limits provided in
section 4 of the Act of June 1, 1948 (62 Stat. 281; 40
U.S.C. 318c): Provided, That when the Administrator of
General Services delegates responsibility to protect property
under this charge and control to the head of another Federal
agency, that agency may employ guards to protect the prop-
erty who shall have the same powers of special policemen in
same manner as the foregoing.

(123) Sec. 610. None of the funds available under this
or any other Act shall be available for administrative ex-
penses in connection with the designation for construction;
arranging for financing, or execution of contracts or agree-
ments for financing or construction of any additional purchase
contract projects pursuant to section 5 of the Public Building
Amendments of 1972 (Public Law 92–313) during the period
beginning October 1, 1976, and ending September 30,
1980.

Sec. (124) 611. None of the funds made available
pursuant to the provisions of this Act shall be used to imple-
ment, administer, or enforce any regulation which has been
disapproved pursuant to a resolution of disapproval duly
adopted in accordance with the applicable law of the United
States.

Sec. (125) 612. No part of any appropriation
contained in, or funds made available by, this or any other
Act shall be available for any agency to pay to the Administrator of the General Services Administration a higher rate per square foot for rental of space and services (established pursuant to section 210(j) of the Federal Property and Administrative Services Act of 1949, as amended) than the rate per square foot established for the space and services by the General Services Administration for the fiscal year for which appropriations were granted: Provided, That the amount of space and service levels provided will be adjusted commensurate with the amounts appropriated, or otherwise made available therefor in this or any other Appropriations Acts.

Sec. (127) 612. (a)(1) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for the fiscal years ending September 30, 1989, or September 30, 1990, by this Act or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code, or any employee covered by section 5348 of that title—

(1) during the period from the date of expiration of the limitation imposed by section 613 of the Treasury, Postal Service, and General Government Appropriations Act, 1988, until the first day of the first applicable pay period that begins not less than ninety
days after that date, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section 613; and

(2) during the period consisting of the remainder, if any, of fiscal year 1989, and that portion of fiscal year 1990, that precedes the normal effective date of the applicable wage survey adjustment that is to be effective in fiscal year 1990, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) of this subsection by more than the overall average percentage adjustment in the General Schedule during fiscal year 1989.

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

(c) For the purpose of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule that was not in existence on September 30, 1988, shall be determined under regulations prescribed by the Office of Personnel Management.
(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 1988, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

(e) The provisions of this section shall apply with respect to pay for services performed by any affected employee on or after October 1, 1988.

(f) For the purpose of administering any provision of law, including section 8431 of title 5, United States Code, or any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit, that requires any deduction or contribution, or that imposes any requirement or limitation, on the basis of a rate of salary or basic pay, the rate or salary or basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

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

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.
Sec. (128) 614 614. None of the funds made available in this Act may be used to plan, implement, or administer (1) any reduction in the number of regions, districts or entry processing locations of the United States Customs Service; or (2) any consolidation or centralization of duty assessment or appraisement functions of any offices in the United States Customs Service.

Sec. (129) 645 614. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to renovate, remodel, furnish, or redecorate the office of such department head, agency head, officer, or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such renovation, remodeling, furnishing, or redecoration is (130) expressly approved by given to the Committees on Appropriations of the House and Senate.

(131) Sec. 616. (a) If any individual or entity which provides or proposes to provide child care services for Federal employees during fiscal year 1989 or any fiscal year thereafter, applies to the officer or agency of the United States charged with the allotment of space in the Federal buildings in the community or district in which such individual or entity provides or proposes to provide such service, such offi-
1. An agency may allot space in such a building to such
2. individual or entity if—
3. (1) such space is available;
4. (2) such officer or agency determines that such
5. space will be used to provide child care services to a
6. group of individuals of whom at least 50 percent are
7. Federal employees; and
8. (3) such officer or agency determines that such in-
9. dividual or entity will give priority for available child
10. care services in such space to Federal employees.
11. (b)(1) If an officer or agency allots space during fiscal
12. year 1980 or any fiscal year thereafter, to an individual or
13. entity under subsection (a), such space may be provided to
14. such individual or entity without charge for rent or services.
15. (2) If there is an agreement for the payment of costs
16. associated with the provision of space allotted under subsec-
17. tion (a) or services provided in connection with such space;
18. nothing in title 31, United States Code, or any other provi-
19. sion of law, shall be construed to prohibit or restrict payment
20. by reimbursement to the miscellaneous receipts or other ap-
21. propriate account of the Treasury.
22. (3) For the purpose of this section, the term “services”
23. includes the providing of lighting, heating, cooling, electricity,
24. office furniture, office machines and equipment, telephone
25. service (including installation of lines and equipment and
other expenses associated with telephone service); and secu-

rity systems (including installation and other expenses associ-
ated with security systems).

Sec. (132) 617 615. Funds appropriated in this or any
other Act may be used to pay travel to the United States for
the immediate family of employees serving abroad in cases of
death or life threatening illness of said employee.

Sec. (133) 618 616. (a) Notwithstanding the provi-
sions of sections 112 and 113 of title 3, United States Code,
each Executive agency detailing any personnel shall submit a
report on an annual basis in each fiscal year to the Senate
and House Committees on Appropriations on all employees
or members of the armed services detailed to Executive
agencies, listing the grade, position, and offices of each
person detailed and the agency to which each such person is
detailed.

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

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the offices within the Department of Defense
for the collection of specialized national foreign intelli-
gence through reconnaissance programs;
(5) the Bureau of Intelligence and Research of the Department of State;

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of Central Intelligence.

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

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

Sec. (134) 619 677. (a) None of the funds made available by this or any other Act with respect to any fiscal year may be used to make a contract for the manufacture of dis-
tinctive paper for United States currency and securities pur-

suant to section 5114 of title 31, United States Code, with

any corporation or other entity owned or controlled by per-

sons not citizens of the United States, or for the manufacture

of such distinctive paper outside of the United States or its

possessions. This subsection shall not apply if the Secretary

of the Treasury determines that no domestic manufacturer of

distinctive paper for United States currency or securities

exists with which to make a contract and if the Secretary of

the Treasury publishes in the Federal Register a written find-
ing stating the basis for the determination.

(b) None of the funds made available by this or any

other Act with respect to any fiscal year may be used to

procure paper for passports granted or issued pursuant to the

first section of the Act entitled "An Act to regulate the issue

and validity of passports, and for other purposes", approved

July 3, 1926 (22 U.S.C. 211a), if such paper is manufactured

outside of the United States or its possessions or is procured

from any corporation or other entity owned or controlled by

persons not citizens of the United States. This subsection

shall not apply if no domestic manufacturer for passport

paper exists.

Sec. (135) 629 618. Temporary Authority To

Transfer Leave.—In order to ensure that the experimen-
tal use of voluntary leave transfers established under Public
Laws 99–500, 99–591, and 100–202 may continue and may
cover additional employees in fiscal year 1989, the Office of
Personnel Management may continue to operate by regula-
tion, notwithstanding chapter 63 of title 5, United States
Code, a program under which the unused accrued annual
leave of officers or employees of the Federal Government
may be transferred for use by other officers or employees who
need such leave due to a personal emergency as defined in
the regulations. The Office may provide by regulation for
such exceptions from the provisions of section 7351 of title 5
as the Office may determine appropriate for the transfer of
leave under this section. The Veterans’ Administration may
operate a similar program for employees subject to section
4108 of title 38, United States Code. The programs operated
under this section shall expire at the end of fiscal year 1989,
but any leave that has been transferred to an officer or em-
ployee under the programs shall remain available for use
until the personal emergency has ended, and any remaining
unused transferred leave shall, to the extent administratively
feasible, be restored to the leave accounts of the officers or
employees from whose accounts it was originally transferred.

(136) **EMPLOYEE DISCLOSURE AGREEMENTS**

(137) **SEC. 621:** No funds appropriated in this or any
other Act for fiscal year 1989 may be used to implement or
enforce the agreements in Standard Forms 189 and 4192 of

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the Government or any other nondisclosure policy, form or agreement if such policy, form or agreement:

(1) concerns information other than that specifically marked as classified; or, unmarked but known by the employee to be classified; or, unclassified but known by the employee to be in the process of a classification determination;

(2) contains the term classifiable;

(3) directly or indirectly obstructs, by requirement of prior written authorization, limitation of authorized disclosure, or otherwise, the right of any individual to petition or communicate with Members of Congress in a secure manner as provided by the rules and procedures of the Congress;

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

(5) imposes any obligations or invokes any remedies inconsistent with statutory law.

Provided: That nothing in this section shall affect the enforcement of those aspects of such nondisclosure policy, form or agreement that do not fall within subsection (1)–(5) of this section.
Sec. 622. (a)(1)(A) Notwithstanding any other provision of law, in the case of fiscal year 1989, the overall percentage of the adjustment under section 5305 of title 5, United States Code; in the rates of pay under the General Schedule; and in the rates of pay under the other statutory pay systems, shall be an increase of 4 percent, except for any office or position in the legislative, executive, or judicial branch or in the government of the District of Columbia if the rate of salary or basic pay payable for that office or position as of September 30, 1988, was equal to or greater than the rate of basic pay then payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(B) Each increase in a pay rate or schedule which takes effect pursuant to subparagraph (A) shall, to the maximum extent practicable, be of the same percentage; and shall take effect as of the first day of the first applicable pay period commencing on or after January 1, 1989.

(2) Notwithstanding any other provision of law, amounts appropriated in order to provide for the adjustment under paragraph (1) shall cover not to exceed 50 percent of the increase in total pay for fiscal year 1989.

(3) For the purpose of this subsection—

(A) the term "total pay" means, with respect to a fiscal year, the total amount of basic pay which will be
payable to employees covered by the statutory pay systems for service performed during such year;

(B) the term "increase in total pay" means, with respect to a fiscal year, that part of total pay for such year which is attributable to the adjustment taking effect under this subsection during such year; and

(C) the term "statutory pay system" has the meaning given such term by section 5301(c) of title 5, United States Code.

(b)(1) Any adjustment required by section 1009 of title 27, United States Code, in elements of the compensation of members of the uniformed services to become effective during fiscal year 1989 shall not be made.

(2) The rates of basic pay, basic allowance for subsistence, and basic allowance for quarters of members of the uniformed services are increased by 4 percent effective on January 1, 1989.

(139) Sec. 619. (a)(1)(A) Notwithstanding any other provision of law, in the case of fiscal year 1989, the overall percentage of the adjustment under section 5305 of title 5, United States Code, in the rates of pay under the General Schedule, and in the rates of pay under the other statutory pay systems, shall be an increase of 4 percent.

(B) Each increase in a pay rate or schedule which takes effect pursuant to subparagraph (A) shall, to the maximum
extent practicable, be of the same percentage, and shall take effect as of the first day of the first applicable pay period commencing on or after January 1, 1989.

(2) For the purpose of this subsection—

(A) the term "total pay" means, with respect to a fiscal year, the total amount of basic pay which will be payable to employees covered by the statutory pay systems for service performed during such year;

(B) the term "increase in total pay" means, with respect to a fiscal year, that part of total pay for such year which is attributable to the adjustment taking effect under this subsection during such year; and

(C) the term "statutory pay system" has the meaning given such term by section 5301(c) of title 5, United States Code.

(b) Notwithstanding any other provision of this Act or any other law, no adjustment in rates of pay under section 5305 of title 5, United States Code, which becomes effective on or after October 1, 1988, and before October 1, 1989, shall have the effect of increasing the rate of salary or basic pay for any Members of the United States Congress.

(c)(1) Notwithstanding any provision of section 225 of the Federal Salary Act of 1967 (2 U.S.C. 351 et seq.) in the application of such provisions to the rates of pay of Members of Congress, no Member of Congress may receive
an increase in rate of pay pursuant to any recommendation
under section 225(h) of such Act, unless such recommenda-
tion is approved by joint resolution on only the issue of such
increase by recorded vote.

(2) Notwithstanding the provisions of section 601(a)(2)
of the Legislative Reorganization Act of 1946 (2 U.S.C.
31(2)) or any other provision of law, no increase in the rates
of pay under section 5305 of title 5, United States Code, in
any fiscal year shall have the effect of increasing the rate of
pay of any Member of Congress, unless such increase in the
rates of pay for Members of Congress is approved by joint
resolution on only the issue of such increase by recorded vote.

(141) Sec. 623. Effective September 1, 1989, none of
the funds made available to the Department of the Treasury
by this Act shall be used to store, protect, maintain, own,
hold or otherwise control more than 35,000,000 fine troy
ounces of silver.

(142) Sec. 624. Effective September 1, 1990; none of
the funds made available to the Department of the Treasury
by this or any other Act with respect to any fiscal year shall
be used to store, protect, maintain, own, hold or otherwise
control more than 30,000,000 fine troy ounces of silver.

(143) Sec. 625. Effective September 1, 1991, none of
the funds made available to the Department of the Treasury
by this or any other Act with respect to any fiscal year shall
be used to store, protect, maintain, own, hold or otherwise control more than 25,000,000 fine troy ounces of silver.

(144) Sec. 626. The Secretary of the Treasury may reduce the amount of silver required to be sold pursuant to this Act if he makes a written determination to the Congress that such a sale will severely disrupt the domestic market for silver.

(145) Sec. 620. Notwithstanding any other provision of law, no Executive Branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the House and Senate Committees on Appropriations.

(146) Sec. 621. Employees currently performing stockpile management and related functions in the Federal Property Resources Service, General Services Administration, pursuant to the Strategic and Critical Materials Stockpiling Act shall continue to perform these functions notwithstanding enactment of any amendments to this Act placing the direct functional responsibilities in another Federal department or agency. Any of these employees transferred from the Federal Property Resources Service, General Services Administration, to another Federal department or agency pursuant to law shall not be subject to agency reduction-in-
force procedures nor shall they be reduced in classification or
compensation for two years after such transfer, except for
cause. A formal plan implementing these provisions shall be
submitted to the House and Senate Committees on Appro-
priations by the recipient agency prior to any actual trans-
fer that may be mandated.

Sec. 622. Funds provided in this Act may be
used for one-year contracts which are to be performed in two
fiscal years so long as the total amount for such contracts is
obligated in the year for which the funds are appropriated.

Sec. 627 623. None of the funds appropriated
by this or any other Act may be expended by any Federal
agency to procure any product or service that is subject to
the provisions of Public Law 89–306 and that will be avail-
able under the procurement by the Administrator of General
Services known as “FTS2000” unless—

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

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

(A) the agency’s requirements for such pro-
curement are unique and cannot be satisfied by
property and services procured by the Administra-
tor of General Services as part of the procurement known as "FTS2000"; and

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

(149) Sec. 628. No funds appropriated under this Act shall be expended in any workplace that is not free of illegal use or possession of controlled substances which is made known to the Federal entity or official to which funds are appropriated under this Act. Pursuant to this section an applicant for funds to be appropriated under this Act shall be ineligible to receive such funds if such applicant fails to include in its application an assurance that it has, and will administer in good faith, a policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances by its employees.

(150) Sec. 624. Notwithstanding 31 U.S.C. 1346 or section 608 of this Act, funds made available for fiscal year 1989 by this or any other Act shall be available for the inter-agency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided in Executive Order No. 12472 (April 3, 1984).
Sec. 625. Subsection (e)(1) of section 1105 of title 31, United States Code, is amended by deleting the material beginning “In addition, the analysis” through the end of subsection (e)(1).

Sec. 626. (a) Section 5724(a) of title 5, United States Code, is amended—

(1) by striking out “and” at the end of paragraph (1);

(2) by striking out the period at the end of paragraph (2) and inserting in lieu thereof “; and”; and

(3) by adding at the end the following:

“(3) upon the separation of a career appointee (as defined in section 3132(a)(4) of this title), the travel expenses of that individual, the transportation expenses of the immediate family of such individual, and the expenses of moving (including transporting, packing, crating, temporarily storing, draying, and unpacking) the household goods of such individual and personal effects not in excess of 18,000 pounds net weight, to the place where the individual will reside within the United States, its territories or possessions, the Commonwealth of Puerto Rico, or the areas and installations in the Republic of Panama made available to the United States pursuant to the Panama Canal Treaty of 1977 and related agreements, as described in section
3(a) of the Panama Canal Act of 1979 (or, if the individual dies before the travel, transportation, and moving is completed, to the place where the family will reside) if such individual—

“(A) has previously been transferred in the interest of the Government from one official station or agency to another for permanent duty as a career appointee in the Senior Executive Service; and

“(B) is eligible to receive an annuity upon such separation under the provisions of subchapter III of chapter 83 or of chapter 84 of this title.”.

(b) The amendments made by subsection (a) shall be carried out by agencies by the use of funds appropriated or otherwise available for the administrative expenses of each of such respective agencies. The amendments made by such subsection do not authorize the appropriation of funds in amounts exceeding the sums otherwise authorized to be appropriated for such agencies.

\(153\) Sec. 627. Notwithstanding any other provision of law, Public Law 89–784, 80 Stat. 1367 and Public Law 90–469, 82 Stat. 666 pertaining to the naming, maintaining and operating of the William Langer Jewel Bearing Plant are amended by striking out all references to the “General Services Administration”, “the Administrator of the General
Services” and “Administrator” and insert in lieu thereof “the National Defense Stockpile Manager”.

(154) Sec. 628. For purposes of section 1886 of the Social Security Act, Missouri Baptist Hospital of Sullivan in Sullivan, Missouri is deemed to be located in Franklin County, Missouri, retroactively effective for discharges beginning on or after December 22, 1987.

(155) Sec. 629. (a)(1) None of the funds appropriated by this Act may be obligated or expended to enter into any contract for the construction, alteration, or repair of any public building or public work in the United States or any territory or possession of the United States with any contractor or subcontractor of a foreign country, or any supplier of products of a foreign country, during any period in which such foreign country is listed by the United States Trade Representative under subsection (c) of this section.

(2) The President or the head of a Federal agency administering the funds for the construction, alteration, or repair may waive the restrictions of paragraph (1) of this subsection with respect to an individual contract if the President or the head of such agency determines that such action is necessary for the public interest. The authority of the President or the head of a Federal agency under this paragraph may not be delegated. The President or the head of a Federal agency waiving such restrictions shall, within 10 days, pub-
lish a notice thereof in the Federal Register describing in
detail the contract involved and the reason for granting the
waiver.

(b)(1) Not later than 30 days after the date of enactment
of this Act, the United States Trade Representative shall
make a determination with respect to each foreign country of
whether such foreign country—

(A) denies fair and equitable market opportunities
for products and services of the United States in proc-
curement, or

(B) denies fair and equitable market opportunities
for products and services of the United States in bid-
ding,

for construction projects that cost more than $500,000 and
are funded (in whole or in part) by the government of such
foreign country or by an entity controlled directly or indirect-
ly by such foreign country.

(2) In making determinations under paragraph (1), the
United States Trade Representative shall take into account
information obtained in preparing the report submitted under
section 181(b) of the Trade Act of 1974 and such other infor-
mation or evidence concerning discrimination in construction
projects against United States products and services that are
available.
(c)(1) The United States Trade Representative shall maintain a list of each foreign country which—

(A) denies fair and equitable market opportunities for products and services of the United States in procurement, or

(B) denies fair and equitable market opportunities for products and services of the United States in bidding,

for construction projects that cost more than $500,000 and are funded (in whole or in part) by the government of such foreign country or by an entity controlled directly or indirectly by such foreign country.

(2) Any foreign country that is initially listed or that is added to the list maintained under paragraph (1) shall remain on the list until—

(A) such country removes the barriers in construction projects to United States products and services;

(B) such country submits to the United States Trade Representative evidence demonstrating that such barriers have been removed; and

(C) the United States Trade Representative conducts an investigation to verify independently that such barriers have been removed and submits, at least 30 days before granting any such waiver, a report to each
House of the Congress identifying the barriers and describing the actions taken to remove them.

(3) The United States Trade Representative shall publish in the Federal Register the entire list required under paragraph (1) and shall publish in the Federal Register any modifications to such list that are made after publication of the original list.

(d) For purposes of this section—

(1) The term “foreign country” includes any foreign instrumentality. Each territory or possession of a foreign country that is administered separately for customs purposes shall be treated as a separate foreign country.

(2) Any contractor or subcontractor that is a citizen or national of a foreign country, or is controlled directly or indirectly by citizens or nationals of a foreign country, shall be considered to be a contractor or subcontractor of such foreign country.

(3) Subject to paragraph (4), any product that is produced or manufactured (in whole or in substantial part) in a foreign country shall be considered to be a product of such foreign country.

(4) The restrictions of subsection (a)(1) shall not prohibit the use, in the construction, alteration, or
repair of a public building or public work, or vehicles
or construction equipment of a foreign country.

(5) The terms "contractor" and "subcontractor"
includes any person performing any architectural, en-
gineering, or other services directly related to the prep-
aration for or performance of the construction, alter-
ation, or repair.

(e) Paragraph (a)(1) of this section shall not apply to
contracts entered into prior to the date of enactment of this
Act.

(f) The provisions of this section are in addition to, and
do not limit or supersede, any other restrictions contained in
any other Federal law.

This Act may be cited as the "Treasury, Postal Service
and General Government Appropriations Act, 1989".


Attest: DONNALD K. ANDERSON,
Clerk.

Passed the Senate with amendments June 27, 1988.

Attest: WALTER J. STEWART,
Secretary.