

In the Senate of the United States,

July 21, 1998.

Resolved, That the bill from the House of Representatives (H.R. 4112) entitled “An Act making appropriations for the Legislative Branch for the fiscal year ending September 30, 1999, and for other purposes.”, do pass with the following

AMENDMENT:

1 Page 10, strike out all after line 7, over to and includ-
2 ing line 22 on page 47 and insert:

3 *SENATE*

4 *EXPENSE ALLOWANCES*

5 *For expense allowances of the Vice President, \$10,000;*
6 *the President Pro Tempore of the Senate, \$10,000; Majority*
7 *Leader of the Senate, \$10,000; Minority Leader of the Sen-*
8 *ate, \$10,000; Majority Whip of the Senate, \$5,000; Minority*
9 *Whip of the Senate, \$5,000; and Chairmen of the Majority*
10 *and Minority Conference Committees, \$3,000 for each*
11 *Chairman; in all, \$56,000.*

1 *REPRESENTATION ALLOWANCES FOR THE MAJORITY AND*
2 *MINORITY LEADERS*

3 *For representation allowances of the Majority and Mi-*
4 *nority Leaders of the Senate, \$15,000 for each such Leader;*
5 *in all, \$30,000.*

6 *SALARIES, OFFICERS AND EMPLOYEES*

7 *For compensation of officers, employees, and others as*
8 *authorized by law, including agency contributions,*
9 *\$87,233,000, which shall be paid from this appropriation*
10 *without regard to the below limitations, as follows:*

11 *OFFICE OF THE VICE PRESIDENT*

12 *For the Office of the Vice President, \$1,659,000.*

13 *OFFICE OF THE PRESIDENT PRO TEMPORE*

14 *For the Office of the President Pro Tempore, \$402,000.*

15 *OFFICES OF THE MAJORITY AND MINORITY LEADERS*

16 *For Offices of the Majority and Minority Leaders,*
17 *\$2,436,000.*

18 *OFFICES OF THE MAJORITY AND MINORITY WHIPS*

19 *For Offices of the Majority and Minority Whips,*
20 *\$1,416,000.*

21 *COMMITTEE ON APPROPRIATIONS*

22 *For salaries of the Committee on Appropriations,*
23 *\$6,050,000.*

1 *AGENCY CONTRIBUTIONS AND RELATED EXPENSES*

2 *For agency contributions for employee benefits, as au-*
3 *thorized by law, and related expenses, \$21,332,000.*

4 *OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE*

5 *For salaries and expenses of the Office of the Legisla-*
6 *tive Counsel of the Senate, \$3,753,000.*

7 *OFFICE OF SENATE LEGAL COUNSEL*

8 *For salaries and expenses of the Office of Senate Legal*
9 *Counsel, \$1,004,000.*

10 *EXPENSE ALLOWANCES OF THE SECRETARY OF THE SEN-*
11 *ATE, SERGEANT AT ARMS AND DOORKEEPER OF THE*
12 *SENATE, AND SECRETARIES FOR THE MAJORITY AND*
13 *MINORITY OF THE SENATE*

14 *For expense allowances of the Secretary of the Senate,*
15 *\$3,000; Sergeant at Arms and Doorkeeper of the Senate,*
16 *\$3,000; Secretary for the Majority of the Senate, \$3,000;*
17 *Secretary for the Minority of the Senate, \$3,000; in all,*
18 *\$12,000.*

19 *CONTINGENT EXPENSES OF THE SENATE*

20 *INQUIRIES AND INVESTIGATIONS*

21 *For expenses of inquiries and investigations ordered*
22 *by the Senate, or conducted pursuant to section 134(a) of*
23 *Public Law 601, Seventy-ninth Congress, as amended, sec-*
24 *tion 112 of Public Law 96-304 and Senate Resolution 281,*
25 *agreed to March 11, 1980, \$66,800,000.*

1 *EXPENSES OF THE UNITED STATES SENATE CAUCUS ON*
2 *INTERNATIONAL NARCOTICS CONTROL*

3 *For expenses of the United States Senate Caucus on*
4 *International Narcotics Control, \$370,000.*

5 *SECRETARY OF THE SENATE*

6 *For expenses of the Office of the Secretary of the Sen-*
7 *ate, \$1,511,000.*

8 *SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE*

9 *For expenses of the Office of the Sergeant at Arms and*
10 *Doorkeeper of the Senate, \$60,511,000, of which \$5,000,000*
11 *shall remain available until September 30, 2000.*

12 *MISCELLANEOUS ITEMS*

13 *For miscellaneous items, \$8,655,000.*

14 *SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE*

15 *ACCOUNT*

16 *For Senators' Official Personnel and Office Expense*
17 *Account, \$239,156,000.*

18 *OFFICIAL MAIL COSTS*

19 *For expenses necessary for official mail costs of the*
20 *Senate, \$300,000.*

21 *ADMINISTRATIVE PROVISIONS*

22 *SECTION 1. (a) Effective in the case of any fiscal year*
23 *which begins on or after October 1, 1998, clause (iii) of*
24 *paragraph (3)(A) of section 506(b) of the Supplemental Ap-*

1 *appropriations Act, 1973 (2 U.S.C. 58(b)) is amended to read*
2 *as follows:*

3 “(iii) *subject to subparagraph (B), in case the*
4 *Senator represents Alabama, \$183,565, Alaska,*
5 *\$252,505, Arizona, \$197,409, Arkansas, \$168,535,*
6 *California, \$470,272, Colorado, \$187,366, Connecti-*
7 *cut, \$161,691, Delaware, \$127,384, Florida, \$263,748,*
8 *Georgia, \$211,784, Hawaii, \$279,648, Idaho,*
9 *\$163,841, Illinois, \$267,000, Indiana, \$195,391,*
10 *Iowa, \$171,340, Kansas, \$168,912, Kentucky,*
11 *\$176,975, Louisiana, \$186,714, Maine, \$148,205,*
12 *Maryland, \$172,455, Massachusetts, \$196,819, Michi-*
13 *gan, \$235,846, Minnesota, \$187,742, Mississippi,*
14 *\$168,587, Missouri, \$198,365, Montana, \$161,857,*
15 *Nebraska, \$160,550, Nevada, \$171,208, New Hamp-*
16 *shire, \$142,497, New Jersey, \$207,754, New Mexico,*
17 *\$166,721, New York, \$328,586, North Carolina,*
18 *\$212,711, North Dakota, \$150,225, Ohio, \$262,252,*
19 *Oklahoma, \$181,913, Oregon, \$189,258, Pennsyl-*
20 *vania, \$267,240, Rhode Island, \$138,637, South*
21 *Carolina, \$171,731, South Dakota, \$151,838, Ten-*
22 *nessee, \$192,508, Texas, \$353,911, Utah, \$168,959,*
23 *Vermont, \$136,315, Virginia, \$193,935, Washington,*
24 *\$213,887, West Virginia, \$149,135, Wisconsin,*
25 *\$191,314, Wyoming, \$153,016, plus”.*

1 (b) Subparagraph (B) of section 506(b)(3) of the Sup-
2 plemental Appropriations Act, 1973 (2 U.S.C. 58(b)(3)) is
3 amended—

4 (1) by striking “the amount referred to in sub-
5 paragraph (A)(iii)” and inserting “that part of the
6 amount referred to in subparagraph (A)(iii) that is
7 not specifically allocated for official mail expenses”;
8 and

9 (2) by inserting before the period at the end the
10 following: “; and the part of the amount referred to
11 in subparagraph (A)(iii) that is allocated for official
12 mail expenses shall be recalculated in accordance with
13 regulations of the Committee on Rules and Adminis-
14 tration”.

15 SEC. 2. (a) Section 2(b) of Public Law 104–53 (2
16 U.S.C. 61d–3(b)) is amended by striking “\$10,000” and in-
17 serting “\$35,000”.

18 (b) The amendment made by subsection (a) is effective
19 on and after October 1, 1998.

20 SEC. 3. Subsection (a) of the first section of Senate
21 Resolution 149, agreed to October 5, 1993 (103d Congress,
22 1st Session), as amended by Senate Resolution 299, agreed
23 to September 24, 1996 (104th Congress, 2d Session), is
24 amended by striking “until December 31, 1998” and insert-
25 ing “until December 31, 2000”.

1 *SEC. 4. (a) Section 101(a) of the Supplemental Appro-*
2 *priations Act, 1977 (2 U.S.C. 61h-6(a)) is amended—*

3 *(1) by inserting after the first sentence the fol-*
4 *lowing: “The President pro tempore of the Senate is*
5 *authorized to appoint and fix the compensation of 1*
6 *consultant, on a temporary or intermittent basis, at*
7 *a daily rate of compensation not in excess of that*
8 *specified in the first sentence of this subsection.”; and*

9 *(2) in the sentence that begins “The provisions*
10 *of”, by striking “section 8344” and inserting “sec-*
11 *tions 8344 and 8468”.*

12 *(b) Section 101(b) of the Supplemental Appropriations*
13 *Act, 1977 (2 U.S.C. 61h-6(b)) is amended by striking all*
14 *after “(b)” through “to such position” and inserting “Any*
15 *or all appointments under this section may be”.*

16 *(c) This section is effective on and after the date of*
17 *enactment of this Act.*

18 *SEC. 5. (a) There is established the Senate Leader’s*
19 *Lecture Series (hereinafter referred to as the “lecture se-*
20 *ries”). Expenses incurred in connection with the lecture se-*
21 *ries shall be paid from the appropriations account “Sec-*
22 *retary of the Senate” within the contingent fund of the Sen-*
23 *ate and shall not exceed \$30,000 in any fiscal year.*

24 *(b) Payments for expenses in connection with the lec-*
25 *ture series may cover expenses incurred by speakers, includ-*

1 *ing travel, subsistence, and per diem, and the cost of recep-*
2 *tions, including food, food related items, and hospitality.*

3 *(c) Payments for expenses of the lecture series shall be*
4 *made on vouchers approved by the Secretary of the Senate.*

5 *(d) This section is effective on and after October 1,*
6 *1997.*

7 *SEC. 6. (a) The Sergeant at Arms and Doorkeeper of*
8 *the Senate is authorized to appoint and fix the compensa-*
9 *tion of such employees as may be necessary to operate Sen-*
10 *ate Hair Care Services.*

11 *(b) There is established in the Treasury of the United*
12 *States within the contingent fund of the Senate a revolving*
13 *fund to be known as the Senate Hair Care Services Revolv-*
14 *ing Fund (hereafter in this section referred to as the “re-*
15 *volving fund”).*

16 *(c)(1) All moneys received by Senate Hair Care Serv-*
17 *ices from fees for services or from any other source shall*
18 *be deposited in the revolving fund.*

19 *(2) Moneys in the revolving fund shall be available*
20 *without fiscal year limitation for disbursement by the Sec-*
21 *retary of the Senate—*

22 *(A) for the payment of salaries and agency con-*
23 *tributions of employees of Senate Hair Care Services;*
24 *and*

1 (B) for necessary supplies, equipment, and other
2 expenses of Senate Hair Care Services.

3 (d) Disbursements from the revolving fund shall be
4 made upon vouchers signed by the Sergeant at Arms and
5 Doorkeeper of the Senate, except that vouchers shall not be
6 required for the disbursement of salaries paid at an annual
7 rate.

8 (e) At the direction of the Committee on Rules and
9 Administration, the Secretary of the Senate shall withdraw
10 from the revolving fund and deposit in the Treasury of the
11 United States as miscellaneous receipts all moneys in the
12 revolving fund that the Committee may determine are in
13 excess of the current and reasonably foreseeable needs of
14 Senate Hair Care Services.

15 (f) The Sergeant at Arms and Doorkeeper of the Senate
16 is authorized to prescribe such regulations as may be nec-
17 essary to carry out the provisions of this section, subject
18 to the approval of the Committee on Rules and Administra-
19 tion.

20 (g) There is transferred to the revolving fund estab-
21 lished by this section any unobligated balance in the fund
22 established by section 106 of Public Law 94-440 on the ef-
23 fective date of this section.

24 (h)(1) Section 106 of Public Law 94-440 is repealed.

25 (2) Section 10(a) of Public Law 100-458 is repealed.

1 (i) *This section shall be effective on and after October*
2 *1, 1998, or 30 days after the date of enactment of this Act,*
3 *whichever is later.*

4 *SEC. 7. The amount available to the Committee on*
5 *Rules and Administration for expenses under section 16(c)*
6 *of Senate Resolution 54, agreed to February 13, 1997, is*
7 *increased by \$150,000.*

8 *SEC. 8. Effective on and after October 1, 1998, each*
9 *of the dollar amounts contained in the table under section*
10 *105(d)(1)(A) of the Legislative Branch Appropriations Act,*
11 *1968 (2 U.S.C. 61–1(d)(1)(A)) shall be deemed to be the*
12 *dollar amounts in that table, as increased by section 5 of*
13 *Public Law 105–55, increased by an additional \$50,000*
14 *each.*

15 *SEC. 9. (a) With the prior written approval of the*
16 *Committee on Rules and Administration of the Senate, the*
17 *Sergeant at Arms and Doorkeeper of the Senate may enter*
18 *into agreements with public or private parties for the pur-*
19 *pose of demonstrating the use of alternative fuel vehicles (as*
20 *defined in section 301(2) of the Energy Policy Act of 1992*
21 *(Public Law 102–486)) in Senate fleet operations. Any such*
22 *agreement may also provide for necessary fueling infra-*
23 *structure in connection with the alternative fuel vehicles.*

24 (i) *A vehicle may be made available under subsection*
25 *(a) for a period not exceeding 90 days.*

1 *SEC. 10. (a) The Committee on Appropriations is au-*
2 *thorized in its discretion—*

3 *(1) to hold hearings, report such hearings, and*
4 *make investigations as authorized by paragraph 1 of*
5 *rule XXVI of the Standing Rules of the Senate;*

6 *(2) to make expenditures from the contingent*
7 *fund of the Senate;*

8 *(3) to employ personnel;*

9 *(4) with the prior consent of the Government de-*
10 *partment or agency concerned and the Committee on*
11 *Rules and Administration to use, on a reimbursable*
12 *or nonreimbursable basis, the services of personnel of*
13 *any such department or agency;*

14 *(5) to procure the services of individual consult-*
15 *ants, or organizations thereof (as authorized by sec-*
16 *tion 202(i) of the Legislative Reorganization Act of*
17 *1946 and Senate Resolution 140, agreed to May 14,*
18 *1975); and*

19 *(6) to provide for the training of the professional*
20 *staff of such committee (under procedures specified by*
21 *section 202(j) of such Act).*

22 *(b) Senate Resolution 54, agreed to February 13, 1997,*
23 *is amended by striking section 4.*

1 (c) *This section shall be effective on and after October*
2 *1, 1998, or the date of enactment of this Act, whichever is*
3 *later.*

4 SEC. 11. (a)(1) *The Chairman of the Appropriations*
5 *Committee of the Senate may, during any fiscal year, at*
6 *his or her election transfer funds from the appropriation*
7 *account for salaries for the Appropriations Committee of*
8 *the Senate, to the account, within the contingent fund of*
9 *the Senate, from which expenses are payable for such com-*
10 *mittee.*

11 (2) *The Chairman of the Appropriations Committee*
12 *of the Senate may, during any fiscal year, at his or her*
13 *election transfer funds from the appropriation account for*
14 *expenses, within the contingent fund of the Senate, for the*
15 *Appropriations Committee of the Senate, to the account*
16 *from which salaries are payable for such committee.*

17 (b) *Any funds transferred under this section shall be—*

18 (1) *available for expenditure by such committee*
19 *in like manner and for the same purposes as are other*
20 *moneys which are available for expenditure by such*
21 *committee from the account to which the funds were*
22 *transferred; and*

23 (2) *made at such time or times as the Chairman*
24 *shall specify in writing to the Senate Disbursing Of-*
25 *fice.*

1 *ance of \$500 per month each to two medical officers while*
2 *on duty in the Office of the Attending Physician; (3) an*
3 *allowance of \$500 per month to one assistant and \$400 per*
4 *month each to not to exceed nine assistants on the basis*
5 *heretofore provided for such assistants; and (4) \$893,000*
6 *for reimbursement to the Department of the Navy for ex-*
7 *penses incurred for staff and equipment assigned to the Of-*
8 *fice of the Attending Physician, which shall be advanced*
9 *and credited to the applicable appropriation or appropria-*
10 *tions from which such salaries, allowances, and other ex-*
11 *penses are payable and shall be available for all the pur-*
12 *poses thereof, \$1,415,000, to be disbursed by the Chief Ad-*
13 *ministrative Officer of the House.*

14 *CAPITOL POLICE BOARD*

15 *CAPITOL POLICE*

16 *SALARIES*

17 *For the Capitol Police Board for salaries of officers,*
18 *members, and employees of the Capitol Police, including*
19 *overtime, hazardous duty pay differential, clothing allow-*
20 *ance of not more than \$600 each for members required to*
21 *wear civilian attire, and Government contributions for*
22 *health, retirement, Social Security, and other applicable*
23 *employee benefits, \$74,281,000, of which \$35,770,000 is pro-*
24 *vided to the Sergeant at Arms of the House of Representa-*
25 *tives, to be disbursed by the Chief Administrative Officer*

1 *of the House, and \$38,511,000 is provided to the Sergeant*
2 *at Arms and Doorkeeper of the Senate, to be disbursed by*
3 *the Secretary of the Senate: Provided, That, of the amounts*
4 *appropriated under this heading, such amounts as may be*
5 *necessary may be transferred between the Sergeant at Arms*
6 *of the House of Representatives and the Sergeant at Arms*
7 *and Doorkeeper of the Senate, upon approval of the Com-*
8 *mittee on Appropriations of the House of Representatives*
9 *and the Committee on Appropriations of the Senate.*

10

GENERAL EXPENSES

11

For the Capitol Police Board for necessary expenses
12 *of the Capitol Police, including motor vehicles, communica-*
13 *tions and other equipment, security equipment and instal-*
14 *lation, uniforms, weapons, supplies, materials, training,*
15 *medical services, forensic services, stenographic services,*
16 *personal and professional services, the employee assistance*
17 *program, not more than \$2,000 for the awards program,*
18 *postage, telephone service, travel advances, relocation of in-*
19 *structor and liaison personnel for the Federal Law Enforce-*
20 *ment Training Center, and \$85 per month for extra services*
21 *performed for the Capitol Police Board by an employee of*
22 *the Sergeant at Arms of the Senate or the House of Rep-*
23 *resentatives designated by the Chairman of the Board,*
24 *\$6,297,000, to be disbursed by the Chief Administrative Of-*
25 *ficer of the House of Representatives: Provided, That, not-*

1 *withstanding any other provision of law, the cost of basic*
2 *training for the Capitol Police at the Federal Law Enforce-*
3 *ment Training Center for fiscal year 1999 shall be paid*
4 *by the Secretary of the Treasury from funds available to*
5 *the Department of the Treasury.*

6 *ADMINISTRATIVE PROVISION*

7 *SEC. 101. Amounts appropriated for fiscal year 1999*
8 *for the Capitol Police Board for the Capitol Police may be*
9 *transferred between the headings “SALARIES” and “GEN-*
10 *ERAL EXPENSES” upon the approval of—*

11 *(1) the Committee on Appropriations of the*
12 *House of Representatives, in the case of amounts*
13 *transferred from the appropriation provided to the*
14 *Sergeant at Arms of the House of Representatives*
15 *under the heading “SALARIES”;*

16 *(2) the Committee on Appropriations of the Sen-*
17 *ate, in the case of amounts transferred from the ap-*
18 *propriation provided to the Sergeant at Arms and*
19 *Doorkeeper of the Senate under the heading “SALA-*
20 *RIES”;* *and*

21 *(3) the Committees on Appropriations of the*
22 *Senate and the House of Representatives, in the case*
23 *of other transfers.*

1 *CAPITOL GUIDE SERVICE AND SPECIAL SERVICES OFFICE*

2 *For salaries and expenses of the Capitol Guide Service*
3 *and Special Services Office, \$2,195,000, to be disbursed by*
4 *the Secretary of the Senate: Provided, That no part of such*
5 *amount may be used to employ more than forty-three indi-*
6 *viduals: Provided further, That the Capitol Guide Board*
7 *is authorized, during emergencies, to employ not more than*
8 *two additional individuals for not more than 120 days*
9 *each, and not more than ten additional individuals for not*
10 *more than six months each, for the Capitol Guide Service.*

11 *STATEMENTS OF APPROPRIATIONS*

12 *For the preparation, under the direction of the Com-*
13 *mittees on Appropriations of the Senate and the House of*
14 *Representatives, of the statements for the second session of*
15 *the One Hundred Fifth Congress, showing appropriations*
16 *made, indefinite appropriations, and contracts authorized,*
17 *together with a chronological history of the regular appro-*
18 *priations bills as required by law, \$30,000, to be paid to*
19 *the persons designated by the chairmen of such committees*
20 *to supervise the work.*

21 *OFFICE OF COMPLIANCE*22 *SALARIES AND EXPENSES*

23 *For salaries and expenses of the Office of Compliance,*
24 *as authorized by section 305 of the Congressional Account-*
25 *ability Act of 1995 (2 U.S.C. 1385), \$2,286,000.*

1 *CONGRESSIONAL BUDGET OFFICE*2 *SALARIES AND EXPENSES*

3 *For salaries and expenses necessary to carry out the*
4 *provisions of the Congressional Budget Act of 1974 (Public*
5 *Law 93-344), including not more than \$2,500 to be ex-*
6 *pended on the certification of the Director of the Congres-*
7 *sional Budget Office in connection with official representa-*
8 *tion and reception expenses, \$25,671,000: Provided, That*
9 *no part of such amount may be used for the purchase or*
10 *hire of a passenger motor vehicle.*

11 *ARCHITECT OF THE CAPITOL*12 *CAPITOL BUILDINGS AND GROUNDS*13 *CAPITOL BUILDINGS*14 *SALARIES AND EXPENSES*

15 *For salaries for the Architect of the Capitol, the Assist-*
16 *ant Architect of the Capitol, and other personal services,*
17 *at rates of pay provided by law; for surveys and studies*
18 *in connection with activities under the care of the Architect*
19 *of the Capitol; for all necessary expenses for the mainte-*
20 *nance, care and operation of the Capitol and electrical sub-*
21 *stations of the Senate and House office buildings under the*
22 *jurisdiction of the Architect of the Capitol, including fur-*
23 *nishings and office equipment, including not more than*
24 *\$1,000 for official reception and representation expenses, to*
25 *be expended as the Architect of the Capitol may approve;*
26 *for purchase or exchange, maintenance and operation of a*

1 *passenger motor vehicle; and not to exceed \$20,000 for at-*
2 *tendance, when specifically authorized by the Architect of*
3 *the Capitol, at meetings or conventions in connection with*
4 *subjects related to work under the Architect of the Capitol,*
5 *\$44,641,000, of which \$8,175,000 shall remain available*
6 *until expended.*

7 *CAPITOL GROUNDS*

8 *For all necessary expenses for care and improvement*
9 *of grounds surrounding the Capitol, the Senate and House*
10 *office buildings, and the Capitol Power Plant, \$6,055,000,*
11 *of which \$525,000 shall remain available until expended.*

12 *SENATE OFFICE BUILDINGS*

13 *For all necessary expenses for maintenance, care and*
14 *operation of Senate office buildings; and furniture and fur-*
15 *nishings to be expended under the control and supervision*
16 *of the Architect of the Capitol, \$53,644,000, of which*
17 *\$14,115,000 shall remain available until expended.*

18 *HOUSE OFFICE BUILDINGS*

19 *For all necessary expenses for the maintenance, care*
20 *and operation of the House office buildings, \$42,139,000,*
21 *of which \$11,449,000 shall remain available until expended:*
22 *Provided, That of the total amount provided under this*
23 *heading, not less than \$100,000 shall be used exclusively*
24 *for waste recycling programs.*

CAPITOL POWER PLANT

1
2 *For all necessary expenses for the maintenance, care*
3 *and operation of the Capitol Power Plant; lighting, heating,*
4 *power (including the purchase of electrical energy) and*
5 *water and sewer services for the Capitol, Senate and House*
6 *office buildings, Library of Congress buildings, and the*
7 *grounds about the same, Botanic Garden, Senate garage,*
8 *and air conditioning refrigeration not supplied from plants*
9 *in any of such buildings; heating the Government Printing*
10 *Office and Washington City Post Office, and heating and*
11 *chilled water for air conditioning for the Supreme Court*
12 *Building, the Union Station complex, the Thurgood Mar-*
13 *shall Federal Judiciary Building and the Folger Shake-*
14 *speare Library, expenses for which shall be advanced or re-*
15 *imbursed upon request of the Architect of the Capitol and*
16 *amounts so received shall be deposited into the Treasury*
17 *to the credit of this appropriation, \$38,222,000, of which*
18 *\$5,100,000 shall remain available until expended: Provided,*
19 *That not more than \$4,000,000 of the funds credited or to*
20 *be reimbursed to this appropriation as herein provided*
21 *shall be available for obligation during fiscal year 1999.*

LIBRARY OF CONGRESS

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

1 *For necessary expenses to carry out the provisions of*
2 *section 203 of the Legislative Reorganization Act of 1946*
3 *(2 U.S.C. 166) and to revise and extend the Annotated Con-*
4 *stitution of the United States of America, \$67,877,483: Pro-*
5 *vided, That no part of such amount may be used to pay*
6 *any salary or expense in connection with any publication,*
7 *or preparation of material therefor (except the Digest of*
8 *Public General Bills), to be issued by the Library of Con-*
9 *gress unless such publication has obtained prior approval*
10 *of either the Committee on House Oversight of the House*
11 *of Representatives or the Committee on Rules and Adminis-*
12 *tration of the Senate: Provided further, That, notwithstand-*
13 *ing any other provision of law, the compensation of the Di-*
14 *rector of the Congressional Research Service, Library of*
15 *Congress, shall be at an annual rate which is equal to the*
16 *annual rate of basic pay for positions at level IV of the*
17 *Executive Schedule under section 5315 of title 5, United*
18 *States Code.*

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

19 *For authorized printing and binding for the Congress*
20 *and the distribution of Congressional information in any*
21

1 *format; printing and binding for the Architect of the Cap-*
2 *itol; expenses necessary for preparing the semimonthly and*
3 *session index to the Congressional Record, as authorized by*
4 *law (44 U.S.C. 902); printing and binding of Government*
5 *publications authorized by law to be distributed to Members*
6 *of Congress; and printing, binding, and distribution of Gov-*
7 *ernment publications authorized by law to be distributed*
8 *without charge to the recipient, \$75,500,000: Provided,*
9 *That this appropriation shall not be available for paper*
10 *copies of the permanent edition of the Congressional Record*
11 *for individual Representatives, Resident Commissioners or*
12 *Delegates authorized under 44 U.S.C. 906: Provided further,*
13 *That none of the funds appropriated or made available*
14 *under this Act may be expended for printing and binding*
15 *and related services provided to Congress under chapter 7*
16 *of title 44, United States Code, unless such printing and*
17 *binding and related services are provided during fiscal year*
18 *1999 and the billing of such printing and binding and re-*
19 *lated services occurs not later than December 31, 2000.*

20 *This title may be cited as the “Congressional Oper-*
21 *ations Appropriations Act, 1999”.*

1 *TITLE II—OTHER AGENCIES*2 *BOTANIC GARDEN*3 *SALARIES AND EXPENSES*

4 *For all necessary expenses for the maintenance, care*
5 *and operation of the Botanic Garden and the nurseries,*
6 *buildings, grounds, and collections; and purchase and ex-*
7 *change, maintenance, repair, and operation of a passenger*
8 *motor vehicle; all under the direction of the Joint Commit-*
9 *tee on the Library, \$3,180,000.*

10 *LIBRARY OF CONGRESS*11 *SALARIES AND EXPENSES*

12 *For necessary expenses of the Library of Congress not*
13 *otherwise provided for, including development and mainte-*
14 *nance of the Union Catalogs; custody and custodial care*
15 *of the Library buildings; special clothing; cleaning, laun-*
16 *dering and repair of uniforms; preservation of motion pic-*
17 *tures in the custody of the Library; operation and mainte-*
18 *nance of the American Folklife Center in the Library; prep-*
19 *aration and distribution of catalog records and other publi-*
20 *cations of the Library; hire or purchase of one passenger*
21 *motor vehicle; and expenses of the Library of Congress Trust*
22 *Fund Board not properly chargeable to the income of any*
23 *trust fund held by the Board, \$239,176,542, of which not*
24 *more than \$6,500,000 shall be derived from collections cred-*
25 *ited to this appropriation during fiscal year 1999, and*

1 *shall remain available until expended, under the Act of*
2 *June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150):*
3 *Provided, That the Library of Congress may not obligate*
4 *or expend any funds derived from collections under the Act*
5 *of June 28, 1902, in excess of the amount authorized for*
6 *obligation or expenditure in appropriations Acts: Provided*
7 *further, That the total amount available for obligation shall*
8 *be reduced by the amount by which collections are less than*
9 *the \$6,500,000: Provided further, That of the total amount*
10 *appropriated, \$10,119,000 is to remain available until ex-*
11 *pended for acquisition of books, periodicals, newspapers,*
12 *and all other materials including subscriptions for biblio-*
13 *graphic services for the Library, including \$40,000 to be*
14 *available solely for the purchase, when specifically approved*
15 *by the Librarian, of special and unique materials for addi-*
16 *tions to the collections: Provided further, That of the total*
17 *amount appropriated, \$3,544,000 is to remain available*
18 *until expended for the acquisition and partial support for*
19 *implementation of an integrated library system (ILS): Pro-*
20 *vided further, That of the total amount appropriated,*
21 *\$2,000,000 is to remain available until expended for a*
22 *project to digitize collections for the Meeting of the Frontiers*
23 *United States-Russian digital library: Provided further,*
24 *That of the total amount appropriated, \$250,000 is to re-*
25 *main available until expended for the Library's efforts in*

1 *connection with the commemoration of the Bicentennial of*
2 *the Lewis and Clark expedition.*

3 *COPYRIGHT OFFICE*

4 *SALARIES AND EXPENSES*

5 *For necessary expenses of the Copyright Office, includ-*
6 *ing publication of the decisions of the United States courts*
7 *involving copyrights, \$35,269,000, of which not more than*
8 *\$16,000,000 shall be derived from collections credited to this*
9 *appropriation during fiscal year 1999 under 17 U.S.C.*
10 *708(d), and not more than \$5,170,000 shall be derived from*
11 *collections during fiscal year 1999 under 17 U.S.C.*
12 *111(d)(2), 119(b)(2), 802(h), and 1005: Provided, That the*
13 *total amount available for obligation shall be reduced by*
14 *the amount by which collections are less than \$21,170,000:*
15 *Provided further, That not more than \$100,000 of the*
16 *amount appropriated is available for the maintenance of*
17 *an “International Copyright Institute” in the Copyright*
18 *Office of the Library of Congress for the purpose of training*
19 *nationals of developing countries in intellectual property*
20 *laws and policies: Provided further, That not more than*
21 *\$2,250 may be expended, on the certification of the Librar-*
22 *ian of Congress, in connection with official representation*
23 *and reception expenses for activities of the International*
24 *Copyright Institute.*

1 *BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED*
2 *SALARIES AND EXPENSES*

3 *For salaries and expenses to carry out the Act of March*
4 *3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a),*
5 *\$46,895,000, of which \$13,744,000 shall remain available*
6 *until expended.*

7 *FURNITURE AND FURNISHINGS*

8 *For necessary expenses for the purchase, installation,*
9 *maintenance, and repair of furniture, furnishings, office*
10 *and library equipment, \$4,458,000.*

11 *ADMINISTRATIVE PROVISIONS*

12 *SEC. 201. Appropriations in this Act available to the*
13 *Library of Congress shall be available, in an amount of not*
14 *more than \$194,290, of which \$58,100 is for the Congres-*
15 *sional Research Service, when specifically authorized by the*
16 *Librarian, for attendance at meetings concerned with the*
17 *function or activity for which the appropriation is made.*

18 *SEC. 202. (a) No part of the funds appropriated in*
19 *this Act shall be used by the Library of Congress to admin-*
20 *ister any flexible or compressed work schedule which—*

21 (1) *applies to any manager or supervisor in a*
22 *position the grade or level of which is equal to or*
23 *higher than GS-15; and*

24 (2) *grants such manager or supervisor the right*
25 *to not be at work for all or a portion of a workday*

1 *because of time worked by the manager or supervisor*
2 *on another workday.*

3 *(b) For purposes of this section, the term “manager*
4 *or supervisor” means any management official or super-*
5 *visor, as such terms are defined in section 7103(a) (10) and*
6 *(11) of title 5, United States Code.*

7 *SEC. 203. Appropriated funds received by the Library*
8 *of Congress from other Federal agencies to cover general and*
9 *administrative overhead costs generated by performing re-*
10 *imbursable work for other agencies under the authority of*
11 *31 U.S.C. 1535 and 1536 shall not be used to employ more*
12 *than 65 employees and may be expended or obligated—*

13 *(1) in the case of a reimbursement, only to such*
14 *extent or in such amounts as are provided in appro-*
15 *priations Acts; or*

16 *(2) in the case of an advance payment, only—*

17 *(A) to pay for such general or administra-*
18 *tive overhead costs as are attributable to the*
19 *work performed for such agency; or*

20 *(B) to such extent or in such amounts as*
21 *are provided in appropriations Acts, with re-*
22 *spect to any purpose not allowable under sub-*
23 *paragraph (A).*

24 *SEC. 204. Of the amounts appropriated to the Library*
25 *of Congress in this Act, not more than \$5,000 may be ex-*

1 *pended, on the certification of the Librarian of Congress,*
 2 *in connection with official representation and reception ex-*
 3 *penses for the incentive awards program.*

4 *SEC. 205. Of the amount appropriated to the Library*
 5 *of Congress in this Act, not more than \$12,000 may be ex-*
 6 *pended, on the certification of the Librarian of Congress,*
 7 *in connection with official representation and reception ex-*
 8 *penses for the Overseas Field Offices.*

9 *SEC. 206. (a) For fiscal year 1999, the obligational*
 10 *authority of the Library of Congress for the activities de-*
 11 *scribed in subsection (b) may not exceed \$99,765,100.*

12 *(b) The activities referred to in subsection (a) are re-*
 13 *imbursable and revolving fund activities that are funded*
 14 *from sources other than appropriations to the Library in*
 15 *appropriations Acts for the legislative branch.*

16 *ARCHITECT OF THE CAPITOL*
 17 *LIBRARY BUILDINGS AND GROUNDS*
 18 *STRUCTURAL AND MECHANICAL CARE*

19 *For all necessary expenses for the mechanical and*
 20 *structural maintenance, care and operation of the Library*
 21 *buildings and grounds, \$12,566,000, of which \$910,000*
 22 *shall remain available until expended.*

23 *ADMINISTRATIVE PROVISION*

24 *SEC. 207. For fiscal year 1999, the amounts available*
 25 *for expenditure to the Architect of the Capitol pursuant to*

1 *Section 4 of Public Law 105–144, approved December 15,*
2 *1997, may not exceed \$2,500,000.*

3 **GOVERNMENT PRINTING OFFICE**

4 **OFFICE OF SUPERINTENDENT OF DOCUMENTS**

5 **SALARIES AND EXPENSES**

6 *For expenses of the Office of Superintendent of Docu-*
7 *ments necessary to provide for the cataloging and indexing*
8 *of Government publications and their distribution to the*
9 *public, Members of Congress, other Government agencies,*
10 *and designated depository and international exchange li-*
11 *braries as authorized by law, \$29,600,000: Provided, That*
12 *travel expenses, including travel expenses of the Depository*
13 *Library Council to the Public Printer, shall not exceed*
14 *\$150,000: Provided further, That amounts of not more than*
15 *\$2,000,000 from current year appropriations are author-*
16 *ized for producing and disseminating Congressional serial*
17 *sets and other related publications for 1997 and 1998 to*
18 *depository and other designated libraries.*

19 **GOVERNMENT PRINTING OFFICE REVOLVING FUND**

20 *The Government Printing Office is hereby authorized*
21 *to make such expenditures, within the limits of funds avail-*
22 *able and in accord with the law, and to make such contracts*
23 *and commitments without regard to fiscal year limitations*
24 *as provided by section 9104 of title 31, United States Code,*
25 *as may be necessary in carrying out the programs and pur-*

1 poses set forth in the budget for the current fiscal year for
2 the Government Printing Office revolving fund: Provided,
3 That not more than \$2,500 may be expended on the certifi-
4 cation of the Public Printer in connection with official rep-
5 resentation and reception expenses: Provided further, That
6 the revolving fund shall be available for the hire or purchase
7 of not more than twelve passenger motor vehicles: Provided
8 further, That expenditures in connection with travel ex-
9 penses of the advisory councils to the Public Printer shall
10 be deemed necessary to carry out the provisions of title 44,
11 United States Code: Provided further, That the revolving
12 fund shall be available for temporary or intermittent serv-
13 ices under section 3109(b) of title 5, United States Code,
14 but at rates for individuals not more than the daily equiva-
15 lent of the annual rate of basic pay for level V of the Execu-
16 tive Schedule under section 5316 of such title: Provided fur-
17 ther, That the revolving fund and the funds provided under
18 the headings “OFFICE OF SUPERINTENDENT OF DOCU-
19 MENTS” and “SALARIES AND EXPENSES” together may not
20 be available for the full-time equivalent employment of more
21 than 3,350 workyears: Provided further, That activities fi-
22 nanced through the revolving fund may provide informa-
23 tion in any format: Provided further, That the revolving
24 fund shall not be used to administer any flexible or com-
25 pressed work schedule which applies to any manager or su-

1 *ervisor in a position the grade or level of which is equal*
2 *to or higher than GS-15: Provided further, That expenses*
3 *for attendance at meetings shall not exceed \$75,000.*

4 **GENERAL ACCOUNTING OFFICE**

5 **SALARIES AND EXPENSES**

6 *For necessary expenses of the General Accounting Of-*
7 *fice, including not more than \$7,000 to be expended on the*
8 *certification of the Comptroller General of the United States*
9 *in connection with official representation and reception ex-*
10 *penses; temporary or intermittent services under section*
11 *3109(b) of title 5, United States Code, but at rates for indi-*
12 *viduals not more than the daily equivalent of the annual*
13 *rate of basic pay for level IV of the Executive Schedule*
14 *under section 5315 of such title; hire of one passenger motor*
15 *vehicle; advance payments in foreign countries in accord-*
16 *ance with 31 U.S.C. 3324; benefits comparable to those pay-*
17 *able under sections 901(5), 901(6) and 901(8) of the For-*
18 *ign Service Act of 1980 (22 U.S.C. 4081(5), 4081(6) and*
19 *4081(8)); and under regulations prescribed by the Comp-*
20 *troller General of the United States, rental of living quar-*
21 *ters in foreign countries; \$363,298,000: Provided, That not-*
22 *withstanding 31 U.S.C. 9105 hereafter amounts reimbursed*
23 *to the Comptroller General pursuant to that section shall*
24 *be deposited to the appropriation of the General Accounting*
25 *Office then available and remain available until expended,*

1 *and not more than \$2,000,000 of such funds shall be avail-*
2 *able for use in fiscal year 1999: Provided further, That this*
3 *appropriation and appropriations for administrative ex-*
4 *penses of any other department or agency which is a mem-*
5 *ber of the Joint Financial Management Improvement Pro-*
6 *gram (JFMIP) shall be available to finance an appropriate*
7 *share of JFMIP costs as determined by the JFMIP, includ-*
8 *ing the salary of the Executive Director and secretarial sup-*
9 *port: Provided further, That this appropriation and appro-*
10 *priations for administrative expenses of any other depart-*
11 *ment or agency which is a member of the National Intergov-*
12 *ernmental Audit Forum or a Regional Intergovernmental*
13 *Audit Forum shall be available to finance an appropriate*
14 *share of either Forum's costs as determined by the respective*
15 *Forum, including necessary travel expenses of non-Federal*
16 *participants. Payments hereunder to either the Forum or*
17 *the JFMIP may be credited as reimbursements to any ap-*
18 *propriation from which costs involved are initially fi-*
19 *nanced: Provided further, That this appropriation and ap-*
20 *propriations for administrative expenses of any other de-*
21 *partment or agency which is a member of the American*
22 *Consortium on International Public Administration*
23 *(ACIPA) shall be available to finance an appropriate share*
24 *of ACIPA costs as determined by the ACIPA, including any*

1 *expenses attributable to membership of ACIPA in the Inter-*
2 *national Institute of Administrative Sciences.*

3 **TITLE III—GENERAL PROVISIONS**

4 *SEC. 301. No part of the funds appropriated in this*
5 *Act shall be used for the maintenance or care of private*
6 *vehicles, except for emergency assistance and cleaning as*
7 *may be provided under regulations relating to parking fa-*
8 *cilities for the House of Representatives issued by the Com-*
9 *mittee on House Oversight and for the Senate issued by the*
10 *Committee on Rules and Administration.*

11 *SEC. 302. No part of the funds appropriated in this*
12 *Act shall remain available for obligation beyond fiscal year*
13 *1999 unless expressly so provided in this Act.*

14 *SEC. 303. Whenever in this Act any office or position*
15 *not specifically established by the Legislative Pay Act of*
16 *1929 is appropriated for or the rate of compensation or des-*
17 *ignation of any office or position appropriated for is dif-*
18 *ferent from that specifically established by such Act, the rate*
19 *of compensation and the designation in this Act shall be*
20 *the permanent law with respect thereto: Provided, That the*
21 *provisions in this Act for the various items of official ex-*
22 *penses of Members, officers, and committees of the Senate*
23 *and House of Representatives, and clerk hire for Senators*
24 *and Members of the House of Representatives shall be the*
25 *permanent law with respect thereto.*

1 *SEC. 304. The expenditure of any appropriation under*
2 *this Act for any consulting service through procurement*
3 *contract, pursuant to 5 U.S.C. 3109, shall be limited to*
4 *those contracts where such expenditures are a matter of pub-*
5 *lic record and available for public inspection, except where*
6 *otherwise provided under existing law, or under existing*
7 *Executive order issued pursuant to existing law.*

8 *SEC. 305. Such sums as may be necessary are appro-*
9 *priated to the account described in subsection (a) of section*
10 *415 of Public Law 104–1 to pay awards and settlements*
11 *as authorized under such subsection.*

12 *SEC. 306. Amounts available for administrative ex-*
13 *penses of any legislative branch entity which participates*
14 *in the Legislative Branch Financial Managers Council*
15 *(LBFMC) established by charter on March 26, 1996, shall*
16 *be available to finance an appropriate share of LBFMC*
17 *costs as determined by the LBFMC, except that the total*
18 *LBFMC costs to be shared among all participating legisla-*
19 *tive branch entities (in such allocations among the entities*
20 *as the entities may determine) may not exceed \$1,500.*

21 *SEC. 307. Section 316 of Public Law 101–302 is*
22 *amended in the first sentence of subsection (a) by striking*
23 *“1998” and inserting “1999”.*

24 *SEC. 308. The Government Printing Office shall be*
25 *considered an agency for the purposes of the election in sec-*

1 *tion 801(b)(2)(B) of the National Energy Conservation Pol-*
2 *icy Act and the Public Printer shall be considered the head*
3 *of the agency for purposes of subsection (b)(2)(C) of such*
4 *section.*

5 *SEC. 309. Section 8 of the American Folklife Preserva-*
6 *tion Act (20 U.S.C. 2107) is amended to read as follows:*

7 ***“SEC. 8. AUTHORIZATION OF APPROPRIATIONS.***

8 *“There are authorized to be appropriated to the Center*
9 *to carry out this Act such sums as may be necessary for*
10 *each fiscal year.”.*

11 *SEC. 310. That \$3,110,611 shall be transferred from*
12 *the Employees’ Compensation Fund established under sec-*
13 *tion 8147 of title 5, United States Code, to the Government*
14 *Printing Office revolving fund as reimbursement for costs*
15 *improperly transferred from the revolving fund pursuant*
16 *to section 8147(c) of such title: Provided, That for purposes*
17 *of section 8147 of title 5, United States Code, the Govern-*
18 *ment Printing Office is not considered an agency which is*
19 *required by statute to submit an annual budget pursuant*
20 *to or as provided by chapter 91 of title 31, United States*
21 *Code, and is not required to pay an additional amount for*
22 *the cost of administration.*

23 *SEC. 311. (a) This section applies to the following offi-*
24 *cials:*

25 *(1) The Architect of the Capitol.*

1 (2) *The Secretary of the Senate.*

2 (3) *The Sergeant at Arms and Doorkeeper of the*
3 *Senate.*

4 (4) *The Public Printer.*

5 (5) *The Director, and the Executive Director, of*
6 *the United States Botanic Garden.*

7 (b)(1) *Not later than March 30, 1999, each official*
8 *named in subsection (a) shall submit to Congress a list of*
9 *each activity that—*

10 (A) *is to be performed by or for the official in*
11 *fiscal year 2000;*

12 (B) *is not an inherently governmental function;*
13 *and*

14 (C) *is—*

15 (i) *performed by a Federal Government*
16 *source on September 30, 1998; or*

17 (ii) *initiated after that date, if one or more*
18 *Federal Government sources are to be considered*
19 *for selection as the source to perform the activity.*

20 (2) *Each list shall include (for each activity listed)—*

21 (A) *the number of full-time employees (or its*
22 *equivalent) that would be necessary for the perform-*
23 *ance of the activity by a Federal Government source;*
24 *and*

1 (B) the name of a Federal Government employee
2 responsible for the activity from whom additional in-
3 formation about the activity may be obtained.

4 (c) An activity is not required to be included on an
5 official's list under subsection (b) if the activity, as deter-
6 mined by the official—

7 (1) is to be performed as a Federal Government
8 response to a national emergency declared by the
9 President or Congress;

10 (2) is to be performed for the official by a pri-
11 vate sector source pursuant to a contract or other
12 agreement entered into by the head of another depart-
13 ment or agency of the Federal Government; or

14 (3) is the provision of items that should be pro-
15 duced, manufactured, or provided, or services that
16 should be provided, by a Federal Government source
17 for reasons of national security (including reasons re-
18 lating to the acquisition, processing, or analysis of in-
19 telligence in the national security interests of the
20 United States).

21 (d) In this section:

22 (1) The term “Federal Government source”, with
23 respect to performance of an activity, means any or-
24 ganization within the Federal Government that uses

1 *Federal Government employees to perform the activ-*
2 *ity.*

3 (2)(A) *The term “inherently governmental func-*
4 *tion” means a function that is so intimately related*
5 *to the public interest as to require performance by*
6 *Federal Government employees.*

7 (B) *The term includes activities that require ei-*
8 *ther the exercise of discretion in applying Federal*
9 *Government authority or the making of value judg-*
10 *ments in making decisions for the Federal Govern-*
11 *ment, including judgments relating to monetary*
12 *transactions and entitlements. An inherently govern-*
13 *mental function involves, among other things, the in-*
14 *terpretation and execution of the laws of the United*
15 *States so as—*

16 (i) *to bind the United States to take or not*
17 *to take some action by contract, policy, regula-*
18 *tion, authorization, order, or otherwise;*

19 (ii) *to determine, protect, and advance*
20 *United States economic, political, territorial,*
21 *property, or other interests by military or diplo-*
22 *matic action, civil or criminal judicial proceed-*
23 *ings, contract management, or otherwise;*

24 (iii) *to significantly affect the life, liberty,*
25 *or property of private persons;*

1 (iv) to commission, appoint, direct, or con-
2 trol officers or employees of the United States; or

3 (v) to exert ultimate control over the acqui-
4 sition, use, or disposition of the property, real or
5 personal, tangible or intangible, of the United
6 States, including the collection, control, or dis-
7 bursement of appropriated and other Federal
8 funds.

9 (C) The term does not normally include—

10 (i) gathering information for or providing
11 advice, opinions, recommendations, or ideas to
12 Federal Government officials; or

13 (ii) any function that is primarily ministe-
14 rial and internal in nature (such as building se-
15 curity, mail operations, operation of cafeterias,
16 housekeeping, facilities operations and mainte-
17 nance, warehouse operations, motor vehicle fleet
18 management operations, or other routine elec-
19 trical or mechanical services).

20 (3) The term “private sector source”, with re-
21 spect to the operation of a facility owned by the Fed-
22 eral Government, includes a contractor that is operat-
23 ing, or is to operate, the facility.

1 *TITLE IV—TRADE DEFICIT REVIEW COMMISSION*

2 *SEC. 401. SHORT TITLE. This title may be cited as*
3 *the “Trade Deficit Review Commission Act”.*

4 *SEC. 402. FINDINGS. Congress makes the following*
5 *findings:*

6 (1) *The United States continues to run substan-*
7 *tial merchandise trade and current account deficits.*

8 (2) *Economic forecasts anticipate continued*
9 *growth in such deficits in the next few years.*

10 (3) *The positive net international asset position*
11 *that the United States built up over many years was*
12 *eliminated in the 1980s. The United States today has*
13 *become the world’s largest debtor nation.*

14 (4) *The United States merchandise trade deficit*
15 *is characterized by large bilateral trade imbalances*
16 *with a handful of countries.*

17 (5) *The United States has one of the most open*
18 *borders and economies in the world. The United*
19 *States faces significant tariff and nontariff trade bar-*
20 *riers with its trading partners. The United States*
21 *does not benefit from fully reciprocal market access.*

22 (6) *The United States is once again at a critical*
23 *juncture in trade policy development. The nature of*
24 *the United States trade deficit and its causes and*
25 *consequences must be analyzed and documented.*

1 *SEC. 403. ESTABLISHMENT OF COMMISSION. (a) ES-*
2 *TABLISHMENT.—There is established a commission to be*
3 *known as the Trade Deficit Review Commission (hereafter*
4 *in this title referred to as the “Commission”).*

5 *(b) PURPOSE.—The purpose of the Commission is to*
6 *study the nature, causes, and consequences of the United*
7 *States merchandise trade and current account deficits.*

8 *(c) MEMBERSHIP OF COMMISSION.—*

9 *(1) COMPOSITION.—The Commission shall be*
10 *composed of 12 members as follows:*

11 *(A) Three persons shall be appointed by the*
12 *President pro tempore of the Senate upon the*
13 *recommendation of the Majority Leader of the*
14 *Senate, after consultation with the Chairman of*
15 *the Committee on Finance.*

16 *(B) Three persons shall be appointed by the*
17 *President pro tempore of the Senate upon the*
18 *recommendation of the Minority Leader of the*
19 *Senate, after consultation with the ranking mi-*
20 *nority member of the Committee on Finance.*

21 *(C) Three persons shall be appointed by the*
22 *Speaker of the House of Representatives, after*
23 *consultation with the Chairman of the Commit-*
24 *tee on Ways and Means.*

1 (D) *Three persons shall be appointed by the*
2 *Minority Leader of the House of Representatives,*
3 *after consultation with the ranking minority*
4 *member of the Committee on Ways and Mean.*

5 (2) *QUALIFICATIONS OF MEMBERS.—*

6 (A) *APPOINTMENTS.—Persons who are ap-*
7 *pointed under paragraph (1) shall be persons*
8 *who—*

9 (i) *have expertise in economics, inter-*
10 *national trade, manufacturing, labor, envi-*
11 *ronment, business, or have other pertinent*
12 *qualifications or experience; and*

13 (ii) *are not officers or employees of the*
14 *United States.*

15 (B) *OTHER CONSIDERATIONS.—In appoint-*
16 *ing Commission members, every effort shall be*
17 *made to ensure that the members—*

18 (i) *are representative of a broad cross-*
19 *section of economic and trade perspectives*
20 *within the United States; and*

21 (ii) *provide fresh insights to analyzing*
22 *the causes and consequences of United*
23 *States merchandise trade and current ac-*
24 *count deficits.*

25 (d) *PERIOD OF APPOINTMENT; VACANCIES.—*

1 (1) *IN GENERAL.*—*Members shall be appointed*
2 *not later than 60 days after the date of enactment of*
3 *this Act and the appointment shall be for the life of*
4 *the Commission.*

5 (2) *VACANCIES.*—*Any vacancy in the Commis-*
6 *sion shall not affect its powers, but shall be filled in*
7 *the same manner as the original appointment.*

8 (e) *INITIAL MEETING.*—*Not later than 30 days after*
9 *the date on which all members of the Commission have been*
10 *appointed, the Commission shall hold its first meeting.*

11 (f) *MEETINGS.*—*The Commission shall meet at the call*
12 *of the Chairperson.*

13 (g) *CHAIRPERSON AND VICE CHAIRPERSON.*—*The*
14 *members of the Commission shall elect a chairperson and*
15 *vice chairperson from among the members of the Commis-*
16 *sion.*

17 (h) *QUORUM.*—*A majority of the members of the Com-*
18 *mission shall constitute a quorum for the transaction of*
19 *business.*

20 (i) *VOTING.*—*Each member of the Commission shall be*
21 *entitled to 1 vote, which shall be equal to the vote of every*
22 *other member of the Commission.*

23 *SEC. 404. DUTIES OF THE COMMISSION. (a) IN GEN-*
24 *ERAL.*—*The Commission shall be responsible for examining*
25 *the nature, causes, and consequences of, and the accuracy*

1 *of available data on, the United States merchandise trade*
2 *and current account deficits.*

3 *(b) ISSUES TO BE ADDRESSED.—The Commission*
4 *shall examine and report to the President, the Committee*
5 *on Ways and Means of the House of Representatives, the*
6 *Committee on Finance of the Senate, and other appropriate*
7 *committees of Congress on the following:*

8 *(1) The relationship of the merchandise trade*
9 *and current account balances to the overall well-being*
10 *of the United States economy, and to wages and em-*
11 *ployment in various sectors of the United States econ-*
12 *omy.*

13 *(2) The impact that United States monetary and*
14 *fiscal policies may have on United States merchan-*
15 *dise trade and current account deficits.*

16 *(3) The extent to which the coordination, alloca-*
17 *tion, and accountability of trade responsibilities*
18 *among Federal agencies may contribute to the trade*
19 *and current account deficits.*

20 *(4) The causes and consequences of the merchan-*
21 *dise trade and current account deficits and specific*
22 *bilateral trade deficits, including—*

23 *(A) identification and quantification of—*

24 *(i) the macroeconomic factors and bi-*
25 *lateral trade barriers that may contribute to*

1 *the United States merchandise trade and*
2 *current account deficits;*

3 *(ii) any impact of the merchandise*
4 *trade and current account deficits on the*
5 *domestic economy, industrial base, manu-*
6 *facturing capacity, technology, number and*
7 *quality of jobs, productivity, wages, and the*
8 *United States standard of living;*

9 *(iii) any impact of the merchandise*
10 *trade and current account deficits on the*
11 *defense production and innovation capabili-*
12 *ties of the United States; and*

13 *(iv) trade deficits within individual*
14 *industrial, manufacturing, and production*
15 *sectors, and any relationship between such*
16 *deficits and the increasing volume of intra-*
17 *industry and intra-company transactions;*

18 *(B) a review of the adequacy and accuracy*
19 *of the current collection and reporting of import*
20 *and export data, and the identification and de-*
21 *velopment of additional data bases and economic*
22 *measurements that may be needed to properly*
23 *quantify the merchandise trade and current ac-*
24 *count balances, and any impact the merchandise*

1 *trade and current account balances may have on*
2 *the United States economy; and*

3 *(C) the extent to which there is reciprocal*
4 *market access substantially equivalent to that af-*
5 *forded by the United States in each country with*
6 *which the United States has a persistent and*
7 *substantial bilateral trade deficit, and the extent*
8 *to which such deficits have become structural.*

9 *(5) Any relationship of United States merchan-*
10 *dise trade and current account deficits to both com-*
11 *parative and competitive trade advantages within the*
12 *global economy, including—*

13 *(A) a systematic analysis of the United*
14 *States trade patterns with different trading*
15 *partners and to what extent the trade patterns*
16 *are based on comparative and competitive trade*
17 *advantages;*

18 *(B) the extent to which the increased mobil-*
19 *ity of capital and technology has changed both*
20 *comparative and competitive trade advantages;*

21 *(C) any impact that labor, environmental,*
22 *or health and safety standards may have on*
23 *comparative and competitive trade advantages;*

24 *(D) the effect that offset and technology*
25 *transfer agreements have on the long-term com-*

1 *petitiveness of the United States manufacturing*
2 *sectors; and*

3 *(E) any effect that international trade,*
4 *labor, environmental, or other agreements may*
5 *have on United States competitiveness.*

6 *(6) The extent to which differences in the growth*
7 *rates of the United States and its trading partners*
8 *may impact on United States merchandise trade and*
9 *current account deficits.*

10 *(7) The impact that currency exchange rate fluc-*
11 *tuations and any manipulation of exchange rates*
12 *may have on United States merchandise trade and*
13 *current account deficits.*

14 *(8) The flow of investments both into and out of*
15 *the United States, including—*

16 *(A) any consequences for the United States*
17 *economy of the current status of the United*
18 *States as a debtor nation;*

19 *(B) any relationship between such invest-*
20 *ment flows and the United States merchandise*
21 *trade and current account deficits and living*
22 *standards of United States workers;*

23 *(C) any impact such investment flows may*
24 *have on United States labor, community, envi-*
25 *ronmental, and health and safety standards, and*

1 *how such investment flows influence the location*
2 *of manufacturing facilities; and*

3 *(D) the effect of barriers to United States*
4 *foreign direct investment in developed and devel-*
5 *oping nations, particularly nations with which*
6 *the United States has a merchandise trade and*
7 *current account deficit.*

8 *SEC. 405. FINAL REPORT. (a) IN GENERAL.—Not later*
9 *than 12 months after the date of the initial meeting of the*
10 *Commission, the Commission shall submit to the President*
11 *and Congress a final report which contains—*

12 *(1) the findings and conclusions of the Commis-*
13 *sion described in section 404; and*

14 *(2) recommendations for addressing the problems*
15 *identified as part of the Commission's analysis.*

16 *(b) SEPARATE VIEWS.—Any member of the Commis-*
17 *sion may submit additional findings and recommendations*
18 *as part of the final report.*

19 *SEC. 406. POWERS OF COMMISSION. (a) HEARINGS.—*
20 *The Commission may hold such hearings, sit and act at*
21 *such times and places, take such testimony, and receive such*
22 *evidence as the Commission may find advisable to fulfill*
23 *the requirements of this title. The Commission shall hold*
24 *at least 1 or more hearings in Washington, D.C., and 4*
25 *in different regions of the United States.*

1 **(b) INFORMATION FROM FEDERAL AGENCIES.**—*The*
2 *Commission may secure directly from any Federal depart-*
3 *ment or agency such information as the Commission con-*
4 *siders necessary to carry out the provisions of this title.*
5 *Upon request of the Chairperson of the Commission, the*
6 *head of such department or agency shall furnish such infor-*
7 *mation to the Commission.*

8 **(c) POSTAL SERVICES.**—*The Commission may use the*
9 *United States mails in the same manner and under the*
10 *same conditions as other departments and agencies of the*
11 *Federal Government.*

12 **SEC. 407. COMMISSION PERSONNEL MATTERS. (a)**
13 **COMPENSATION OF MEMBERS.**—*Each member of the Com-*
14 *mission shall be compensated at a rate equal to the daily*
15 *equivalent of the annual rate of basic pay prescribed for*
16 *level IV of the Executive Schedule under section 5315 of title*
17 *5, United States Code, for each day (including travel time)*
18 *during which such member is engaged in the performance*
19 *of the duties of the Commission.*

20 **(b) TRAVEL EXPENSES.**—*The members of the Commis-*
21 *sion shall be allowed travel expenses, including per diem*
22 *in lieu of subsistence, at rates authorized for employees of*
23 *agencies under subchapter I of chapter 57 of title 5, United*
24 *States Code, while away from their homes or regular places*

1 *of business in the performance of services for the Commis-*
2 *sion.*

3 (c) *STAFF.*—

4 (1) *IN GENERAL.*—*The Chairperson of the Com-*
5 *mission may, without regard to the civil service laws*
6 *and regulations, appoint and terminate an executive*
7 *director and such other additional personnel as may*
8 *be necessary to enable the Commission to perform its*
9 *duties. The employment of an executive director shall*
10 *be subject to confirmation by the Commission.*

11 (2) *COMPENSATION.*—*The Chairperson of the*
12 *Commission may fix the compensation of the execu-*
13 *tive director and other personnel without regard to*
14 *the provisions of chapter 51 and subchapter III of*
15 *chapter 53 of title 5, United States Code, relating to*
16 *classification of positions and General Schedule pay*
17 *rates, except that the rate of pay for the executive di-*
18 *rector and other personnel may not exceed the rate*
19 *payable for level V of the Executive Schedule under*
20 *section 5316 of such title.*

21 (d) *DETAIL OF GOVERNMENT EMPLOYEES.*—*Any Fed-*
22 *eral Government employee may be detailed to the Commis-*
23 *sion without reimbursement, and such detail shall be with-*
24 *out interruption or loss of civil service status or privilege.*

1 (e) *PROCUREMENT OF TEMPORARY AND INTERMIT-*
2 *TENT SERVICES.*—*The Chairperson of the Commission may*
3 *procure temporary and intermittent services under section*
4 *3109(b) of title 5, United States Code, at rates for individ-*
5 *uals which do not exceed the daily equivalent of the annual*
6 *rate of basic pay prescribed for level V of the Executive*
7 *Schedule under section 5316 of such title.*

8 *SEC. 408. SUPPORT SERVICES.* *The Administrator of*
9 *the General Services Administration shall provide to the*
10 *Commission on a reimbursable basis such administrative*
11 *support services as the Commission may request.*

12 *SEC. 409. APPROPRIATIONS.* *There are appropriated*
13 *\$2,000,000 to the Commission to carry out the provisions*
14 *of this title.*

Attest:

Secretary.

105TH CONGRESS
2^D SESSION

H. R. 4112

AMENDMENT

HR 4112 EAS—2

HR 4112 EAS—3

HR 4112 EAS—4

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