

HR 5521

Legislative Branch Appropriations Act, 2007

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Congress

Introduced: Jun 1, 2006

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 478.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 478. (Jun 22, 2006)

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Sponsor

Name: Rep. Lewis, Jerry [R-CA-41]

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

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Appropriations Committee	House	Reported Original Measure	Jun 1, 2006
Appropriations Committee	Senate	Reported By	Jun 22, 2006

Subjects & Policy Tags

Policy Area:

Congress

Related Bills

Bill	Relationship	Last Action
109 HRES 849	Procedurally related	Jun 7, 2006: Motion to reconsider laid on the table Agreed to without objection.

Legislative Branch Appropriations Act, 2007 - **Title I: Legislative Branch Appropriations** - Makes FY2007 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 (Sergeant at Arms) of the Senate; (8) miscellaneous items; (9) the Senators' Official Personnel and Office Expense Account; and (10) official mail costs.

(Sec. 2) Amends Public Law 101-302 to extend through FY2007 and each fiscal year thereafter the authorization of funds within the Senate contingent fund for expenses of the U.S. Senate Collection.

(Sec. 3) Amends the Legislative Appropriations Act, 2003 to extend the Office of the President Pro Tempore Emeritus of the Senate into the 110th Congress.

(Sec. 5) Authorizes the Architect of the Capitol (AOC) to acquire (through purchase, lease, transfer from another federal entity, or otherwise) real property, for the use of the Sergeant at Arms to support the Senate operations, subject to: (1) Senate Committee on Rules and Administration approval; and (2) availability of appropriations and the Committee's approval of an obligation plan.

Authorizes the Secretary of the Senate, subject to Senate Committee on Appropriations approval, to transfer funds for the acquisition or maintenance of such property from specified Senate accounts to the AOC Senate Office Buildings account.

Makes appropriations for the House of Representatives for FY2007 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; (2) Members' representational allowances; and (3) the preparation of statements of appropriations.

(Sec. 101) Requires any amounts appropriated for a representational allowance for a Member of the House which remain after all payments are made under such allowance to be deposited in the Treasury and used for deficit reduction or, if there is no federal budget deficit after all such payments have been made, to reduce the federal debt.

(Sec. 102) Increases the aggregate amount otherwise authorized to be appropriated for a fiscal year for the lump-sum allowance for the following offices: (1) Office of the Speaker of the House; (2) Offices of the Majority and Minority Floor Leaders; (3) Offices of the Majority and Minority Whip; (4) the Democratic Steering and Policy Committee; (5) the Republican Conference; and (6) the Republican Policy Committee.

(Sec. 103) Authorizes a subordinate employee designated by the Chief Administrative Officer of the House (CAO) to carry out CAO duties in the event of the CAO's death, resignation, separation from office, or disability, until a new CAO or acting CAO is appointed by the Speaker of the House.

Repeals the authority under the Legislative Branch Appropriations Act, 1943 for the disbursing clerk of the House to make payments in the CAO's name until the end of the quarterly period during which a new CAO is appointed.

(Sec. 104) Amends the Legislative Branch Appropriations Act, 2005, which requires the CAO to enter into a contract on a competitive basis for management of the exercise facility for House employees, to allow such a contract to be with a public or private (currently, only private) entity.

(Sec. 105) Allows the AOC to use certain funds to make payments under a private exercise facility contract if the AOC and the CAO agree to permit AOC employees to receive discounted memberships in such a facility which has contracted with the House to provide House employees with such discounted memberships.

(Sec. 106) Requires membership in such an exercise facility to be available to other categories of individuals the Committee on House Administration may approve.

(Sec. 107) Makes positions under the House Press Gallery, the House Periodical Press Gallery, and the House Radio and Television Correspondents' Gallery responsible to provide media support services with respect to the presidential nominating conventions of the national committees of political parties.

Authorizes the Standing Committee of Correspondents to enter into agreements with such national committees for reimbursement of employees for necessary expenses incurred in carrying out such responsibilities.

Subjects the terms and conditions of such responsibilities and agreements to CAO approval.

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 Capitol Police; (5) the Congressional Budget Office (CBO); and (6) the AOC, including for the care and operation of Capitol buildings and grounds, Senate and House office buildings, the Capitol power plant, the Library of Congress (LOC) buildings and grounds, the Capitol Police buildings and grounds, the Botanic Garden, and the Capitol Visitor Center.

(Sec. 1002) Transfers on the first day of the first pay period applicable to members of the Capitol Police beginning on or after April 1, 2007: (1) each Library of Congress (LOC) Police employee meeting specified criteria in this Act; and (2) any mandatory functions performed by such individual.

Supercedes specified existing law inconsistent with this Act.

Amends the Legislative Branch Appropriations Act, 2003 to repeal the current requirements for retirement treatment of transferred personnel.

Provides that nothing in this Act shall be construed to affect the authority of the Librarian of Congress regarding LOC collection security.

Deems such transferred employees to be members of the Capitol Police.

Allows such transfer if: (1) based on the assumption that such employee would perform a period of continuous federal service after the transfer date, the individual would be entitled to an annuity for immediate retirement under the Civil Service Retirement System (CSRS) and the Federal Employees Retirement System (FERS) on the date the employee becomes 60 years of age and has completed 20 years of service; and (2) the Chief of the Capitol Police (Chief) makes a determination that the employee meets the qualifications required to be a member of the Capitol Police.

Requires each eligible LOC Police employee to request a qualification determination from the Chief.

Requires the employee to complete successfully any training determined by the Chief.

Exempts such employee from the Capitol Police maximum hiring age of 37.

Prohibits the transfer of such an employee from causing him or her to be separated or reduced in basic pay or rank.

Requires the transfer of any credited annual leave, sick leave, other leave, or compensatory leave.

Exempts from CSRS and FERS mandatory separation requirements any individual who is transferred to, and becomes a member of, the Capitol Police, until the earlier of: (1) the date on which such individual is entitled to an annuity for immediate retirement; or (2) the date on which the individual is 57 years of age or older and is entitled to such an annuity.

Prescribes the treatment of prior service for eligibility for immediate retirement as a member of the Capitol Police.

Provides that nothing in this Act shall be construed to authorize: (1) any labor organization that represented an LOC Police employee before the transfer to represent that individual as a member of the Capitol Police after such transfer; or (2) any collective bargaining agreement (or any related court order, stipulated agreement, or agreement to the terms or conditions of employment) applicable to LOC Police employees to apply to members of the Capitol Police.

Authorizes the Capitol Police Board to allocate or reallocate any function transferred under this Act among members of the Capitol Police, and to establish, consolidate, alter, or discontinue such organizational entities in the Capitol Police as may be necessary or appropriate.

Authorizes the Chief, during the period preceding the transfer, to detail additional members of the Capitol Police to the LOC, without reimbursement, equal to or less than the number of LOC Police employees who are in training at any time.

Modifies the Capitol Police jurisdiction to include LOC grounds, including any building on them. Provides that, for buildings not located in the District of Columbia, the authority granted to the Metropolitan Police Force of the District shall be granted to any police force within whose jurisdiction the buildings or grounds are located.

Redefines Capitol Buildingsto include all buildings on the real property of the LOC.

Provides that the Librarian of Congress shall retain authority over LOC buildings and grounds.

Repeals the authority of the Librarian of Congress to designate LOC Police employees, and the jurisdiction of such employees within LOC buildings, grounds, and adjacent streets.

Repeals certain prohibitions currently specified as under LOC Police jurisdiction.

Provides that, subject to the Memorandum of Understanding, any individual who remains an LOC Police employee on or after the transfer shall remain in such capacity and functions as if this Act had not been enacted.

Provides that nothing in this Act shall be construed to affect Librarian of Congress authority to: (1) terminate such an individual's employment; or (2) transfer him or her to another LOC position.

States that as of September 30, 2008: (1) all LOC Police employee positions are terminated; (2) any individual employed in such position on that date and entitled to an annuity for immediate retirement shall be separated from service for retirement; and (3) the Librarian of Congress shall separate from service any individual employed in such position on that date (other than an individual eligible for immediate retirement).

Authorizes the Chief, as of April 1, 2008, to hire an additional number of individuals as members of the Capitol Police equal to the number of LOC employees on the date following the transfer.

The Librarian of Congress shall provide for collections security within the LOC.

Authorizes the Librarian of Congress to enter into contracts for goods and services and to coordinate with the Chief with respect to such security.

Requires the Memorandum of Understanding between the LOC and the Capitol Police entered into on December 12, 2004, to remain in effect through FY2008, subject to: (1) the provisions of this Act; and (2) such modifications as may be made in accordance with the modification and dispute resolution provisions of the Memorandum, consistent with this Act.

Requires the Librarian of Congress to reimburse, from any available funds, Capitol Police appropriations accounts for services performed by the Capitol Police at any LOC event.

(Sec. 1003) Authorizes the Chief to make advance payments for any contract relating to an information and workflow system for the management of human capital life cycle processes if making such advance payments is more prompt, efficient, or economical in the interest of carrying out required activities and operations of the Capitol Police.

Requires the Chief to notify the Senate and House Committees on Appropriations before exercising such authority.

(Sec. 1004) Requires the Capitol Police Board to appoint an individual to the position of General Counsel for the U.S. Capitol Police Board and the Chief without regard to political affiliation and solely on the basis of fitness to perform the duties of the position.

(Sec. 1201) Architect of the Capitol Inspector General Act of 2006 - Establishes in the Office of the AOC the Office of the Inspector General.

Appropriates funds for: (1) the LOC for salaries and expenses, the Copyright Office, Congressional Research Service (CRS), and Books for the Blind and Physically Handicapped; (2) the Government Printing Office (GPO) for congressional printing and binding (including transfer of funds); (3) GPO for the Office of Superintendent of Documents (including transfer of funds); (4) the Government Accountability Office (GAO) for salaries and expenses; (5) a payment to the Government Printing Office Revolving Fund; (6) a payment to the Open World Leadership Center Trust Fund; and (7) a payment to the John C. Stennis Center for Public Service Training and Development Trust Fund.

(Sec. 1301) Authorizes the expenditure of up to \$5,000 for the LOC incentive awards program.

(Sec. 1302) Establishes an upper limit of \$111.078 million for the FY2007 obligational authority of the LOC with regard to certain reimbursable and revolving fund activities.

Authorizes the Librarian of Congress during FY2007 to transfer temporarily up to \$1.9 million of funds appropriated in this Act for LOC salaries and expenses to the revolving fund for the FEDLINK Program and the Federal Research Program established under the Library of Congress Fiscal Operations Improvement Act of 2000.

(Sec. 1303) Makes certain funds available to the LOC under this Act also available for transfer to the Department of State as remittance for a fee charged by the Department for FY2007 for the maintenance, upgrade, or construction of U.S. diplomatic facilities, but only to the extent of the unreimbursed value of Department services provided to the LOC.

(Sec. 1304) Amends the Legislative Branch Appropriations Act, 1998 to subject the Cooperative Acquisitions Program Revolving Fund to an audit by the Comptroller General at his discretion. (Currently, the Librarian of Congress is required to prepare and submit to Congress an audited financial statement for the Fund for the preceding fiscal year.)

(Sec. 1305) Declares that: (1) any LOC employee who has satisfactorily completed a probationary period in the Library

under a non-temporary appointment acquires a competitive status for appointment to any position in the competitive service for which the employee possesses the required qualifications; and (2) such employee shall not be required to complete a probationary period upon such appointment.

(Sec. 1306) Makes a displaced employee of the LOC eligible for special selection priority for a position in the competitive service under the interagency career transition assistance program administered by the Office of Personnel Management (OPM), and under any similar interagency program for displaced federal employees that OPM may subsequently administer.

Defines displaced employee of the LOC as a former or current LOC employee who: (1) is or was serving on an appointment without time limit; (2) is or was serving in a position at level GS-15 of the General Schedule or less; and (3) is in receipt of a notice of reduction in force (RIF) or a notice of proposed removal for declining a transfer of function or directed reassignment out of the local commuting area or was separated or removed under such a notice.

Title II: General Provisions - (Sec. 201) Sets forth authorized or prohibited uses of funds appropriated by this Act identical or similar to corresponding provisions of the Legislative Branch Appropriations Act, 2006.

(Sec. 209) Requires the AOC by September 30, 2007 to: (1) install an E-85 fuel (a mixture containing at least 85% of methanol, denatured ethanol, and other alcohols by volume with gasoline or other fuels) pump and related infrastructure on the Capitol Grounds; and (2) make such fuel available to any motor vehicle operated by any legislative agency or office.

Requires the head of each legislative agency, to the greatest extent practicable, to ensure that E-85 fuel-compatible motor vehicles it operates use that fuel.

Requires contracts or other agreements entered into by a legislative agency or office for the purchase or lease of motor vehicles to require such vehicles to be compatible for E-85 fuel use.

Actions Timeline

- **Jun 22, 2006:** Committee on Appropriations. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jun 22, 2006:** Committee on Appropriations. Reported by Senator Allard with an amendment in the nature of a substitute. With written report No. 109-267.
- **Jun 22, 2006:** Committee on Appropriations. Reported by Senator Allard with an amendment in the nature of a substitute. With written report No. 109-267.
- **Jun 22, 2006:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 478.
- **Jun 7, 2006:** Rule H. Res. 849 passed House.
- **Jun 7, 2006:** Considered under the provisions of rule H. Res. 849. (consideration: CR H3434-3445; text of measure as reported in House: CR H3440-3445)
- **Jun 7, 2006:** Rule provides for consideration of H.R. 5521 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order.
- **Jun 7, 2006:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 849 and Rule XVIII.
- **Jun 7, 2006:** The Speaker designated the Honorable John Linder to act as Chairman of the Committee.
- **Jun 7, 2006:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 5521.
- **Jun 7, 2006:** DEBATE - Pursuant to H. Res. 849, the Committee of the Whole proceeded with 10 minutes of debate on the Baird amendment.
- **Jun 7, 2006:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 5521.
- **Jun 7, 2006:** The previous question was ordered pursuant to the rule. (consideration: CR H3445)
- **Jun 7, 2006:** POSTPONED PROCEEDINGS - Pursuant to clause 10 of Rule XX, the yeas and nays were ordered. The Chair postponed further proceedings on passage of H.R. 5521 until later in the legislative day.
- **Jun 7, 2006:** Considered as unfinished business. (consideration: CR H3465-3466)
- **Jun 7, 2006:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 361 - 53 (Roll no. 229).
- **Jun 7, 2006:** On passage Passed by the Yeas and Nays: 361 - 53 (Roll no. 229).
- **Jun 7, 2006:** Motion to reconsider laid on the table Agreed to without objection.
- **Jun 7, 2006:** Received in the Senate and Read twice and referred to the Committee on Appropriations.
- **Jun 6, 2006:** Rules Committee Resolution H. Res. 849 Reported to House. Rule provides for consideration of H.R. 5521 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order.
- **Jun 1, 2006:** Introduced in House
- **Jun 1, 2006:** The House Committee on Appropriations reported an original measure, H. Rept. 109-485, by Mr. Lewis (CA).
- **Jun 1, 2006:** The House Committee on Appropriations reported an original measure, H. Rept. 109-485, by Mr. Lewis (CA).
- **Jun 1, 2006:** Placed on the Union Calendar, Calendar No. 268.