

103RD CONGRESS
1ST SESSION

H. R. 2403

AMENDMENTS

In the Senate of the United States,

August 3 (legislative day, June 30), 1993.

Resolved, That the bill from the House of Representatives (H.R. 2403) entitled “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, 1994, and for other purposes”, do pass with the following

AMENDMENTS:

1 **(1)**Page 2, line 15, after “Offices;” insert: *of which not*
2 *less than \$6,902,000 and 90 full-time equivalent positions*
3 *shall be available for enforcement activities, and of which*
4 *no less than \$2,971,000 and 46 full-time equivalent posi-*
5 *tions shall be available for the Office of Foreign Assets Con-*
6 *trol;*

7 **(2)**Page 2, line 21, strike out **[\$104,597,000]** and in-
8 sert: *\$105,700,000*

9 **(3)**Page 3, line 6, strike out all after “\$28,897,000”
10 down to and including “Institute” in line 8

11 **(4)**Page 3, line 19, strike out **[\$14,770,000]** and insert:
12 *\$50,000,000*

1 **(5)**Page 5, line 6, after “authority” insert: : *Provided*
2 *further, That the Center is authorized to obligate funds in*
3 *anticipation of reimbursements from agencies receiving*
4 *training at the Federal Law Enforcement Training Center*

5 **(6)**Page 5, line 9, strike out **【\$47,195,000】** and insert:
6 *\$47,695,000*

7 **(7)**Page 5, line 15, strike out **【\$7,712,000】** and insert:
8 *\$12,712,000*

9 **(8)**Page 5, line 20, strike out **【\$9,748,000】** and insert:
10 *\$11,539,000*

11 **(9)**Page 6, line 18, strike out **【\$364,245,000】** and in-
12 *sert: \$368,046,000, not to exceed \$100,000 shall be available*
13 *for hosting or participating in the Interagency Committee*
14 *on Women in Federal Law Enforcement Conference, the*
15 *Law Enforcement Explorer Scouts Conference, and the*
16 *International Asian Organized Crime Conference*

17 **(10)**Page 7, line 7, strike out all after “That” down to
18 and including “That” in line 18

19 **(11)**Page 7, line 20, after “925(c)” insert: : *Provided*
20 *further, That such funds shall be available to investigate*
21 *and act upon applications filed by corporations for relief*
22 *from Federal firearms disabilities under 18 U.S.C section*
23 *925(c)*

1 **(12)**Page 7, line 20, after “925(c)” insert: : *Provided*
2 *further, That funds made available under this Act shall be*
3 *used to achieve a minimum level of 4,261 full-time equiva-*
4 *lent positions for fiscal year 1994, of which no fewer than*
5 *1,440 shall be allocated for the Armed Career Criminal Ap-*
6 *prehension Program*

7 **(13)**Page 7, line 20, after “925(c)” insert: : *Provided*
8 *further, That no funds made available by this or any other*
9 *Act may be used to plan or implement any reorganization*
10 *of the Bureau of Alcohol, Tobacco and Firearms or transfer*
11 *of the Bureau’s functions, missions, or activities to other*
12 *agencies or Departments in the fiscal year ending on Sep-*
13 *tember 30, 1994*

14 **(14)**Page 8, line 12, strike out **[\$1,311,819,000]** and
15 insert: *\$1,363,668,000*

16 **(15)**Page 8, line 20, after “shall be” insert: *available*
17 *until expended*

18 **(16)**Page 9, line 8, after “1994” insert: : *Provided fur-*
19 *ther, That the United States Customs Service shall hire and*
20 *maintain an average of not less than 17,941 full-time equiv-*
21 *alent positions in fiscal year 1994, of which a minimum*
22 *level of 960 full-time equivalent positions shall be allocated*
23 *to air interdiction activities of the United States Customs*
24 *Service*

1 (17)Page 9, line 18, after “interdiction” insert: *and de-*
2 *mand reduction*

3 (18)Page 9, line 22, strike out **[\$46,063,000]** and in-
4 sert: *\$47,863,000*

5 (19)Page 10, lines 1 and 2, strike out **[defense-related]**

6 (20)Page 10, after line 9, insert:

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

9 *For acquisition of necessary additional real property,*
10 *facilities, construction, improvements, and related expenses*
11 *of the United States Customs Service, \$10,000,000, to re-*
12 *main available until expended.*

13 (21)Page 11, line 10, strike out **[\$189,209,000]** and
14 insert: *\$187,209,000*

15 (22)Page 11, lines 25 and 26, strike out **[, and of which**
16 **not to exceed \$500,000 shall be for research]**

17 (23)Page 12, lines 11 and 12, strike out **[; and of which**
18 **not to exceed \$1,000,000 for research]**

19 (24)Page 13, lines 10 and 11, strike out
20 **[\$4,007,962,000 of which not to exceed \$1,000,000 is for**
21 **research]** and insert: *\$4,043,281,000, of which not to ex-*
22 *ceed \$1,000,000 shall remain available until expended for*

1 *research; and of which not less than \$360,700,000 and 4,921*
2 *full-time equivalent positions shall be available for tax*
3 *fraud investigation activities*

4 **(25)**Page 13, line 20, strike out **【\$1,402,629,000】** and
5 insert: *\$1,487,722,000*

6 **(26)**Page 14, line 1, strike out all after “expended”
7 down to and including “Modernization” in line 6

8 **(27)**Page 16, line 5, strike out **【\$457,360,000】** and in-
9 sert: *\$461,931,000*

10 **(28)**Page 16, strike out lines 14 to 23

11 **(29)**Page 16, after line 23, insert:

12 *SEC. 101. Any obligation or expenditure by the Sec-*
13 *retary in connection with law enforcement activities of a*
14 *Federal agency or of a Department of the Treasury law en-*
15 *forcement organization in accordance with 31 U.S.C.*
16 *9703(g)(4)(B) from unobligated balances remaining in the*
17 *Fund on September 30, 1994, shall be made only upon ad-*
18 *vance approval of the House and Senate Committees on Ap-*
19 *propriations.*

20 **(30)**Page 18, strike out lines 5 to 18

21 **(31)**Page 18, strike out lines 19 to 22

1 **(32)**Page 18, strike out all after line 22 over to and
2 including line 11 on page 19

3 **(33)**Page 19, after line 11, insert:

4 *SEC. 108. Notwithstanding any other provision of law,*
5 *the Secretary of the Treasury shall establish an office of the*
6 *undersecretary for enforcement within the Department of*
7 *the Treasury by no later than February 15, 1994.*

8 **(34)**Page 19, after line 11, insert:

9 *SEC. 109. (a) Notwithstanding any other provision of*
10 *law, hereafter, for purposes of complying with Executive*
11 *Order No. 12839 and guidance issued thereunder, the num-*
12 *ber of civilian personnel positions that the Department of*
13 *the Treasury may be required to eliminate in fiscal year*
14 *1994 and in fiscal year 1995 shall not exceed a number*
15 *determined for each year by multiplying a fiscal year 1993*
16 *base which excludes all exempt positions by the applicable*
17 *percentages in Executive Order No. 12839.*

18 *(b) For the purposes of this section, "exempt position"*
19 *means a personnel position in the Department of the Treas-*
20 *ury which the Secretary of the Treasury determines to be*
21 *primarily employed in drug control, law enforcement, trade*
22 *facilitation, or services to the public.*

23 **(35)**Page 19, after line 11, insert:

1 *SEC. 110. The Internal Revenue Service shall institute*
2 *policies and procedures which will safeguard the confiden-*
3 *tiality of taxpayer information. The Service shall report to*
4 *the Committees on Appropriations of the House and Senate,*
5 *the House Committee on Ways and Means, and the Senate*
6 *Committee on Finance, no later than December 31, 1993,*
7 *the steps the Service has taken to minimize unauthorized*
8 *access to taxpayer data.*

9 **(36)**Page 21, line 18, strike out **【\$38,914,000】** and in-
10 sert: *\$38,754,000*

11 **(37)**Page 23, line 15, strike out **【\$6,648,000】** and in-
12 sert: *\$8,209,000*

13 **(38)**Page 24, line 1, strike out **【\$56,539,000】** and in-
14 sert: *\$53,481,000*

15 **(39)**Page 24, after line 21, insert:

16 *OFFICE OF FEDERAL PROCUREMENT POLICY*

17 *SALARIES AND EXPENSES*

18 *For expenses of the Office of Federal Procurement Pol-*
19 *icy, including services as authorized by 5 U.S.C. 3109;*
20 *\$3,058,000.*

21 **(40)**Page 25, line 6, strike out all after “bursement;”
22 down to and including “expenditures” in line 10, and in-
23 sert: *\$11,687,000, of which not less than \$900,000 and four*

1 *full-time equivalent positions shall be available for the*
2 *Counter-Drug Technology Assessment Center: Provided,*
3 *That the Office of National Drug Control Policy shall hire*
4 *and maintain not less than 60 full-time equivalent posi-*
5 *tions in fiscal year 1994*

6 **(41)**Page 25, line 24, strike out all after “activities”
7 over to and including “activities” in line 8 on page 26
8 and insert: *which are consistent with the approved strategy*
9 *for each of the High Intensity Drug Trafficking Areas, of*
10 *which no less than \$43,000,000 shall be transferred to State*
11 *and local entities for drug control activities; and of which*
12 *up to \$43,000,000 may be transferred to Federal agencies*
13 *and departments at a rate to be determined by the Director:*
14 *Provided, That the funds made available under this head*
15 *shall be obligated within 90 days of enactment of this Act*

16 **(42)**Page 26, strike out lines 11 to 26 and insert:

17 *For activities authorized by Public Law 100-690,*
18 *\$75,000,000, of which \$28,000,000 shall be derived from de-*
19 *posits in the Special Forfeiture Fund; of which \$35,000,000*
20 *shall be transferred to the Substance Abuse and Mental*
21 *Health Services Administration, and of which \$10,000,000*
22 *shall be available to the Center for Substance Abuse Preven-*
23 *tion for community partnership grants, and of which*
24 *\$5,000,000 shall be available to the Center for Substance*
25 *Abuse Prevention for the residential women/children pro-*

1 *gram, and of which \$10,000,000 shall be available for the*
2 *Substance Abuse Prevention and Treatment Block Grant to*
3 *the States, and of which \$10,000,000 shall be available for*
4 *capacity expansion treatment programs; of which*
5 *\$15,000,000, to remain available until expended, shall be*
6 *transferred to the Counter-Drug Technology Assessment*
7 *Center for counternarcotics research and development*
8 *projects and shall be available for transfer to other Federal*
9 *departments or agencies; of which \$5,000,000 shall be trans-*
10 *ferred to the Bureau of Alcohol, Tobacco and Firearms for*
11 *gang resistance education and training programs; and of*
12 *which \$20,000,000 shall be transferred to drug control agen-*
13 *cies in amounts to be determined by the Director, upon the*
14 *advance approval of the House and Senate Committees on*
15 *Appropriations.*

16 **(43)**Page 27, after line 4, insert:

17 *ADMINISTRATIVE CONFERENCE OF THE UNITED STATES*
18 *SALARIES AND EXPENSES*

19 *For necessary expenses of the Administrative Con-*
20 *ference of the United States, established by the Administra-*
21 *tive Conference Act, as amended (5 U.S.C. 571 et seq.), in-*
22 *cluding not to exceed \$1,000 for official reception and rep-*
23 *resentation expenses, \$1,800,000.*

24 *SEC. 400. Notwithstanding any other provision of this*
25 *Act, each amount of budget authority for fiscal year 1994*

1 *provided in this Act for payments not required by law is*
2 *reduced by 1.478 percent. Such reductions shall be applied*
3 *ratably to each account, program, activity, and project pro-*
4 *vided for in this Act.*

5 *Notwithstanding any provision of this or any Act, sec-*
6 *tion 6962j of 42 U.S.C. is amended as follows, by striking*
7 *paragraphs (a) through (e) and inserting in lieu thereof:*

8 *“(a) Notwithstanding any other provision of law, a*
9 *Federal agency in conducting a procurement for toner car-*
10 *tridges for use in laser printers, photocopiers, facsimile ma-*
11 *chines, or micrographic printers is authorized to give pref-*
12 *erence to recycled toner cartridges unless the contracting or*
13 *purchasing officer determines in writing that—*

14 *“(1) adequate market research establishes that re-*
15 *cycled cartridges for the type of equipment used by*
16 *the agency do not exist,*

17 *“(2) the price or life cycle cost offered for the re-*
18 *cycled cartridge is higher than the original equipment*
19 *manufacturer’s new cartridge, or*

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

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

1 **(44)**Page 27, after line 4, insert:

2 *CITIZENS' COMMISSION ON PUBLIC SERVICE AND*
3 *COMPENSATION*
4 *SALARIES AND EXPENSES*
5 *(RESCISSION)*

6 *Of the funds made available under this heading in*
7 *Public Law 102-393, \$250,000 are rescinded.*

8 **(45)**Page 27, after line 4, insert:

9 *ADVISORY COMMISSION ON INTERGOVERNMENTAL*
10 *RELATIONS*
11 *SALARIES AND EXPENSES*

12 *For expenses necessary to carry out the provisions of*
13 *the Advisory Commission on Intergovernmental Relations*
14 *Act of 1959, as amended (42 U.S.C. 4271-79); \$1,000,000,*
15 *and additional amounts collected from the sale of publica-*
16 *tions shall be credited to and used for the purposes of this*
17 *appropriation.*

18 **(46)**Page 27, line 8, strike out **【The revenues and col-**
19 **lections deposited into】** and insert: *For additional expenses*
20 *necessary to carry out the purpose of*

21 **(47)**Page 27, line 11, after “490(f),” insert:
22 *\$312,814,000, to be deposited into said Fund. The revenues*
23 *and collections deposited into the Fund*

1 (48)Page 28, lines 8 and 9, strike out **【\$5,185,611,000,**
2 including \$295,294,000 of unobligated balances in the
3 fund**】** and insert: *\$5,253,877,000*

4 (49)Page 28, line 10, strike out **【\$820,476,000】** and
5 insert: *\$933,787,000*

6 (50)Page 28, strike out all after line 14 over to and
7 including “\$5,525,300” in line 13 on page 31 and insert:

8 *Alabama:*

9 *Montgomery, U.S. Courthouse Annex, \$5,195,000*

10 *Arkansas:*

11 *Little Rock, Old Law School Building, Expan-*
12 *sion/Alteration, \$14,098,000*

13 *Arizona:*

14 *Phoenix, U.S. Courthouse, \$180,000,000*

15 *Safford, Forest Service Administrative Offices*
16 *and Cultural Center, \$6,000,000*

17 *Sierra Vista, U.S. Magistrates Office, \$1,000,000*

18 *California:*

19 *Sacramento, U.S. Courthouse and Federal*
20 *Building, \$162,225,000*

21 *San Jose, Federal Office building, claim,*
22 *\$1,866,000*

23 *Santa Ana, Federal Building and U.S. Court-*
24 *house, \$103,000,000*

25 *Florida:*

1 Tampa, U.S. Courthouse, \$68,058,000

2 Georgia:

3 Atlanta, Centers for Disease Control, Laboratory
4 and office building, \$15,000,000

5 Augusta, U.S. Courthouse, \$1,000,000

6 Maryland:

7 Bowie, Bureau of the Census, Computer Center,
8 \$27,915,000

9 Montgomery and Prince George's Counties, Food
10 and Drug Administration, consolidation, site acqui-
11 sition, planning, design, and construction, \$73,921,000

12 Massachusetts:

13 Boston, Federal Building and U.S. Courthouse,
14 \$19,000,000

15 Missouri:

16 Cape Girardeau, Federal Office Building and
17 U.S. Courthouse, \$3,822,000

18 Kansas City, U.S. Courthouse, \$20,000,000

19 St. Louis, U.S. Courthouse, \$30,000,000

20 Nebraska:

21 Omaha, Federal Building and U.S. Courthouse,
22 \$9,553,000

23 New Jersey:

24 Newark, Martin Luther King, Jr. Federal Build-
25 ing and U.S. Courthouse, escalation, \$4,868,000

1 *New York:*

2 *Brooklyn, U.S. Courthouse, \$30,000,000*

3 *North Dakota:*

4 *Pembina, Border Station, \$96,000*

5 *Oregon:*

6 *Portland, U.S. Courthouse, \$96,390,000*

7 *Texas:*

8 *Laredo, Federal Building-U.S. Courthouse,*
9 *\$3,047,000*

10 *Vermont:*

11 *Highgate Springs, Border Station, \$6,851,000*

12 *Washington:*

13 *Lynden, Federal Building, claim, \$357,000*

14 *West Virginia:*

15 *Wheeling, Federal Building-U.S. Courthouse,*
16 *\$45,000,000*

17 *Nonprospectus construction projects, \$5,525,000*

18 **(51)**Page 31, line 13, strike out all after “\$5,525,300”

19 down to and including “*further*” in line 19 and insert: :

20 *Provided*

21 **(52)**Page 32, line 6, strike out **[\$107,781,000]** and in-

22 sert: *\$185,344,000*

23 **(53)**Page 32, line 6, after “rescinded” insert: : *Provided*

24 *further, That the amount made available under the heading*

1 *“New Construction” in Public Law 102–393, for Hilo, Ha-*
2 *waii, shall be available for payment to a public entity in*
3 *the State of Hawaii for the construction of facilities to house*
4 *governmental agencies; the governmental agencies to be*
5 *housed shall be designated by the Administrator of General*
6 *Services and such agencies shall be housed rent free, exclu-*
7 *sive of operating expenses*

8 **(54)**Page 32, line 13, strike out **[\$546,682,000]** and
9 insert: *\$516,782,000*

10 **(55)**Page 34, strike out line 10

11 **(56)**Page 34, line 11, strike out all after “\$10,000,000”
12 down to and including “installations” in line 14

13 **(57)**Page 34, after line 14, insert:

14 *Capital Improvements of United States-Mexico, border*
15 *facilities, \$6,800,000 as follows:*

16 *Arizona:*

17 *Lukeville, commercial lot expansion, \$3,050,000*

18 *San Luis, commercial office space, \$209,000*

19 *San Luis, primary lane expansion and adminis-*
20 *trative office space, \$3,541,000.*

21 **(58)**Page 35, line 10, strike out **[\$118,108,000]** and
22 insert: *\$119,108,000*

1 (59)Page 35, line 12, strike out **【\$2,124,373,000】** and
2 insert: *\$2,117,421,000*

3 (60)Page 35, line 13, strike out **【\$1,231,085,000】** and
4 insert: *\$1,226,085,000*

5 (61)Page 35, line 15, strike out **【\$188,274,000】** and
6 insert: *\$184,081,000*

7 (62)Page 35, line 17, strike out all after “expended”
8 over to and including “prospectus” in line 6 on page 36

9 (63)Page 36, line 6, strike out all after “prospectus”
10 down to and including “Agriculture” in line 11

11 (64)Page 37, line 6, after “prospectus” insert: : *Pro-*
12 *vided further, That no funds shall be made available for*
13 *leases, line-item construction, repairs, or alterations*
14 *projects in this Act that are subject to section 7(a) of the*
15 *Public Buildings Act of 1959 (40 U.S.C. 606(a)) prior to*
16 *February 1, 1994, unless the projects are approved by the*
17 *Committee on Environment and Public Works of the Sen-*
18 *ate: Provided further, That in no case shall funds be made*
19 *available for any lease, line-item construction, repair, or*
20 *alterations project referred to in the preceding proviso if*
21 *prior to February 1, 1994, the lease, line-item construction,*
22 *repair, or alterations project has been disapproved by either*
23 *the Committee on Environment and Public Works of the*

1 *Senate: Provided further, That the Administrator of Gen-*
2 *eral Services shall submit detailed information on each*
3 *lease, line-item construction, repair, and alterations project*
4 *in this Act that is subject to section 7(a) of the Public*
5 *Buildings Act of 1959 (40 U.S.C. 606(a)) to the Committee*
6 *on Environment and Public Works of the Senate not later*
7 *than 30 days after the date of enactment of this Act*

8 **(65)**Page 37, line 25, strike out **【\$5,185,611,000】** and
9 insert: *\$5,253,877,000*

10 **(66)**Page 38, line 12, strike out **【\$55,804,000】** and in-
11 sert: *\$43,420,000*

12 **(67)**Page 38, line 20, strike out all after “3109;” down
13 to and including “organization” in line 23 and insert:
14 *\$44,730,000*

15 **(68)**Page 42, strike out lines 1 to 19

16 **(69)**Page 42, after line 19 insert:

17 *SEC. 5. For fiscal year 1993 and thereafter, at no later*
18 *than the end of the fifth fiscal year after the fiscal year*
19 *for which funds are appropriated or otherwise made avail-*
20 *able, unobligated balances of operating expenses and sala-*
21 *ries and expenses appropriations available to GSA during*
22 *such fiscal year may be transferred and merged into the*
23 *“Major equipment acquisitions and development activity”*

1 *of the Salaries and Expenses, General Management and Ad-*
2 *ministration appropriation account for agency-wide acqui-*
3 *sition of capital equipment, automated data processing sys-*
4 *tems, and for financial management and management in-*
5 *formation systems needed to implement the Chief Financial*
6 *Officers Act, Public Law 101-576, and any other laws or*
7 *regulations. The unobligated balances transferred shall re-*
8 *main available until expended: Provided, That any pro-*
9 *posed use of these transferred funds in fiscal year 1993 and*
10 *thereafter shall only be made after advance approval by the*
11 *Committees on Appropriations of the House and Senate.*

12 **(70)Page 44, after line 16 insert:**

13 *SEC. 7. Section 204 of the Federal Property and Ad-*
14 *ministrative Services Act of 1949 is amended by adding*
15 *a subsection (i) to provide that the Administrator may re-*
16 *tain from the proceeds of sales of personal property con-*
17 *ducted by the General Services Administration amounts*
18 *necessary to recover, to the extent practicable, costs incurred*
19 *by the General Services Administration (or its agent) in*
20 *conducting such sales. The Administrator shall deposit*
21 *amounts retained into the General Supply Fund established*
22 *under section 109(a) of the Federal Property and Adminis-*
23 *trative Services Act of 1949 and may use such portion of*
24 *amounts so deposited as is necessary to pay (1) direct costs*
25 *incurred by the General Services Administration in con-*

1 *ducting sales of personal property, and (2) indirect costs*
2 *incurred by the General Services Administration that are*
3 *reasonably related to those sales. Amounts retained that are*
4 *not needed to pay the direct and indirect costs incurred*
5 *shall periodically, but not less than annually, be transferred*
6 *from the General Supply Fund to the general fund or an-*
7 *other appropriate account in the Treasury.*

8 **(71)**Page 44, after line 16 insert:

9 *SEC. 8. Notwithstanding any other provision of law,*
10 *the Administrator of General Services is hereby authorized*
11 *to acquire a site suitable to the General Services Adminis-*
12 *tration of approximately 4 acres of land in the City of Tuc-*
13 *son, Arizona for a Federal courthouse; this is to be accom-*
14 *plished through an exchange with the City of Tucson for*
15 *Federal real property in that city under the jurisdiction*
16 *of the General Services Administration.*

17 **(72)**Page 44, after line 16 insert:

18 *SEC. 9. None of the funds appropriated by this Act*
19 *may be obligated or expended in any way for the purpose*
20 *of the sale, excessing, surplusing, or disposal of lands in*
21 *the vicinity of Norfolk Lake, Arkansas, administered by the*
22 *Corps of Engineers, Department of the Army, without the*
23 *specific approval of the Congress.*

24 **(73)**Page 44, after line 16 insert:

1 *SEC. 10. None of the funds appropriated by this Act*
2 *may be obligated or expended in any way for the purpose*
3 *of the sale, excessing, surplusing, or disposal of lands in*
4 *the vicinity of Bull Shoals Lake, Arkansas, administered*
5 *by the Corps of Engineers, Department of the Army, with-*
6 *out the specific approval of the Congress.*

7 **(74)**Page 44, after line 16 insert:

8 *SEC. 11. The General Services Administration is di-*
9 *rected, through a sole-source procurement process, to utilize*
10 *lease space in an office complex to be located on the Victory*
11 *Optical site, One Victory Plaza, in the City of Newark,*
12 *County of Essex, State of New Jersey, for future long term*
13 *office space needs in the City of Newark and surrounding*
14 *area of up to 400,000 square feet of space pursuant to the*
15 *availability of Federal tenants: Provided, That such lease*
16 *shall be authorized only if it meets the criteria of an “oper-*
17 *ating lease” as defined under the Budget Enforcement Act*
18 *of 1990, Public Law 101–508. The lease rate for such office*
19 *space shall not exceed comparable rates for equivalent space*
20 *in the surrounding area or comparable rates in the office*
21 *complex.*

22 **(75)**Page 47, line 9, strike out all after “Commission”
23 down to and including “101–363” in line 13

1 **(76)**Page 48, line 9, strike out **[\$4,146,480,000]** and
2 insert: *\$3,458,480,000*

3 **(77)**Page 51, line 1, strike out **[\$193,182,000]** and in-
4 sert: *\$196,482,000*

5 **(78)**Page 51, line 2, strike out **[\$4,000,000]** and insert:
6 *\$6,000,000*

7 **(79)**Page 52, line 16, strike out **[\$33,650,000]** and in-
8 sert: *\$35,350,000*

9 **(80)**Page 54, strike out lines 22 to 25

10 **(81)**Page 58, strike out lines 18 to 21

11 **(82)**Page 58, after line 21 insert:

12 *SEC. 517. Such sums as may be necessary for fiscal*
13 *year 1994 pay raises for programs funded by this Act shall*
14 *be absorbed within the levels appropriated by this Act.*

15 **(83)**Page 60, strike out lines 1 to 6

16 **(84)**Page 60, strike out all after line 20 over to and
17 including line 15 on page 61

18 **(85)**Page 61, after line 15 insert:

19 *SEC. 524. (a) The Secretary of the Treasury shall im-*
20 *plement the plan announced by the Bureau of the Public*

1 *Debt on March 19, 1991, to consolidate such Bureau's oper-*
2 *ations in Parkersburg, West Virginia.*

3 *(b) The consolidation referred to in subsection (a) shall*
4 *be completed by December 31, 1995, in accordance with the*
5 *plan of the Bureau of the Public Debt.*

6 **(86)**Page 61, strike out all after line 15 over to and
7 including line 15 on page 62

8 **(87)**Page 62, strike out lines 16 to 21

9 **(88)**Page 62, strike out all after line 21 over to and
10 including line 5 on page 63

11 **(89)**Page 63, strike out lines 6 to 11

12 **(90)**Page 63, strike out lines 12 to 25

13 **(91)**Page 64, strike out lines 1 to 11

14 **(92)**Page 64, after line 11 insert:

15 *SEC. 531. (a) Notwithstanding any other provision of*
16 *law, including any law which requires that property of the*
17 *United States be used for a particular purpose, the Admin-*
18 *istrator of General Services shall transfer to the Secretary*
19 *of the Interior jurisdiction over the 1.9592 acres of land,*
20 *and any related structures, located at the southwest corner*
21 *of 12th and Indian School Road, N.W., Albuquerque, New*
22 *Mexico, and described as follows:*

1 *A tract of land being within the original Old Indian*
 2 *School Boundary and situated within the east half (E¹/₂),*
 3 *Section 7, T. sec. 10 N., R. 3E, New Mexico Principal Me-*
 4 *ridian, Bernalillo County, New Mexico, being more particu-*
 5 *larly described by metes and bounds as follows:*

6 *Beginning at the southwest corner of said tract being*
 7 *a point intersecting the easterly right-of-way of 12th Street*
 8 *and the southerly line of the original 1905 Indian School*
 9 *property, being a brass cap marked "R/W 12th St. & Tr.*
 10 *A, cor. 1", "KEENE 8489"; Whence from said point of be-*
 11 *ginning, the New Mexico State Highway Triangulation*
 12 *Station I-40-15, having an established coordinate of*
 13 *Y= 1,494,103.76 and X= 378,204.72, central zone on the*
 14 *New Mexico coordinate system, being a brass cap, bears S.*
 15 *12° 19' 44" E., and is a distance of 927.86 feet; Thence N.*
 16 *08° 26' 59" E. 79.89 feet along the said easterly right-of-way*
 17 *to a rebar/cap "KEENE 8489"; Thence S. 68° 50' 15" E.,*
 18 *a distance of 98.29 feet to a rebar; Thence N. 21° 43' 45"*
 19 *E., 133.44 feet to a rebar; Thence S. 64° 46' 15" E., 154.00*
 20 *feet to a rebar; Thence N. 22° 47' 56" E., 12.94 feet to a*
 21 *rebar; Thence S. 67° 47' 51" E., 79.53 feet to a rebar; Thence*
 22 *S. 20° 06' 41" W., 40.33 feet to a rebar; Thence S. 67° 16' 45"*
 23 *E., 105.98 feet to a nail in concrete; Thence S. 22° 19' 15"*
 24 *W., 224.22 feet to a nail in pavement; Thence N. 74° 56' 54"*
 25 *W., 1.33 feet to an angle point being a brass cap marked*

1 “Tr. A, cor. 13 & Tr. B, cor. 4”, “KEENE 8489”; Thence
2 N. 61° 14’ 00” W., 125.73 feet to an angle point being a brass
3 cap marked “Tr. A, cor. 14 & Tr. 1, cor. 2/ Tr. B, cor.
4 3”, “KEENE 8489”; Thence N. 61° 14’ 00” W., 294.33 feet
5 to the point and place of beginning. Said tract contains
6 an area of 1.9592 acres.

7 (b) Lands and related structures described in sub-
8 section (a) shall, on and after the transfer of jurisdiction
9 required under subsection (a), be held by the United States
10 in trust for the benefit and use of the Nineteen Indian Pueb-
11 lo Tribes of New Mexico comprising the All Indian Pueblo
12 Council as tenants in common.

13 (c) The transfer of the property described in subsection
14 (a) shall be without monetary consideration.

15 (d) Lands and related structures held in trust for the
16 benefit and use of the Nineteen Indian Pueblo Tribes of New
17 Mexico under subsection (b) shall have the same tax-exempt
18 status as that of other lands and structures held in trust
19 by the United States for the benefit and use of an Indian
20 tribe, including exemption from taxes imposed by any
21 State, county, city or other local governmental entity, and
22 shall be exempt from any associated land use regulation im-
23 posed by any such governmental entity.

24 (e) Nothing in this section shall prohibit the use by
25 the Nineteen Indian Pueblo Tribes of New Mexico of the

1 *land and related structures described in subsection (a) in*
2 *conjunction with their existing plans for the economic devel-*
3 *opment of the former Albuquerque Indian School property*
4 *conveyed as trust lands on January 15, 1993.*

5 *(f) As used in this section, the term “Nineteen Indian*
6 *Pueblo Tribes of New Mexico” means the following:*

- 7 *1. Pueblo of Acoma.*
- 8 *2. Pueblo of Isleta.*
- 9 *3. Pueblo of Laguna.*
- 10 *4. Pueblo of Picuris.*
- 11 *5. Pueblo of San Felipe.*
- 12 *6. Pueblo of San Ildefonso.*
- 13 *7. Pueblo of San Juan.*
- 14 *8. Pueblo of Santo Domingo.*
- 15 *9. Pueblo of Tesuque.*
- 16 *10. Pueblo of Zuni.*
- 17 *11. Pueblo of Cochiti.*
- 18 *12. Pueblo of Jemez.*
- 19 *13. Pueblo of Nambe.*
- 20 *14. Pueblo of Pojoaque.*
- 21 *15. Pueblo of Sandia.*
- 22 *16. Pueblo of Santa Ana.*
- 23 *17. Pueblo of Santa Clara.*
- 24 *18. Pueblo of Taos.*
- 25 *19. Pueblo of Zia.*

1 **(93)**Page 64, after line 11 insert:

2 *SEC. 532. (a) IN GENERAL.—Notwithstanding any*
3 *other provision of law, including any other law which re-*
4 *quires that property of the United States be used for a par-*
5 *ticular purpose, the real property described in subsection*
6 *(c) shall be conveyed to the United States Park Service, De-*
7 *partment of the Interior, by the Administrator of General*
8 *Services at such time as the property is reported to the Gen-*
9 *eral Services Administration for disposal as excess to the*
10 *needs of the Air Force.*

11 *(b) TERMS.—A conveyance of property under this sec-*
12 *tion shall be without monetary consideration, and subject*
13 *to such other terms and conditions as the Administrator*
14 *determines to be appropriate.*

15 *(c) PROPERTY DESCRIBED.—The real property re-*
16 *ferred to in subsection (a) is that part of the Holbrook*
17 *Radar Bomb Scoring Site, including housing units, situ-*
18 *ated in the W¹/₂ of the SE¹/₄ of Section 36, Township 18*
19 *North, Range 20 East, G&SRM, Navajo County, Arizona,*
20 *and more particularly described as:*

21 *Lots 1, 2, and 3 and Tract A of Cholla*
22 *Townhomes Subdivision, a subdivision recorded in*
23 *Book 14 of Plats at Page 19 in the official records of*
24 *Navajo County, Arizona; Except an undivided one-*
25 *half interest in all oil, gas, coal, and other hydro-car-*

1 *bon substances and minerals as reserved in instru-*
2 *ment recorded in Docket 68 at Page 171 in said offi-*
3 *cial records;*

4 *Containing 8.00 acres, more or less.*

5 *Together with Units 2A, 3A, 4B, 5B, 6A, 7A, 8B, 9B,*
6 *10A, 11A, and 12B of the Cholla Townhomes Condomin-*
7 *ium, a subdivision recorded in Book 14 of Plats at Page*
8 *20 in the official records of Navajo County, Arizona, and*
9 *any other buildings and improvements thereon and all*
10 *rights, hereditaments, easements, and appurtenances there-*
11 *unto belonging or in anywise appertaining.*

12 *Subject, however, to existing easements for public roads*
13 *and highways, public utilities, railroads, and pipelines,*
14 *and subject to the following outstanding exceptions and*
15 *rights:*

16 *An undivided one-half interest in all oil, gas,*
17 *coal or other hydro-carbon substances and minerals*
18 *in, upon, or under said land, and the right to the use*
19 *of such portions of the surface of said land as may*
20 *be necessary for the proper exploration, mining or*
21 *otherwise extracting and removing said oil, gas, coal*
22 *or other hydro-carbon substances and minerals as re-*
23 *served in instrument recorded in Docket 68 at Page*
24 *171, official records of Navajo County, Arizona.*

1 *Easements as shown on the plat of Cholla*
2 *Townhomes subdivision recorded in Book 14 of Plats*
3 *at Page 19 in the official records of Navajo County,*
4 *Arizona.*

5 *Easements and right incident thereto for sewer*
6 *purposes as set forth in instrument recorded in Dock-*
7 *et 601 at Page 924 of the official records of Navajo*
8 *County, Arizona.*

9 *Easements created by and the effect of the Dec-*
10 *laration of Horizontal Property Regime recorded in*
11 *Docket 679 at Page 773 in the official records of Nav-*
12 *ajo County, Arizona, and Certificate of Correction re-*
13 *corded in Docket 678 at Page 815 in said official*
14 *records.*

15 *Easement and rights incident thereto for electric*
16 *lines as set forth in instrument recorded in Docket*
17 *883 at Page 213 of the official records of Navajo*
18 *County, Arizona.*

19 *Liabilities and obligations imposed upon said*
20 *land by reason of its inclusion within the Navajo*
21 *County Flood Control District.*

22 **(94)**Page 71, line 22, strike out all after “Code” over
23 to and including “Management” in line 24 on page 72
24 and insert: , *in an amount that exceeds the rate payable*
25 *for the applicable grade and step of the applicable wage*

1 *schedule in accordance with section 616 of the Treasury,*
2 *Postal Service, and General Government Appropriations*
3 *Act, 1993, on the last day of the limitation imposed by such*
4 *section 616, except as provided under paragraph (2).*

5 *(2)(A) If, during the fiscal year ending on September*
6 *30, 1994, employees under the General Schedule receive a*
7 *pay adjustment under section 5303 of title 5, United States*
8 *Code, or locality-based comparability payments under sec-*
9 *tion 5304 of such title 5, the Office of Personnel Manage-*
10 *ment shall, in accordance with the provisions of this para-*
11 *graph, provide for adjustments for wage schedules and rates*
12 *for employees described in section 5342(a)(2)(A) of such*
13 *title 5 that are equitable in timing and amount in relation*
14 *to the adjustment and payments under sections 5303 and*
15 *5304.*

16 *(B) In determining what adjustments would be equi-*
17 *table under this paragraph, the Office shall compare the re-*
18 *duction in the average pay disparity (as that term is de-*
19 *finied in section 5302(6) of title 5) resulting from the adjust-*
20 *ment and payments under sections 5303 and 5304 with the*
21 *disparity in each wage area between the rates payable*
22 *under section 616 of the Treasury, Postal Service, and Gen-*
23 *eral Government Appropriations Act, 1993, and the pre-*
24 *vailing wage rates in such wage area as determined under*

1 *the provisions of subchapter IV of chapter 53 of title 5, as*
2 *in effect on the date of enactment of this Act.*

3 *(C) The Office shall discuss with and consider the*
4 *views of the Federal Prevailing Rate Advisory Committee*
5 *in carrying out the Office's responsibilities under this para-*
6 *graph.*

7 *(D) Not later than January 1, 1994, the Office shall*
8 *submit a report to the Senate and House Committees on*
9 *Appropriations setting forth the Office's plan for providing*
10 *adjustments under this paragraph. Such report shall in-*
11 *clude the views of the Federal Prevailing Rate Advisory*
12 *Committee, and the individual views of any member of such*
13 *Advisory Committee*

14 **(95)**Page 76, lines 3 and 4, strike out **【the Department**
15 **of Transportation,】**

16 **(96)**Page 78, strike out all after line 4 over to and in-
17 cluding line 5 on page 79

18 **(97)**Page 79, after line 5 insert:

19 *SEC. 620. Subsections (c) and (d) of section 3726 of*
20 *title 31 U.S.C. are amended to read as follows:*

21 *“(c) Expenses of transportation audit postpayment*
22 *contracts and contract administration, and the expenses of*
23 *all other transportation audit and audit-related functions*
24 *conferred upon the Administrator of General Services, shall*

1 *be financed from overpayments collected from carriers on*
2 *transportation bills paid by the Government and other*
3 *similar type refunds, not to exceed collections. Payment to*
4 *any contractor for audit services shall not exceed 50 percent*
5 *of the overpayment identified by contract audit.*

6 “(d) *At least annually, and as determined by the Ad-*
7 *ministrators, after making adequate provision for expense*
8 *of refunds to carriers, transportation audit postpayment*
9 *contracts, contract administration, and other expenses au-*
10 *thorized in subsection (c), overpayments collected by the*
11 *General Services Administration shall be transferred to*
12 *miscellaneous receipts of the Treasury. A report of receipts,*
13 *disbursements, and transfers (to miscellaneous receipts)*
14 *pursuant to this section shall be made annually in connec-*
15 *tion with the budget estimates to the Director of the Office*
16 *of Management and Budget and to the Congress.”.*

17 **(98)**Page 82, after line 7 insert:

18 *SEC. 627. Section 635 of the Public Law 102-393 is*
19 *amended in paragraph (c)(2) by striking “1993” and in-*
20 *serting “1994”.*

21 **(99)**Page 82, after line 7 insert:

22 *SEC. 628. Section 404 of the Federal Employees Pay*
23 *Comparability Act of 1990 is amended by striking “Wash-*
24 *ington, DC-MD-VA Metropolitan Statistical Area” and in-*

1 *serting in its place, “Washington-Baltimore DC–MD–VA–*
2 *WV Consolidated Metropolitan Statistical Area”.*

3 **(100)**Page 82, after line 7 insert:

4 *SEC. 629. Paragraphs (c), (d), and (e) of section 6962j*
5 *of U.S.C. 42, are amended to read as follows:*

6 *“(c) For purposes of this section, ‘recycled cartridge’*
7 *means a laser printer, photocopier, facsimile machine, or*
8 *microphotographic toner cartridge which has been remanu-*
9 *factured in the United States.*

10 *“(d) Not less than 50 percent of cartridge procurement*
11 *requirements shall be achieved by a set-aside for small busi-*
12 *ness concerns, the remainder shall be acquired through the*
13 *use of unrestricted full and open competition. The provision*
14 *of this paragraph shall not affect current law with respect*
15 *to Federal Prison Industries, Inc. (UNICOR) or Organiza-*
16 *tions for the Blind or Other Severely Handicapped (NIB/*
17 *NISH).*

18 *“(e) For the purpose of this section ‘small business con-*
19 *cern’ has the meaning given such term in the Small Busi-*
20 *ness Act (U.S.C. 632(a))”.*

21 **(101)**Page 82, after line 7 insert:

22 *SEC. 630. No department, agency, or instrumentality*
23 *of the United States receiving appropriated funds under*
24 *this or any other Act for fiscal year 1994 shall obligate or*
25 *expend any such funds, unless such department, agency or*

1 *instrumentality has in place by July 1, 1994, and will con-*
 2 *tinue to administer in good faith, a written policy designed*
 3 *to ensure that all of its workplaces are free from discrimina-*
 4 *tion and sexual harassment and that all of its workplaces*
 5 *are not in violation of title VII of the Civil Rights Act of*
 6 *1964, as amended, the Age Discrimination in Employment*
 7 *Act of 1967, and the Rehabilitation Act of 1973.*

8 **(102)**Page 82, after line 7 insert:

9 *TITLE VII—REVENUE FORGONE REFORM*

10 *SHORT TITLE; TABLE OF CONTENTS*

11 *SEC. 701. (a) SHORT TITLE.—This title may be cited*
 12 *as the “Revenue Forgone Reform Act”.*

13 *(b) TABLE OF CONTENTS.—The table of contents for*
 14 *this title is as follows:*

Sec. 701. Short title; table of contents.

Sec. 702. References.

Sec. 703. Repeal of authorization of appropriations for mail sent at reduced rates of postage.

Sec. 704. Establishing reduced rates of postage.

Sec. 705. Eligibility of certain mailings for reduced rates of postage.

Sec. 706. Provisions relating to rates for books and certain other materials.

Sec. 707. Sense of Congress.

Sec. 708. Technical corrections.

15 *REFERENCES*

16 *SEC. 702. Except as otherwise expressly provided,*
 17 *whenever in this title an amendment or repeal is expressed*
 18 *in terms of an amendment to, or a repeal of, a section or*
 19 *other provision, the reference shall be considered to be made*
 20 *to a section or other provision of title 39, United States*
 21 *Code.*

1 *REPEAL OF AUTHORIZATION OF APPROPRIATIONS FOR*
2 *MAIL SENT AT REDUCED RATES OF POSTAGE*

3 *SEC. 703. (a) IN GENERAL.—Section 2401(c) is*
4 *amended—*

5 *(1) in the first sentence—*

6 *(A) by striking “if sections” through “had*
7 *not been enacted” and inserting “if sections*
8 *3217, 3403 through 3406, and 3629 had not been*
9 *enacted”;* and

10 *(B) by striking “such sections and Acts.”*
11 *and inserting “such sections.”;* and

12 *(2) in the second sentence—*

13 *(A) by striking “(i)”;* and

14 *(B) by striking “volume;” through “sched-*
15 *ules.” and inserting “volume.”.*

16 *(b) APPLICABILITY.—The amendments made by sub-*
17 *section (a) shall apply with respect to appropriations for*
18 *fiscal years beginning after September 30, 1993.*

19 *ESTABLISHING REDUCED RATES OF POSTAGE*

20 *SEC. 704. (a) RATES.—*

21 *(1) IN GENERAL.—Section 3626(a) is amended*
22 *to read as follows:*

23 *“(a)(1) Except as otherwise provided in this section,*
24 *rates of postage for a class of mail or kind of mailer under*
25 *former section 4358, 4452(b), 4452(c), 4454(b), or 4454(c)*

1 *of this title shall be established in accordance with the ap-*
2 *plicable provisions of this chapter.*

3 *“(2) For the purpose of this subsection—*

4 *“(A) the term ‘costs attributable’, as used with*
5 *respect to a class of mail or kind of mailer, means the*
6 *direct and indirect postal costs attributable to such*
7 *class of mail or kind of mailer (excluding any other*
8 *costs of the Postal Service): Provided, That with re-*
9 *spect to mail under former section 4452(b) and*
10 *4452(c) of this title, such attributable costs shall be*
11 *allocated between letter-shaped mail and non-letter-*
12 *shaped mail, as such types of mail are defined in the*
13 *associated classification and rate schedules, in a man-*
14 *ner that will at a minimum preserve the difference*
15 *between the basic rate for non-letter-shaped mail and*
16 *the basic price rate for letter-shaped mail established*
17 *under title II of Public Law No. 102–141, the Postal*
18 *Service Appropriations Act, 1992;”.*

19 *“(B) the term ‘regular-rate category’ means any*
20 *class of mail or kind of mailer, other than a class or*
21 *kind referred to in paragraph (2)(A) or section*
22 *2401(c); and*

23 *“(C) the term ‘institutional-costs contribution’,*
24 *as used with respect to a class of mail or kind of*
25 *mailer, means that portion of the estimated revenues*

1 to the Postal Service from such class of mail or kind
2 of mailer which remains after subtracting an amount
3 equal to the estimated costs attributable to such class
4 of mail or kind of mailer.

5 “(3)(A) Except as provided in paragraph (4) or (5),
6 rates of postage for a class of mail or kind of mailer under
7 former section 4358, 4452(b), 4452(c), 4554(b), or 4554(c)
8 of this title shall be established in a manner such that the
9 estimated revenues to be received by the Postal Service from
10 such class of mail or kind of mailer shall be equal to the
11 sum of—

12 “(i) the estimated costs attributable to such class
13 of mail or kind of mailer; and

14 “(ii) the product derived by multiplying the esti-
15 mated costs referred to in clause (i) by the applicable
16 percentage under subparagraph (B).

17 “(B) The applicable percentage for any class of mail
18 or kind of mailer referred to in subparagraph (A) shall be
19 the product derived by multiplying—

20 “(i) the percentage which, for the most closely
21 corresponding regular-rate category, the institutional-
22 costs contribution for such category represents relative
23 to the estimated costs attributable to such category of
24 mail, times

25 “(ii)(I) one-twelfth, for fiscal year 1994;

1 “(II) one-sixth, for fiscal year 1995;

2 “(III) one-fourth, for fiscal year 1996;

3 “(IV) one-third, for fiscal year 1997;

4 “(V) five-twelfths, for fiscal year 1998; and

5 “(VI) one-half, for any fiscal year after fiscal
6 year 1998.

7 “(C) Temporary special authority to permit the timely
8 implementation of the preceding provisions of this para-
9 graph is provided under section 3642.

10 “(D) For purposes of establishing rates of postage
11 under this subchapter for any of the classes of mail or kinds
12 of mailers referred to in subparagraph (A), subclauses (I)
13 through (V) of subparagraph (B)(ii) shall be deemed
14 amended by striking the fraction specified in each such
15 subclause and inserting ‘one-half’.

16 “(4) The rates for the advertising portion of any mail
17 matter under former section 4358(d) or 4358(e) of this title
18 shall be equal to the rates for the advertising portion of the
19 most closely corresponding regular-rate category of mail, ex-
20 cept that if the advertising portion does not exceed 10 per-
21 cent of the issue of the publication involved, the advertising
22 portion shall be subject to the same rates as apply to the
23 nonadvertising portion.

24 “(5) The rates for any advertising under former sec-
25 tion 4358(f) of this title shall be equal to 75 percent of the

1 *rates for advertising contained in the most closely cor-*
2 *responding regular-rate category of mail.”.*

3 (2) *SPECIAL AUTHORITY.*—*Subchapter III of*
4 *chapter 36 is amended by adding at the end the fol-*
5 *lowing:*

6 **“§ 3642. Special authority relating to reduced-rate**
7 **categories of mail**

8 “(a) *In order to permit the timely implementation of*
9 *section 3626(a)(2), the Postal Service may establish tem-*
10 *porary rates of postage for any class of mail or kind of*
11 *mailer referred to in section 3626(a)(3)(A).*

12 “(b) *Any exercise of authority under this section shall*
13 *be in conformance with the requirements of section 3626(a),*
14 *subject to the following:*

15 “(1) *All attributable costs and institutional-costs*
16 *contributions assumed shall be the same as those*
17 *which were assumed for purposes of the then most re-*
18 *cent proceedings under subchapter II pursuant to*
19 *which rates of postage for the class of mail or kind*
20 *of mailer involved were last adjusted.*

21 “(2) *Any temporary rate established under this*
22 *section shall take effect upon such date as the Postal*
23 *Service may determine, except that—*

24 “(A) *such a rate may take effect only after*
25 *10 days’ notice in the Federal Register; and*

1 “(B) no such rate may take effect after Sep-
2 tember 30, 1998.

3 “(3) A temporary rate under this section may
4 remain in effect no longer than the last day of the fis-
5 cal year in which it first takes effect.

6 “(4) Authority under this section may not be ex-
7 ercised in a manner that would result in more than
8 1 change taking effect under this section, during the
9 same fiscal year, in the rates of postage for a particu-
10 lar class of mail or kind of mailer, except as provided
11 in paragraph (5).

12 “(5) Nothing in paragraph (4) shall prevent an
13 adjustment under this section in rates for a class of
14 mail or kind of mailer with respect to which any
15 rates took effect under this section earlier in the same
16 fiscal year if—

17 “(A) the rates established for such class of
18 mail or kind of mailer by the earlier adjustment
19 are superseded by new rates established under
20 subchapter II; and

21 “(B) authority under this paragraph has
22 not previously been exercised with respect to such
23 class of mail or kind of mailer based on the new
24 rates referred to in subparagraph (A).

1 “(c) *The Postal Service may prescribe any regulations*
2 *which may be necessary to carry out this section, including*
3 *provisions governing the coordination of adjustments under*
4 *this section with any other adjustments under this title.*”.

5 (3) *TECHNICAL AND CONFORMING AMEND-*
6 *MENTS.—*

7 (A) *SECTION 3626.—Section 3626(i) is re-*
8 *pealed.*

9 (B) *SECTION 3627.—Section 3627 is amend-*
10 *ed by striking “sent at a free or reduced rate*
11 *under section 3217, 3403 through 3406, 3626, or*
12 *3629 of this title,” and inserting “sent free of*
13 *postage under section 3217 or 3403 through 3406*
14 *or at a reduced rate under section 3629”.*

15 (C) *TABLE OF CONTENTS.—The table of*
16 *contents for chapter 36 is amended by inserting*
17 *after the item relating to section 3641 the follow-*
18 *ing:*

“3642. Special authority relating to reduced-rate categories of mail.”.

19 (b) *AUTHORIZATION.—*

20 (1) *IN GENERAL.—Section 2401 is amended—*

21 (A) *by striking subsections (d) through (f);*

22 (B) *by redesignating subsections (g) through*

23 (i) *as subsections (e) through (g), respectively;*

1 (C) in subsection (f) (as so redesignated by
2 subparagraph (B)) by striking the second sen-
3 tence;

4 (D) in subsection (g) (as so redesignated by
5 subparagraph (B)) by striking “subsections (b)
6 and (d) of this section” and inserting “sub-
7 section (b)”; and

8 (E) by inserting after subsection (c) the fol-
9 lowing:

10 “(d) As reimbursement to the Postal Service for losses
11 which it incurred as a result of insufficient amounts appro-
12 priated under section 2401(c) for fiscal years 1991 through
13 1993, and to compensate for the additional revenues it is
14 estimated the Postal Service would have received under the
15 provisions of section 3626(a), for the period beginning on
16 October 1, 1993, and ending on September 30, 1998,
17 if the fraction specified in subclause (VI) of section
18 3626(a)(3)(B)(ii) were applied with respect to such period
19 (instead of the respective fractions specified in subclauses
20 (I) through (V) thereof), there are authorized to be appro-
21 priated to the Postal Service \$29,000,000 for each of fiscal
22 years 1994 through 2035.”.

23 (2) RATEMAKING LIMITATIONS.—

24 (A) IN GENERAL.—Except as provided in
25 subparagraph (B), rates of postage may not be

1 *established, under subchapter II of chapter 36 of*
2 *title 39, United States Code, in a manner de-*
3 *signed to allow the United States Postal Service*
4 *to receive through revenues any portion of the*
5 *additional revenues (referred to in section*
6 *2401(d) of such title, as amended by paragraph*
7 *(1)(E)) for which amounts are authorized to be*
8 *appropriated under such section 2401(d).*

9 *(B) EXCEPTION.—If Congress fails to ap-*
10 *propriate an amount authorized under section*
11 *2401(d) of title 39, United States Code (as*
12 *amended by paragraph (1)(E)), rates for the var-*
13 *ious classes of mail may be adjusted in accord-*
14 *ance with the provisions of subchapter II of*
15 *chapter 36 of such title (excluding section 3627*
16 *thereof) such that the resulting increase in reve-*
17 *nuces will equal the amount that Congress so*
18 *failed to appropriate.*

19 *(c) APPLICABILITY.—*

20 *(1) RATES.—The amendments made by sub-*
21 *section (a) shall apply with respect to rates for mail*
22 *sent after September 30, 1993.*

23 *(2) AUTHORIZATION.—The amendments made by*
24 *subsection (b) shall apply with respect to appropria-*

1 *for mail under former section 4452(b) or 4452(c)*
2 *of this title;*

3 *except that—*

4 “(I) any determination under clause (i)
5 *that a product or service is not substantially re-*
6 *lated to a particular purpose shall be made*
7 *under regulations which shall be prescribed by*
8 *the Postal Service and which shall be consistent*
9 *with standards established by the Internal Reve-*
10 *nue Service and the courts under subsections (a)*
11 *and (c) of section 513 of the Internal Revenue*
12 *Code of 1986; and*

13 “(II) clause (i) shall not apply if the prod-
14 *uct involved is a periodical publication described*
15 *in subsection (m)(2) (including a subscription to*
16 *receive any such publication).”.*

17 (b) *PRODUCTS.—Section 3626 is amended by adding*
18 *at the end the following:*

19 “(m)(1) *In the administration of this section, the rates*
20 *for mail under former section 4452(b) or 4452(c) of this*
21 *title shall not apply to mail consisting of products, unless*
22 *such products—*

23 “(A) *were received by the organization as gifts or*
24 *contributions; or*

1 “(1) constitute materials specified in former sec-
2 tion 4554(b)(2) of this title; and

3 “(2) are sent between—

4 “(A) an institution, organization, or asso-
5 ciation listed in subparagraph (A) or (B) of such
6 former section 4554(b)(1) and any other such in-
7 stitution, organization, or association;

8 “(B) an institution, organization, or asso-
9 ciation referred to in subparagraph (A) and any
10 individual (other than an individual having a
11 financial interest in the sale, promotion, or dis-
12 tribution of the materials involved); or

13 “(C) an institution, organization, or asso-
14 ciation referred to in subparagraph (A) and a
15 qualified nonprofit organization (as defined in
16 former section 4452(d) of this title) that is not
17 such an institution, organization, or associa-
18 tion.”.

19 (b) *APPLICABILITY.*—The amendment made by sub-
20 section (a) shall apply with respect to mail sent after Sep-
21 tember 30, 1993.

22 *SENSE OF CONGRESS*

23 *SEC. 707. It is the sense of the Congress that any legis-*
24 *lation, enacted after September 30, 1994, which would have*
25 *the effect of expanding the classes of mail or kinds of mailers*
26 *eligible for reduced rates of postage should provide for suffi-*

1 *cient funding to ensure that neither any losses to the United*
2 *States Postal Service nor any increase in the rates of post-*
3 *age for any of the other classes of mail or kinds of mailers*
4 *will result.*

5 *TECHNICAL CORRECTIONS*

6 *SEC. 708. (a) SECTION 410.—Section 410(b) is*
7 *amended—*

8 *(1) in paragraph (8) by striking “and” after the*
9 *semicolon;*

10 *(2) in the first paragraph (9) by striking “Chap-*
11 *ter” and inserting “chapter”, and by striking the pe-*
12 *riod and inserting “; and”; and*

13 *(3) by designating the second paragraph (9) as*
14 *paragraph (10).*

15 *(b) SECTION 3202.—Section 3202(a) is amended—*

16 *(1) in paragraph (3) by adding “and” after the*
17 *semicolon; and*

18 *(2) in paragraph (4) by striking “; and” and*
19 *inserting a period.*

20 *(c) SECTION 3601.—Section 3601(a) is amended by*
21 *striking “concent” and inserting “consent”.*

22 *(d) SECTION 3625.—Section 3625(d) is amended by*
23 *striking “section 3268” and inserting “section 3628”.*

24 *(e) SECTION 3626.—Section 3626 is amended by redес-*
25 *ignating the second subsection (k) as subsection (l).*

1 **(103)**Page 82, after line 7 insert:

2 *SEC. 709. REDUCED RATES FOR VOTER REGISTRA-*
3 *TION MAIL.—Section 3629 of title 39, United States Code,*
4 *as enacted by section 8(h) of Public Law 103–31, the Na-*
5 *tional Voter Registration Act of 1993, is amended by strik-*
6 *ing “the rate for any class of mail that is available to a*
7 *qualified nonprofit organization under section 3626” and*
8 *inserting in lieu thereof “a rate which is one-half the appli-*
9 *cable rate for First-Class Mail, as provided in the relevant*
10 *classification and rate schedules.”.*

11 **(104)**Page 82, after line 7 insert:

12 *TITLE VIII—NONSMOKING POLICY*

13 ***SEC. 801. SHORT TITLE.***

14 *This title may be cited as the “Preventing Our Federal*
15 *Building Workers and Visitors From Exposure to Deadly*
16 *Smoke (PRO–FEDS) Act of 1993”.*

17 ***SEC. 802. FINDINGS.***

18 *Congress finds that—*

19 (1) *environmental tobacco smoke comes from sec-*
20 *ondhand smoke exhaled by smokers and sidestream*
21 *smoke emitted from the burning of cigarettes, cigars,*
22 *and pipes;*

23 (2) *since citizens of the United States spend up*
24 *to 90 percent of a day indoors, there is a significant*

1 *potential for exposure to environmental tobacco smoke*
2 *from indoor air;*

3 *(3) exposure to environmental tobacco smoke oc-*
4 *curs in schools, public buildings, and other indoor fa-*
5 *cilities;*

6 *(4) recent scientific studies have concluded that*
7 *exposure to environmental tobacco smoke is a cause of*
8 *lung cancer in healthy nonsmokers and is responsible*
9 *for acute and chronic respiratory problems and other*
10 *health impacts in sensitive populations (including*
11 *children);*

12 *(5) the health risks posed by environmental to-*
13 *bacco smoke exceed the risks posed by many environ-*
14 *mental pollutants regulated by the Environmental*
15 *Protection Agency; and*

16 *(6) according to information released by the En-*
17 *vironmental Protection Agency, environmental to-*
18 *bacco smoke results in a loss to the economy of over*
19 *\$3,000,000,000 per year.*

20 **SEC. 803. DEFINITIONS.**

21 *As used in this title:*

22 *(1) ADMINISTRATOR.—The term “Adminis-*
23 *trator” means the Administrator of the Environ-*
24 *mental Protection Agency.*

1 (2) *EXECUTIVE AGENCY.*—The term “Executive
2 agency” has the meaning provided in section 105 of
3 title 5, United States Code.

4 (3) *FEDERAL AGENCY.*—The term “Federal agen-
5 cy” includes any Executive agency, the Executive Of-
6 fice of the President, any military department, any
7 court of the United States, the Administrative Office
8 of the United States Courts, the Library of Congress,
9 the Botanic Garden, the Government Printing Office,
10 the Congressional Budget Office, the United States
11 Postal Service, the Postal Rate Commission, the Office
12 of the Architect of the Capitol, the Office of Tech-
13 nology Assessment, and any other agency of the execu-
14 tive, legislative, and judicial branches.

15 (4) *FEDERAL BUILDING.*—The term “Federal
16 building” means any building or other structure
17 owned or leased for use by a Federal agency, except
18 that the term shall not include any area of a building
19 that is used primarily as living quarters.

20 (5) *SECRETARY.*—The term “Secretary” means
21 the Secretary of Health and Human Services.

22 **SEC. 804. NONSMOKING POLICY FOR FEDERAL BUILDINGS.**

23 (a) *IN GENERAL.*—

24 (1) *ISSUANCE OF GUIDELINES.*—Not later than
25 180 days after the date of enactment of this Act, the

1 *Administrator shall issue guidelines for instituting*
2 *and enforcing a nonsmoking policy at each Federal*
3 *agency.*

4 (2) *CONTENTS OF GUIDELINES.—A nonsmoking*
5 *policy that meets the requirements of the guidelines*
6 *shall, at a minimum, prohibit smoking in each in-*
7 *door portion of a Federal building that is not venti-*
8 *lated separately (as defined by the Administrator)*
9 *from other portions of the facility.*

10 (b) *ADOPTION OF GUIDELINES.—*

11 (1) *IN GENERAL.—As soon as is practicable after*
12 *the date of issuance of the guidelines referred to in*
13 *subsection (a), the head of each Executive agency, and*
14 *the Director of the Administrative Office of the Unit-*
15 *ed States Courts shall adopt a nonsmoking policy ap-*
16 *plicable to the Federal agency under the jurisdiction*
17 *of the individual that meets the requirements of the*
18 *guidelines referred to in subsection (a), and take such*
19 *action as is necessary to ensure that the policy is car-*
20 *ried out in the manner specified in the guidelines.*

21 (2) *LEGISLATIVE BRANCH.—As soon as is prac-*
22 *ticable after the date of issuance of the guidelines re-*
23 *ferred to in subsection (a), the following entities and*
24 *individuals shall adopt a nonsmoking policy that*
25 *meets the requirements of the guidelines referred to in*

1 *subsection (a), and take such action as is necessary*
2 *to ensure that the policy is carried out in the manner*
3 *specified in the guidelines:*

4 *(A) With respect to the House of Represent-*
5 *atives (including any office space or buildings of*
6 *the House of Representatives), the House Office*
7 *Building Commission.*

8 *(B) With respect to the Senate (including*
9 *any office space or buildings of the Senate), the*
10 *Committee on Rules and Administration of the*
11 *Senate.*

12 *(C) With respect to any other area occupied*
13 *or used by a Federal agency of the legislative*
14 *branch, the Architect of the Capitol.*

15 *(3) CERTIFICATION FOR EXECUTIVE AGENCIES.—*
16 *The Administrator of General Services, in consulta-*
17 *tion with the Administrator, shall review each non-*
18 *smoking policy adopted by the head of an Executive*
19 *agency and shall certify those policies that meet the*
20 *requirements of the guidelines referred to in sub-*
21 *section (a). In carrying out the certification, the Ad-*
22 *ministrator of General Services shall use a procedure*
23 *and apply criteria that the Administrator shall estab-*
24 *lish. Except as provided in subsection (c), if a policy*

1 *does not meet the requirements of the guidelines, the*
2 *Administrator of General Services shall—*

3 *(A) in a written communication, advise the*
4 *head of the Executive agency concerning modi-*
5 *fications of the policy to meet the requirements;*
6 *and*

7 *(B) publish the communication in the Fed-*
8 *eral Register.*

9 *(c) WAIVERS.—*

10 *(1) EXECUTIVE AGENCIES.—The head of an Ex-*
11 *ecutive agency may publicly petition the Adminis-*
12 *trator of General Services for a waiver from institut-*
13 *ing or enforcing a nonsmoking policy (or policy re-*
14 *quirement) under the guidelines issued pursuant to*
15 *subsection (a). The Administrator of General Services*
16 *may waive the requirement if, after consultation with*
17 *the Administrator, the Administrator of General*
18 *Services determines that—*

19 *(A) unusual extenuating circumstances pre-*
20 *vent the head of the Federal agency from enforc-*
21 *ing the policy (or a requirement under the pol-*
22 *icy) (including a case in which the Federal agen-*
23 *cy shares space in an indoor facility with a non-*
24 *Federal entity and cannot obtain an agreement*
25 *with the other entity to abide by the nonsmoking*

1 *policy requirement) and the head of the Execu-*
2 *tive agency will establish and make a good-faith*
3 *effort to enforce an alternative nonsmoking pol-*
4 *icy (or alternative requirement under the policy)*
5 *that will protect individuals from exposure to*
6 *environmental tobacco smoke to the maximum*
7 *extent possible; or*

8 *(B) the head of the Executive agency will*
9 *enforce an alternative nonsmoking policy (or al-*
10 *ternative requirement under the policy) that will*
11 *protect individuals from exposure to environ-*
12 *mental tobacco smoke to the same degree as the*
13 *requirement under the guidelines issued pursu-*
14 *ant to subsection (a).*

15 *(2) AGENCIES OF THE JUDICIAL BRANCH.—After*
16 *consultation with the Administrator, and after pro-*
17 *viding public notice and reasonable opportunity for*
18 *public review and comment, the Director of the Ad-*
19 *ministrative Office of the United States Courts may,*
20 *on the basis of the criteria for a waiver referred to in*
21 *paragraph (1), make such modifications to the non-*
22 *smoking policy required to be carried out pursuant to*
23 *subsection (b) as the Director determines to be nec-*
24 *essary. The Director may not make any modification*

1 *that violates the criteria for a waiver under para-*
2 *graph (1).*

3 (3) *AGENCIES OF THE LEGISLATIVE BRANCH.—*
4 *After consultation with the Administrator, and after*
5 *providing public notice and reasonable opportunity*
6 *for public review and comment, the appropriate en-*
7 *tity or individual referred to in subparagraphs (A)*
8 *through (C) of subsection (b)(2) may, on the basis of*
9 *the criteria for a waiver referred to in paragraph (1),*
10 *make such modifications to the nonsmoking policy re-*
11 *quired to be carried out pursuant to subsection (b) as*
12 *the entity or individual determines to be necessary.*
13 *The entity or individual may not make any modifica-*
14 *tion that violates the criteria for a waiver under*
15 *paragraph (1).*

16 (d) *COLLECTIVE BARGAINING AGREEMENTS.—*

17 (1) *IN GENERAL.—In a Federal agency in which*
18 *a labor organization has been accorded recognition as*
19 *a bargaining unit pursuant to chapter 71 of title 5,*
20 *United States Code, the Federal agency shall engage*
21 *in collective bargaining pursuant to section 7114 of*
22 *title 5, United States Code, to ensure the implementa-*
23 *tion of the requirements of this section that affect*
24 *work areas predominately occupied by the employees*
25 *represented by the labor organization by the date of*

1 *the adoption, pursuant to this section, of a non-*
2 *smoking policy applicable to the Federal agency.*

3 (2) *EXEMPTION.—*

4 (A) *IN GENERAL.—If, on the date of enact-*
5 *ment of this Act—*

6 (i) *a bargaining unit referred to in*
7 *paragraph (1) has in effect a collective bar-*
8 *gaining agreement with respect to which a*
9 *Federal agency is a party; and*

10 (ii) *the collective bargaining agreement*
11 *referred to in clause (i) includes provisions*
12 *relating to smoking privileges that are in*
13 *violation of the requirements of this section,*
14 *the head of the Federal agency may exempt work*
15 *areas predominately occupied by the employees*
16 *subject to the collective bargaining agreement*
17 *from the nonsmoking policy that the Federal*
18 *agency is required to be carried out under sub-*
19 *section (b).*

20 (B) *TERMINATION OF EXEMPTION.—*

21 (i) *IN GENERAL.—An exemption re-*
22 *ferred to in subparagraph (A) shall termi-*
23 *nate on the earlier of—*

24 (I) *the first expiration date (after*
25 *the date of enactment of this Act) of the*

1 *collective bargaining agreement con-*
2 *taining the provisions relating to*
3 *smoking privileges; or*

4 *(II) the date that is 1 year after*
5 *the date of issuance of the guidelines.*

6 *(ii) IMPLEMENTATION OF NONSMOKING*
7 *POLICY AFTER TERMINATION DATE.— By*
8 *the applicable date specified in clause*
9 *(i)(II), the head of each Federal agency*
10 *shall be required to enforce a nonsmoking*
11 *policy that meets the requirements of the*
12 *guidelines issued under subsection (a) in*
13 *each work area under the jurisdiction of the*
14 *head of the Federal agency, notwithstanding*
15 *any collective bargaining agreement that*
16 *contains provisions that are less restrictive*
17 *than the nonsmoking policy.*

18 **SEC. 805. TECHNICAL ASSISTANCE AND OUTREACH ACTIVI-**
19 **TIES.**

20 *(a) TECHNICAL ASSISTANCE.—The Administrator and*
21 *the Secretary shall provide technical assistance to the heads*
22 *of Federal agencies and other persons who request technical*
23 *assistance. The technical assistance shall include informa-*
24 *tion—*

1 (1) *on smoking cessation programs for employ-*
2 *ees; and*

3 (2) *to assist in compliance with the requirements*
4 *of this title.*

5 (b) *OUTREACH ACTIVITIES.*—*The Administrator, in*
6 *consultation with the Secretary, shall establish an outreach*
7 *program to inform the public concerning the dangers of en-*
8 *vironmental tobacco smoke. As part of the outreach pro-*
9 *gram, the Administrator and the Secretary shall make*
10 *available to the general public brochures and other edu-*
11 *cational materials. In establishing the programs under this*
12 *paragraph, the Administrator and the Secretary shall co-*
13 *operate to maximize the sharing of information and re-*
14 *sources.*

15 **SEC. 806. REPORT BY THE ADMINISTRATOR.**

16 *Not later than 2 years after the date of enactment of*
17 *this Act, the Administrator shall submit a report to Con-*
18 *gress that includes—*

19 (1) *information concerning the degree of compli-*
20 *ance with this title; and*

21 (2) *an assessment of the legal status of smoking*
22 *in public places.*

1 **SEC. 807. PREEMPTION.**

2 *Nothing in this title is intended to preempt any provi-*
3 *sion of law of a State or political subdivision of a State*
4 *that is more restrictive than a provision of this title.*

5 **SEC. 808. EXEMPTION.**

6 *No provision in this title shall be construed to affect*
7 *or otherwise impair the authority of the Secretary of Veter-*
8 *ans Affairs, under section 526 of the Veterans Health Care*
9 *Act of 1992 (38 U.S.C. 1715 note).*

10 **(105)**Page 82, after line 7 insert:

11 *TITLE IX—CIGARETTE SALES TO MINORS*

12 **SEC. 901. FINDINGS.**

13 *The Congress finds that—*

14 *(1) cigarette smoking and the use of smokeless to-*
15 *bacco products continue to represent major health*
16 *hazards to the Nation, causing approximately*
17 *434,000 deaths each year;*

18 *(2) cigarette smoking continues to be the single*
19 *most preventable cause of death and disability in the*
20 *United States;*

21 *(3) tobacco products contain hazardous addi-*
22 *tives, gases, and other chemical constituents dan-*
23 *gerous to health;*

1 (4) *the use of tobacco products costs the United*
2 *States more than \$60,000,000,000 in lost productivity*
3 *and health care costs;*

4 (5) *tobacco products contain nicotine, a poison-*
5 *ous, addictive drug;*

6 (6) *despite the known adverse health effects asso-*
7 *ciated with tobacco, it remains one of the least regu-*
8 *lated consumer products and is readily available to*
9 *children and adolescents throughout the United*
10 *States;*

11 (7) *90 percent of adult smokers start smoking in*
12 *adolescence or childhood and continue to smoke*
13 *throughout their adult lives;*

14 (8) *each day, more than 3,000 children and ado-*
15 *lescents start smoking and collectively consume nearly*
16 *one billion packs of cigarettes per year;*

17 (9) *reliable studies indicate that tobacco is a*
18 *gateway to other, increasingly more harmful drugs,*
19 *and that tobacco use continues after use of other drugs*
20 *begins; and*

21 (10) *the Congress of the United States has a*
22 *major policy setting role in ensuring that the use of*
23 *tobacco products among minors is discouraged to the*
24 *maximum extent possible.*

1 **SEC. 902. DEFINITIONS.**

2 *As used in this title—*

3 *(1) the term “Federal agency” means—*

4 *(A) an Executive agency as defined in sec-*
5 *tion 105 of title 5, United States Code; and*

6 *(B) each entity specified in paragraphs (B)*
7 *through (H) of section 5721(1) of title 5, United*
8 *States Code;*

9 *(2) the term “Federal building” means—*

10 *(A) any building or other structure owned*
11 *in whole or in part by the United States or any*
12 *Federal agency, including any such structure oc-*
13 *cupied by a Federal agency under a lease agree-*
14 *ment, except that the term shall not include any*
15 *area or portion of a building not leased by the*
16 *Federal Government; and*

17 *(B) includes the real property on which*
18 *such building is located;*

19 *(3) the term “minor” means an individual*
20 *under the age of 18 years; and*

21 *(4) the term “tobacco product” means cigarettes,*
22 *cigars, little cigars, pipe tobacco, smokeless tobacco,*
23 *snuff, and chewing tobacco.*

1 **SEC. 903. TOBACCO PRODUCTS VENDING MACHINE AND**
2 **FREE SAMPLE BAN IN FEDERAL BUILDINGS.**

3 (a) *IN GENERAL.*—No later than 45 days after the date
4 of the enactment of this Act, the Administrator of General
5 Services and the head of each Federal agency shall promul-
6 gate regulations that prohibit the sale of tobacco products
7 in vending machines located in or around any Federal
8 building under the jurisdiction of the Administrator or such
9 agency head.

10 (b) *EXCEPTION.*—The Administrator of General Serv-
11 ices or the head of an agency, as appropriate, may des-
12 ignate areas not subject to the provisions of subsection (a),
13 if such area also prohibits the presence of minors.

14 (c) *JURISDICTION OF FEDERAL BUILDINGS AND AD-*
15 *MINISTRATION.*—The provisions of this section shall be car-
16 ried out—

17 (1) by the Administrator of General Services for
18 any Federal building which is maintained, leased, or
19 has title of ownership vested in the General Services
20 Administration; or

21 (2) by the head of a Federal agency for any Fed-
22 eral building which is maintained, leased, or has title
23 of ownership vested in such agency.

24 **SEC. 904. COMPLIANCE REPORT.**

25 No later than 90 days after the date of enactment of
26 this Act, the Administrator of General Services and each

1 *head of an agency shall prepare and submit, to the appro-*
2 *priate committees of Congress, a report that shall contain—*

3 *(1) verification that the Administrator or such*
4 *head of an agency is in compliance with this Act; and*

5 *(2) a detailed list of the location of all tobacco*
6 *product vending machines located in Federal build-*
7 *ings under the administration of the Administrator*
8 *or such head of an agency.*

9 **SEC. 905. APPLICATION TO THE UNITED STATES CAPITOL**
10 **AND GROUNDS.**

11 *(a) IN GENERAL.—No later than 45 days after the date*
12 *of the enactment of this Act, the Senate Committee on Rules*
13 *and Administration and the House of Representatives Com-*
14 *mittee on House Administration, after consultation with*
15 *the Architect of the Capitol, shall promulgate regulations*
16 *under the House and Senate rulemaking authority that pro-*
17 *hibit the sale of tobacco products in vending machines in*
18 *the Capitol Buildings.*

19 *(b) EXCEPTION.—Such committees may designate*
20 *areas where such prohibition shall not apply, if such area*
21 *also prohibits the presence of minors.*

22 *(c) DEFINITION.—For the purpose of this section the*
23 *term “Capitol Buildings” shall have the same meaning as*
24 *such term is defined under section 16(a)(1) of the Act enti-*
25 *tled “An Act to define the area of the United States Capitol*

1 *Grounds, to regulate the use thereof, and for other pur-*
2 *poses”, approved July 31, 1946 (40 U.S.C. 193m(1)).*

3 **SEC. 906. RULE OF CONSTRUCTION.**

4 *Nothing in this Act shall be construed as restricting*
5 *the authority of the Administrator of General Services or*
6 *the head of an agency to limit tobacco product use in or*
7 *around any Federal building, except as provided under sec-*
8 *tion 903(a).*

Attest:

Secretary.

HR 2403 EAS—2

HR 2403 EAS—3

HR 2403 EAS—4

HR 2403 EAS—5

HR 2403 EAS—6

HR 2403 EAS—7

HR 2403 EAS—8

HR 2403 EAS—9

HR 2403 EAS—10