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CONGRESSIONAL RECORD — HOUSE

November 12, 1983

Mr. CONTE. Mr. Speaker, I urge my colleagues to vote aye on this proposal. This was one of the hardest fought proposals of the entire conference and no one knows how much labor has gone into this thing.

You know, Government is the art of compromise. I did not like this program. I voted against this program. But, as I say, Government is the art of compromise and we came out with a compromise.

The SPEAKER. Without objection, the previous question is ordered on the motion.

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Mississippi (Mr. WHITTEN).

The question was taken; and on a division (demanded by Mr. WALKER) there were—yeas 144, nays 78.

So the motion was agreed to.

□ 1110

The SPEAKER. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No 19: Page 26, after line 9, insert:

Sec. 113. For the purpose of providing recreation development on the Ocoee River, \$7,400,000 is appropriated to the Tennessee Valley Authority, \$6,400,000 of which is for reimbursement of the power program for additional costs of power operations resulting from recreational releases of water.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 19 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

Sec. 113. Notwithstanding any other provision of this joint resolution, \$7,400,000 is appropriated to the Tennessee Valley Authority, to be available for the purpose of providing recreation on the Ocoee River, \$6,400,000 of which is for reimbursement of the power program for additional costs of power operations resulting from recreational releases of water, all of which shall be reimbursed from imposition of fees for such recreation activities.

Mr. CONTE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The motion was agreed to.

The SPEAKER. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 20: page 26, after line 9, insert:

Sec. 114. The head of any department or agency of the Federal Government in carrying out any loan guarantee or insurance program for the fiscal year 1984 shall enter into commitments to guarantee or insure loans pursuant to such program in the full

amount provided by law subject only to (1) the availability of qualified applicants for such guarantee or insurance, and (2) limitations contained in appropriation Acts.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 20, and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 21, page 26, after line 9, insert:

Sec. 115. (a) Chapter 25 of title 18, United States Code, is amended by adding the following new section:

"§ 510. Forgoing endorsements on Treasury checks or bonds or securities of the United States

"(a) Whoever, with intent to defraud—

"(1) falsely makes or forges any endorsement or signature on a Treasury check or bond or security of the United States; or

"(2) passes, utters, or publishes, or attempts to pass, utter, or publish, any Treasury check or bond or security of the United States bearing a falsely made or forged endorsement or signature shall be fined not more than \$10,000 or imprisoned not more than ten years, or both.

"(b) Whoever, with knowledge that such Treasury check or bond or security of the United States is stolen or bears a falsely made or forged endorsement or signature buys, sells, exchanges, receives, delivers, retains, or conceals any such Treasury check or bond or security of the United States that in fact is stolen or bears a forged or falsely made endorsement or signature shall be fined not more than \$10,000 or imprisoned not more than ten years, or both.

"(c) If the face value of the Treasury check or bond or security of the United States or the aggregate face value, if more than one Treasury check or bond or security of the United States, does not exceed \$500, in any of the above-mentioned offenses, the penalty shall be a fine of not more than \$1,000 or imprisonment for not more than one year, or both."

(b) Section 3056(a) of title 18, United States Code, is amended by inserting in the fifth clause the number "510," after "509."

(c) The analysis of chapter 25, of title 18, United States Code, immediately preceding section 471 of such title is amended by adding at the end thereof the following:

"510. Forging endorsements on Treasury checks or bonds or securities of the United States."

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 21, and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 23: Page 26, after line 9, insert:

Sec. 117. Notwithstanding any other provision of law, the ban on the use of United

States Route 209 by commercial vehicular traffic established in Public Law 98-63 is extended until December 31, 1984: *Provided*, That up to 150 northbound and up to 150 southbound commercial vehicles per day serving businesses or persons in Orange County, New York, are exempted from such ban: *Provided further*, That the exemption established herein is subject to reevaluation for safety by the five-member United States Route 209 commission which shall make recommendations to the National Park Service for modification of such ban.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 23 and concur therein with an amendment, as follows: In lieu of the matter proposed by said amendment, as follows:

Sec. 117 Notwithstanding any other provision of law, the ban on the use of United States Route 209 by commercial vehicular traffic established in Public Law 98-63 is extended until December 31, 1985: *Provided*, That up to 150 northbound and up to 150 southbound commercial vehicles per day serving businesses or persons in Orange County, New York are exempted from such ban: *Provided further*, That the exemption established herein is subject to reevaluation for safety by the five member United States Route 209 commission which shall make recommendations to the National Park Service for modification of such ban.

Mr. CONTE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The motion was agreed to.

The SPEAKER. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 24: Page 26, after line 9, insert:

Sec. 118. (a)(1) Section 5723(a)(1) of title 5, United States Code, is amended—

(A) by inserting "(A)" after "travel expenses";

(B) by striking out "manpower shortage or" and inserting in lieu thereof "manpower shortage, (B)"; and

(C) by inserting ", or (B) of any person appointed by the President, by and with the advice and consent of the Senate, to a position the rate of pay for which is equal to or higher than the minimum rate of pay prescribed for GS-16" after "Senior Executive Service".

(2) Sections 5724(a)(2) and 5726(b) of title 5, United States Code, are each amended by striking out "11,000" and inserting in lieu thereof "18,000".

(3) Section 5724(b)(1) of title 5, United States Code, is amended by striking out "not in excess of 20 cents a mile".

(4) Section 5724 of title 5, United States Code, is amended by adding at the end thereof the following new subsection:

"(J) The regulations prescribed under this section shall provide that the reassignment or transfer of any employee, for permanent duty, from one official station or agency to another which is outside the employee's commuting area shall take effect only after

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the employee has been given advance notice for a reasonable period. Emergency circumstances shall be taken into account in determining whether the period of advance notice is reasonable."

(5) Section 5724a(a)(3) of title 5, United States Code, is amended—

(A) in the first sentence thereof, by striking out "30 days" and inserting in lieu thereof "60 days"; and

(B) by striking out the second and fourth sentences thereof and inserting after the first sentence the following: "The period of residence in temporary quarters may be extended for an additional 60 days if the head of the agency concerned or his designee determines that there are compelling reasons for the continued occupancy of temporary quarters."

(6) Section 5724a(a)(4) of title 5, United States Code, is amended—

(A) by inserting "(A)" after "(4)"; and

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

"(B)(i) In connection with the sale of the residence at the old official station, reimbursement under this paragraph shall not exceed 10 percent of the sale price or \$15,000, whichever is the lesser amount.

"(ii) In connection with the purchase of a residence at the new official station, reimbursement under this paragraph shall not exceed 5 percent of the purchase price or \$7,500, whichever is the lesser amount.

"(iii) Effective October 1 of each year, the respective maximum dollar amounts applicable under clauses (i) and (ii) shall be increased by the percent change, if any, in the Consumer Price Index published for December of the preceding year, over that published for December of the second preceding year, adjusted to the nearest one-tenth of 1 percent. For the purpose of this clause, 'Consumer Price Index' means the Consumer Price Index for All Urban Consumers, United States City Average, Housing Component (1967=100), prepared by the Bureau of Labor Statistics, Department of Labor."

(7)(A)(i) Subchapter II of chapter 57 of title 5, United States Code, is amended by adding after section 5724a the following new sections:

"8 5724b. Taxes on reimbursements for travel, transportation, and relocation expenses of employees transferred

"(a) Under such regulations as the President may prescribe and to the extent considered necessary and appropriate, as provided therein, appropriations or other funds available to an agency for administrative expenses are available for the reimbursement of all or part of the Federal, State, and city income taxes incurred by an employee, or by an employee and such employee's spouse (if filing jointly), for any moving or storage expenses furnished in kind, or for which reimbursement or an allowance is provided (but only to the extent of the expenses paid or incurred). Reimbursements under this subsection shall also include an amount equal to all income taxes for which the employee, or the employee and spouse, as the case may be, would be liable due to the reimbursement for the taxes referred to in the first sentence of this subsection.

"(b) For the purpose of this section, 'moving or storage expenses' means travel and transportation expenses (including storage of household goods and personal effects under section 5724 of this title) and other relocation expenses under sections 5724a and 5728(c) of this title.

"8 5724c. Relocation services

"Each agency is authorized to enter into contracts to provide relocation services to agencies and employees for the purpose of carrying out the provisions of this sub-

chapter. Such services include but need not be limited to arranging for the purchase of a transferred employee's residence."

(ii) The chapter analysis at the beginning of chapter 57 of title 5, United States Code, is amended by inserting after the item relating to section 5724a the following new items:

"5724b. Taxes on reimbursements for travel, transportation, and relocation expenses of employees transferred.

"5724c. Relocation services."

(B) Section 5724(i) of title 5, United States Code, is amended by striking out "5724a" and inserting in lieu thereof "5724a, 5724b,".

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

(c)(1) The amendments made by subsection (a) shall take effect on the date of the enactment of this joint resolution.

(2) Not later than thirty days after the date of the enactment of this joint resolution, the President shall prescribe the regulations required under the amendments made by subsection (a). Such resolutions shall take effect as of such date of enactment.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 24, and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 25: Page 26, after line 9, insert:

Sec. 119. (a) The project for navigation at Eastport Harbor, Maine, authorized by section 101 of the River and Harbor Act of 1960 (74 Stat. 480), is not authorized after the date of enactment of this joint resolution.

(b) The Secretary shall transfer without consideration to the city of Eastport, Maine, title to any facilities and improvements constructed by the United States as part of the project described in subsection (a) of this section. Such transfer shall be made as soon as practicable after the date of enactment of this joint resolution. Nothing in this section shall require the conveyance of any interest in land underlying such project title to which is held by the State of Maine.

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN. Moves that the House recede from its disagreement to the amendment of the Senate numbered 25 and concur therein with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

Sec. 119. Notwithstanding any other provision of this joint resolution, (a) The project for navigation at Eastport Harbor, Maine, authorized by section 101 of the River and Harbor Act of 1960 (74 Stat. 480), is not authorized after the date of enactment of this joint resolution.

(b) The Secretary of the Army shall transfer without consideration to the city of Eastport, Maine, title to any facilities and improvements constructed by the United States as part of the project described in subsection (a) of this section. Such transfer shall be made as soon as practicable after the date of enactment of this joint resolution. Nothing in this section shall require the conveyance of any interest in land underlying such project title to which is held by the State of Maine.

Mr. CONTE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The motion was agreed to.

The SPEAKER. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 29: Page 26, after line 9, insert:

Sec. 123. Section 5132(a)(1) of title 31, United States Code, is amended by inserting after the second sentence thereof the following: "The Secretary shall annually sell to the public, directly and by mail, sets of uncirculated and proof coins, and shall solicit such sales through the use of the customer list of the Bureau of the Mint."

MOTION OFFERED BY MR. WHITTEN

Mr. WHITTEN. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. WHITTEN moves that the House recede from its disagreement to the amendment of the Senate numbered 29, and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will designate the next amendment in disagreement.

The amendment reads as follows:

Senate amendment No. 33: Page 26, after line 9, insert:

Sec. 127. The heading "Annual contributions for assisted housing" in the Department of Housing and Urban Development-Independent Agencies Appropriations Act, 1984 (Public Law 98-45) is amended by inserting before the period at the end thereof (97 Stat. 219, 220) the following: "Provided further, That \$6,000,000 of contract authority and \$30,000,000 of budget authority provided in or subject to the fourth proviso under this heading in the Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1984 (Public Law 98-45, 97 Stat. 219) are approved for use to extend annual contributions contracts in accordance with section 504 of the Housing and Urban Development Act of 1970, as amended by section 6 of Public Law 98-35 (97 Stat. 198-199): Provided further, That the \$1,500,000,000 of budget authority otherwise deferred until January 1, 1984 in the second proviso under this heading in the Department of Housing and Urban Development-Independent Agencies Appropriation Act, 1984 (Public Law 98-45, 97 Stat. 219) shall not become available until March 31, 1984, and at such time shall be added to and merged with budget authority which is subject to the fourth proviso under such heading";