

HR 5121

Legislative Branch Appropriations Act, 2003

Congress: 107 (2001–2003, Ended)

Chamber: House

Policy Area: Economics and Public Finance

Introduced: Jul 15, 2002

Current Status: Message on Senate action sent to the House.

Latest Action: Message on Senate action sent to the House. (Jul 25, 2002)

Official Text: <https://www.congress.gov/bill/107th-congress/house-bill/5121>

Sponsor

Name: Rep. Taylor, Charles H. [R-NC-11]

Party: Republican • **State:** NC • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Appropriations Committee	House	Reported Original Measure	Jul 16, 2002

Subjects & Policy Tags

Policy Area:

Economics and Public Finance

Related Bills

Bill	Relationship	Last Action
107 S 2720	Related document	Jul 25, 2002: See also H.R. 5121.
107 HRES 489	Procedurally related	Jul 18, 2002: Motion to reconsider laid on the table Agreed to without objection.

Legislative Branch Appropriations Act, 2003 - Makes appropriations for the legislative branch for FY 2003.

Title I: Congressional Operations - Congressional Operations Appropriations Act, 2003 - Makes appropriations for the Senate for: (1) expense allowances; (2) representation allowances for the Majority and Minority Leaders; (3) salaries of specified officers, employees, and committees (including the Committee on Appropriations); (4) agency contributions for employee benefits; (5) inquiries and investigations; (6) the U.S. Senate Caucus on International Narcotics Control; (7) the Offices of the Secretary and of the Sergeant at Arms and Doorkeeper of the Senate; (8) miscellaneous items; (9) the Senators' Official Personnel and Office Expense Account; and (10) official mail costs.

(Sec. 1) Amends Federal law, including the Second Supplemental Appropriations Act, 1978, the Supplemental Appropriations Act, 1983, the Supplemental Appropriations Act, 1985, and the Legislative Branch Appropriations Act, 2001, to increase the maximum annual expense allowances of: (1) the Vice President from \$10,000 to \$20,000; (2) the Majority and Minority Leaders of the Senate from \$10,000 each to \$20,000 each; (3) the Majority and Minority Whips from \$5,000 to \$10,000 each; (4) the Chairmen of the Majority and Minority Conference Committees from \$3,000 to \$5,000 each; and (5) the Chairmen of the Majority and Minority Policy Committees from \$3,000 to \$5,000 each.

(Sec. 2) Amends the Second Supplemental Appropriations Act, 1975 to increase the annual stationery allowance for the Office of the President of the Senate from \$4,500 to \$8,000.

(Sec. 3) Increases by \$50,000 the allowances for administrative and clerical assistance.

(Sec. 4) Authorizes the Senate Majority Policy Committee, Minority Policy Committee, Conference of the Majority, and Conference of the Minority, in the discretion of each committee or conference and with the prior consent of the Federal department or agency concerned and the Committee on Rules and Administration, to use, on a reimbursable or nonreimbursable basis, the services of personnel of any such department or agency.

(Sec. 5) Authorizes the Committee on Rules and Administration to provide for and the Secretary to award service pins to Senate pages who work in the Senate chamber.

(Sec. 6) Amends the Legislative Branch Appropriation Act, 1975 to authorize the Committee on Rules and Administration of the Senate to prescribe regulations to waive or modify the requirement that a Senator's mobile office bear certain identifying inscriptions if such waiver or modification is necessary to provide for the public safety of the Senator and the Senator's staff and constituents.

Makes appropriations for the House of Representatives for: (1) salaries and/or expenses of the House leadership offices, committees (including the Committee on Appropriations), officers and employees, and the Child Care Center; and (2) Members' representational allowances.

(Sec. 101) Makes amounts appropriated under this Act for Members' Representational Allowances available for FY 2003 only. Requires that amounts remaining after all allowance payments are made for FY 2003 be deposited in the Treasury and used for deficit reduction or, if there is no Federal budget deficit, for reducing the Federal debt.

(Sec. 102) Establishes in the Treasury the Net Expenses of Equipment Revolving Fund to purchase, lease, obtain, and maintain equipment for House offices and furniture for the district offices of the Members, Delegates, and Resident Commissioners.

(Sec. 103) Requires any amount received by House Information Resources from any House office as reimbursement for services provided to be deposited in the Treasury for credit to the account of the Chief Administrative Officer of the House (CAO).

(Sec. 104) Provides that Federal law requiring advertisements for proposals for purchases and contracts for supplies or services for Government departments shall not apply to purchases and contracts for supplies or services for any House office in any fiscal year.

(Sec. 105) Directs the CAO to establish a program under which an employing House office may agree to repay (by direct payment on behalf of the employee) any student loan previously taken out by a House employee. Prohibits Members of the House (including a Delegate or Resident Commissioner to Congress) from being considered as House employees.

Authorizes appropriations.

(Sec. 106) Authorizes the CAO to: (1) enter into one or more contracts with non-governmental entities to provide for the performance of services for House offices by individuals with disabilities who are employees of, or under contract with, such entities; and (2) provide reasonable accommodations, including assistive technology devices and assistive technology services, to enable such individuals to perform the services under such contracts.

Authorizes appropriations for FY 2003 through 2007.

Makes appropriations for salaries and/or expenses of: (1) the Joint Economic and Taxation Committees; (2) the Office of the Attending Physician; (3) the Capitol Guide Service and Special Services Office; (4) the preparation of statements of appropriations; (5) the Capitol Police Board; (6) the Office of Compliance; (7) the Congressional Budget Office; (8) the Architect of the Capitol (AOC), including for the care and operation of Capitol buildings and grounds, Senate office buildings, the Capitol power plant, and the Capitol Police buildings; (9) the Library of Congress for the Congressional Research Service; and (10) the Government Printing Office (GPO) for congressional printing and binding (including transfer of funds).

(Sec. 102) Authorizes the Capitol Police to: (1) enter into contracts for the acquisition of severable services for a period crossing two fiscal years to the same extent as the head of an executive agency under the authority of the Federal Property and Administrative Services Act of 1949; and (2) enter into multi-year contracts for the acquisition of property and nonaudit-related services to the same extent as executive agencies under such authority.

(Sec. 103) Allows the Capitol Police to dispose of Capitol Police surplus or obsolete property by inter-agency transfer, donation, sale, trade-in, or any other appropriate method.

(Sec. 104) Declares that any amounts received for compensation for damage to, or loss of, property of the Capitol Police (including any insurance payments or payment made by a Capitol Hill officer or civilian employee) shall be credited to the account established for the general expenses of the Capitol Police.

(Sec. 105) Amends the Department of Defense and Emergency Supplemental Appropriations for Recovery from and Response to Terrorist Attacks on the United States Act, 2002 to authorize the Chief of the Capitol Police, in the Chief's sole discretion, to pay additional compensation to Capitol Police employees for specialty assignments, proficiencies, and any other category of assignment required to carry out the Capitol Police mission. (Under current law, additional compensation is paid to Capitol Police field training officers). Prohibits such determination from being appealable or reviewable in any manner.

(Sec. 106) Declares that the rate of basic pay payable to an individual upon appointment to a position with the Capitol Police shall be at a rate within the minimum and maximum pay rates applicable to the position and determined by the Chief or a designee.

(Sec. 107) Requires any limits on the amount of premium pay which may be earned by officers and members of the Capitol Police during emergencies (as determined by the Capitol Police Board) to be applied by the Board on an annual basis and not on a pay period basis. Declares that such determination is not reviewable or appealable in any manner.

(Sec. 108) Transfers the following Library of Congress (LOC) personnel and functions to the U.S. Capitol Police: (1) each LOC police employee; (2) pre-existing functions relating to the policing and protection of Library buildings and grounds and adjacent streets; and (3) any LOC civilian employee who performs security support functions.

Provides that: (1) the transfer of such personnel shall not cause any such employee to be separated or receive a reduction in pay for five years after the transfer; and (2) any credited annual or sick leave of the individual shall be transferred to the individual's credit as an employee of the U.S. Capitol Police.

Deems any period of service performed by such LOC Police employees as service performed by a member of the U.S. Capitol Police for purposes of the Federal Employees Retirement System and the Civil Service Retirement System.

Requires vacancies in LOC police employee positions, if filled, to be filled, until completion of the transfer under this Act, with members of the U.S. Capitol Police under a memorandum of understanding to be entered into by the Chief and the Librarian of Congress.

Requires the transfer of such personnel and functions to be completed within three years after this Act's enactment.

Directs the Chief to prepare and submit to specified congressional committees, the Capitol Police Board, and the Librarian of Congress a plan for the transfer which shall include among other requirements: (1) policies and procedures, and actions the Chief will take in implementing the transfer; and (2) recommendation of legislative changes needed to implement it. Requires the Chief to report annually to such committees and individuals until transfer completion on the Chief's progress in implementing the required plan, including any adjustments to cost estimates or legislative changes needed to implement the transfer.

(Sec. 109) Amends Federal law with respect to U.S. Capitol Police jurisdiction to include within the U.S. Capitol Grounds: (1) the National Garden of the U.S. Botanic Garden; (2) all grounds contiguous to the Administrative Building of the U.S. Botanic Garden, including Bartholdi Park; and (3) all grounds bounded by specified curblines.

Requires jurisdiction and control over such grounds to be retained by the Joint Committee on the Library, and makes the Committee solely responsible for the maintenance and improvement of the grounds.

Provides that nothing in this Act shall limit the authority of the AOC under the Legislative Branch Appropriations Act, 1989 with respect to the National Garden.

Redefines "Capitol Buildings" to include: (1) the Conservatory of the U.S. Botanic Garden; (2) the Administrative Building of the U.S. Botanic Garden; and (3) all other buildings bounded by the curblines specified in this section.

Increases by 29 sworn members the total number of full-time equivalent positions of the U.S. Capitol Police (including positions for members and civilian employees) to carry out this Act.

(Sec. 109A) Directs the Chief of the Capitol Police (Chief) to carry out any activities and programs to recruit members of the Capitol Police without regard to the age of the individuals.

Amends the Emergency Supplemental Act, 2002 to authorize the Capitol Police Board to authorize the Chief, in his or her sole discretion, to pay recruitment and relocation bonuses and retention allowances.

Authorizes the Chief to: (1) pay tuition allowances for payment or reimbursement of education expenses in the same manner and to the same extent as retention allowances; and (2) provide premium pay to ensure the availability of officers and members for unscheduled duty exceeding a 40-hour week.

Requires the Chief to promulgate regulations to carry out this section and sections 105 through 107 of this Act, subject to Police Board review and approval by specified congressional committees.

(Sec. 109B) Makes the Chief the disbursing officer for the Capitol Police. Transfers to the Chief any statutory function, duty, or authority of such individuals the CAO and the Secretary of the Senate as disbursing officers for the Capitol Police.

Establishes separate Treasury accounts for salaries and expenses of the Capitol Police. Directs the CAO and the Secretary of the Senate to transfer to the Chief all funds, assets, accounts, and copies of original records of the Capitol Police in their possession in order that such items may be available for the unified operation of the Capitol Police.

Requires the unexpended balances of appropriations for FY 2003 and succeeding fiscal years subject to disbursement by the Chief to be withdrawn as of September 30 of the second fiscal year following the period or year for which provided.

Grants the Chief hiring authority, and subjects personnel appointed by the Chief under such authority to the same types of benefits (including the payment of death gratuities, the withholding of debt, and health, retirement, Social Security, and other applicable employee benefits) that are provided to House employees.

Establishes a separate account in the Capitol Police for making workers' compensation payments for Capitol Police personnel.

(Sec. 110) Authorizes the Director of the Congressional Budget Office (CBO) to: (1) apply, by regulation, Federal employment and retention law as necessary to establish a program that provides opportunities for CBO employees to engage in details or other temporary assignments in other agencies, study, or uncompensated work experience which will contribute to the employees' development and effectiveness; and (2) enter into agreements or contracts without regard to Federal civil service training law.

(Sec. 112) Establishes a position of Deputy Architect of the Capitol who shall: (1) serve as the Chief Operating Officer of the Office of the AOC; (2) be appointed by the AOC without regard to political affiliation or activity; (3) report directly to the AOC; and (4) be subject to the AOC's authority. Specifies the qualification requirements of the position and its responsibilities.

Requires the Deputy AOC to prepare and submit to specified congressional committees an action plan describing the policies, procedures, and actions he or she will implement and timeframes for carrying out such responsibilities. Requires the plan to be approved and signed by both the AOC and the Deputy AOC and to be developed concurrently and consistent with the development of a strategic plan.

Authorizes the AOC, upon submission of the action plan, to fix the rate of basic pay for not more than three additional

positions at a rate not to exceed the highest total rate of pay for the Senior Executive Service, for the locality involved, in order to implement the action plan.

Requires the General Accounting Office to evaluate at least annually the implementation of the action plan and provide the results to the AOC and specified congressional committees.

Authorizes the AOC to remove the Deputy AOC for misconduct or failure to meet performance goals set forth in the performance agreement pursuant to this Act.

Requires the Deputy AOC to be paid at an annual rate of pay to be determined by the AOC but not to exceed \$1,000 less than the AOC's annual rate of pay.

Requires the AOC and the Deputy AOC to enter into an annual performance agreement that sets forth measurable individual goals linked to the organizational goals in the Office of the AOC's annual performance plan for the Deputy AOC in key operational areas. Subjects the agreement to annual review and renegotiation.

Requires the Deputy AOC to prepare and submit to the AOC and to specified congressional committees an annual performance report on: (1) the extent to which the Office of AOC met the goals and objectives identified in the annual performance plan for the preceding year and an explanation of the results achieved during the preceding year relative to the established goals; and (2) the performance evaluation rating of the Deputy AOC, including the amounts of bonus compensation awarded, and such additional information as may be prescribed by the AOC.

Terminates as of October 1, 2004, the role of the Comptroller General and the General Accounting Office as established by this Act.

(Sec. 115) Prohibits any reduction in the compensation of the incumbent Assistant Architect, when such position is abolished, so long as the former Assistant Architect is employed at the AOC's Office. Requires, whenever the AOC receives a pay adjustment after the enactment of this Act, the compensation of such former Assistant Architect to be adjusted by the same percentage as the AOC's compensation.

(Sec. 116) Declares that certain authority of the AOC under the Revised Statutes to make purchases and enter contracts for supplies or services without advertising for proposals shall apply as if the maximum amount involved were \$100,000 instead of \$25,000.

(Sec. 117) Amends the Legislative Branch Appropriations Act, 2001 to rename the Senate Health and Fitness Facility as the Senate Staff Health and Fitness Facility.

Requires the Committee on Rules and Administration (not the AOC, as under current law) to promulgate regulations pertaining to the operation and use of the Facility.

Title II: Other Agencies - Appropriates funds for: (1) the Botanic Garden for salaries and expenses; (2) the Library of Congress for salaries and expenses, the Copyright Office, and Books for the Blind and Physically Handicapped, and for Library buildings and grounds; (3) GPO for the Office of Superintendent of Documents (including transfer of funds); (4) the General Accounting Office; and (5) a payment to the Foreign Leadership Development Center Trust Fund.

(Sec. 203) Reduces the obligational authority of the Library for FY 2003 for reimbursable and revolving fund activities funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch. Authorizes the temporary transfer of up to \$1.9 million from salaries and expenses to the revolving fund for the FEDLINK program

and the Federal Research Program.

(Sec. 204) Amends the Miscellaneous Appropriations Act, 2001 to extend from March 31, 2003, through March 31, 2005, the time by which certain funds and expenditures for salaries and expenses of the National Digital Information Infrastructure and Preservation Program must be matched by outside contributions (including contributions other than money).

(Sec. 205) Amends Federal law to authorize the AOC and the Librarian to enter into agreements with each other to perform work under Federal law with respect to their particular responsibilities for Library buildings and grounds, and subject to the approval of specified congressional committees, to transfer between themselves appropriations or other available funds to pay the costs therefor.

(Sec. 206) Amends the Legislative Branch Appropriations Act, 2001 to change the names of the: (1) Center for Russian Leadership Development to Center for Foreign Leadership Development; and (2) Russian Leadership Development Center Trust Fund to the Foreign Leadership Development Center Trust Fund.

Requires the four private individuals on the Center's Board of Trustees to have an interest in improving relations between the United States and eligible foreign states (currently, between the United States and Russia).

Provides for grants to eligible foreign states. Increases from 3,000 to 3,500 the number of individuals supported by such grants in any fiscal year.

Defines eligible foreign state to mean: (1) any country specified in the FREEDOM Support Act (Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan); and (2) Estonia, Latvia, and Lithuania.

Title III: General Provisions - (Sec. 301) Sets forth authorized or prohibited uses of funds appropriated by this Act identical or similar to corresponding provisions of the Legislative Branch Appropriations Act, 2002.

(Sec. 305) Sets forth Buy American requirements.

(Sec. 309) Authorizes the AOC to maintain and improve the landscape features, excluding streets and sidewalks, in the irregular shaped grassy areas in a specified part of Southwest District of Columbia.

(Sec. 310) Authorizes appropriations, to remain available until expended, to the United States-China Economic and Security Review Commission.

Amends the Floyd D. Spence National Defense Authorization Act of 2001 to change the name and any reference under the Act to the United States-China Security Review Commission to the United States-China Economic and Security Review Commission.

Decreases the Commission's membership from 12 to eight. Requires each appointing authority under the Act to: (1) appoint two members to the Commission for the 108th Congress on a staggered term basis such that one appointment shall expire on September 1, 2003, and one on September 1, 2004; and (2) make all appointments for the 109th Congress, and each subsequent Congress, on an approximate two-year term basis to expire on September 1 of the applicable year.

Terminates the terms of current members of the Commission on the later of September 1, 2002, or the date of enactment

of this Act.

(Sec. 311) Authorizes appropriations, to remain available until expended, for the John C. Stennis Center for Public Service Training and Development.

(Sec. 312) Makes appropriations, to remain available until expended, for the Congressional Recognition for Excellence in Arts Education Program under title II of the Congressional Award Act.

Actions Timeline

- **Jul 25, 2002:** Measure laid before Senate by unanimous consent. (consideration: CR S7336-7342, S7350)
- **Jul 25, 2002:** Senate struck portions of the text of the bill and inserted the language of S. 2720.
- **Jul 25, 2002:** Passed/agreed to in Senate: Passed Senate with amendments by Yea-Nay Vote. 85 - 14. Record Vote Number: 191.
- **Jul 25, 2002:** Passed Senate with amendments by Yea-Nay Vote. 85 - 14. Record Vote Number: 191.
- **Jul 25, 2002:** Senate insists on its amendments, asks for a conference, appoints conferees Durbin; Johnson; Reed; Byrd; Bennett; Stevens; Cochran.
- **Jul 25, 2002:** Message on Senate action sent to the House.
- **Jul 18, 2002:** Rule H. Res. 489 passed House.
- **Jul 18, 2002:** Considered under the provisions of rule H. Res. 489. (consideration: CR H4884-4909; text of Title I as reported in House: CR H4898-4902, text of Title II as reported in House: CR H4902-4904, text of Title III as reported in House: CR H4904)
- **Jul 18, 2002:** Rule provides for consideration of H.R. 5121 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Provides that the bill shall be considered as read through page 61, line 16 and waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. Provides that where points of order are waived against part of a paragraph, points of order against a provision in another part of that paragraph may be made only against that provision and not against the entire paragraph. Provides that no amendment shall be in order except the amendment printed in H. Rept. 107-586 and except pro forma amendments offered at any time by the chairman or ranking minori...
- **Jul 18, 2002:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 489 and Rule XXIII.
- **Jul 18, 2002:** The Speaker designated the Honorable James V. Hansen to act as Chairman of the Committee.
- **Jul 18, 2002:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 5121.
- **Jul 18, 2002:** Mr. Ney raised a point of order against the content of the measure. Mr. Ney stated that the text of section 110 sought to change existing law and as such, constituted legislation in an appropriation bill. Section 110 provides for transfer of disbursing functions as they relate to the Capitol Police. The Chair sustained the point of order.
- **Jul 18, 2002:** Mr. Herger raised a point of order against the content of the measure. Mr. Herger stated that the language in the proviso on page 11, beginning on line 4 and extending through line 9 on page 11, constituted legislation in an appropriation bill. The proviso restricts availability of \$590,000 intended for salaries and expenses of the Joint Committee on Taxation pending a report on tax evasion. The Chair sustained the point of order.
- **Jul 18, 2002:** DEBATE - Pursuant to the provisions of H. Res. 489, the Committee of the Whole proceeded with 20 minutes of debate on the Moran (VA) amendment.
- **Jul 18, 2002:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 5121.
- **Jul 18, 2002:** The previous question was ordered pursuant to the rule.
- **Jul 18, 2002:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 365 - 49 (Roll no. 321).(text: CR H4884)
- **Jul 18, 2002:** On passage Passed by the Yeas and Nays: 365 - 49 (Roll no. 321). (text: CR H4884)
- **Jul 18, 2002:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 18, 2002:** Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 504.
- **Jul 17, 2002:** Rules Committee Resolution H. Res. 489 Reported to House. Rule provides for consideration of H.R. 5121 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Provides that the bill shall be considered as read through page 61, line 16 and waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. Provides that where points of order are waived against part of a paragraph, points of order against a provision in another part of that paragraph may be made only against that provision and not against the entire paragraph. Provides that no amendment shall be in order except the amendment printed in H. Rept. 107-586 and except pro forma amendments offered at any time by the chairman or ranking minori...
- **Jul 15, 2002:** Introduced in House
- **Jul 15, 2002:** The House Committee on Appropriations reported an original measure, H. Rept. 107-576, by Mr. Taylor

(NC).

- **Jul 15, 2002:** The House Committee on Appropriations reported an original measure, H. Rept. 107-576, by Mr. Taylor (NC).
- **Jul 15, 2002:** Placed on the Union Calendar, Calendar No. 346.